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Taking Stock

Race Equality in Scotland

Edited by Nasar Meer, Smina Akhtar and Neil Davidson

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Contents

In the course of producing this report our friend and co-editor Neil Davidson sadly passed away. We will continue to honour his memory by struggling against racism and pursuing a more just and equality society.

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Introduction: Taking Stock

Nasar Meer, Smina Akhtar and Neil Davidson

In 2016, we published *Scotland and Race Equality: Directions in Policy and Identity*, which drew together leading researchers and policy actors to understand and evaluate recent developments in race equality in Scotland. This follow-up report builds on the earlier publication but also draws on evidence presented at the conference event 'Tackling Scotland's Racism Problem' held on 10 May 2019. The conference was focused on policy solutions and brought together practitioners, activists and politicians. This report includes contributions from MSPs (members of the Scottish Parliament), stakeholders and researchers, and is presented as a further and necessary check on how Scotland's race equality agenda is developing and where it may be headed in the years to come.

An evolving story

The timing is appropriate. It is over 20 years since devolution, and the fate of race equality as a public policy area has fluctuated during this period, with observers noting that while the first two sessions of the Scottish Parliament saw debates on anti-racism, there were no chamber debates on either the *Race Equality Statement 2008–2011* or the *Race Equality Framework for Scotland 2016–2030* (CRER, 2019). Yet the topic of anti-racism (broadly conceived) has assumed a tacit role within Scottish political discourse well beyond the Scottish Parliament during this period, and not least in the ways in which some political actors have argued mark Scotland out as different from the UK as a whole (Davidson et al., 2018). Moreover, in 2015 the Scottish Government initiated a wide-ranging consultation in advance of introducing the new race equality framework, something that goes well beyond anything previously attempted in Scotland (Scottish Government, 2016). Not unrelated to the first two issues, the multi-level character of governance in the UK means that there may be race equality policy developments in this evolving story that are missed from a UK perspective.

Scotland, as with the UK as a whole, has formally understood tackling discrimination as something 'active' in seeking to treat people equally rather than resting on a benign ideal of equal treatment. In theory at least, this reaches beyond how different groups might blend into society, and instead insists on group-specific policy to address discrimination based on gender, disability, age, sexual orientation and so forth, as well as monitoring the institutional under-representation among such groups. Among this multi-stranded configuration, codified to some extent in the Equality Act 2010, approaches to race equality have also developed what Hepple (2011) calls an 'unsettled apparatus'. This is carried into the legislative instruments of devolved government, specifically in Schedule 5 of the Scotland Act 1998, which incorporated the functions of the third Race Relations Act (1976). Here, Paragraph L2 of Part 11 of Schedule 5 specifies that 'equal opportunities' is a reserved matter, and that this includes 'the subject matter of the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995'.

Since devolution, the Scottish Government has put forward a number of initiatives that deal with race equality, including:

2002	The Scottish Executive's anti-racism campaign
2005	The Scottish Executive's race equality scheme
2006	The Scottish Executive's national strategy and action plan on race equality
2008	The Scottish Government's *Race Equality Statement* published
2012	Public Sector Equality Duty Scottish specific duties published (new specific duties for listed public bodies to help them meet the Equality Act 2010 general duty)
2016	Scottish Government's *Race Equality Framework for Scotland* published
2017	*A Fairer Scotland for All: Race equality action plan and highlight report 2017–2021* published
2020	Scottish Government announces the creation of a new Directorate of Equality, Inclusion and Human Rights

Under the devolution settlement, therefore, the legislative foundation of race equality is reserved to Westminster.

The multi-level character of this settlement is key. It has been argued that it is precisely because race equality policy is a reserved matter that it has been able to be 'left off' the agenda in Scotland (Arshad, 2016). This is a complaint not about the lack of legislation but about the absence of both a cultural awareness around race equality and a policy commitment to operationalise it. Equally, it is something that also bears an older (pre-devolution) pedigree.

As one equality stakeholder puts it, 'twenty years ago when I kicked off, working in places like West Lothian, Fife or rural Scotland, you would often get "There isn't a problem here". For example, we had a case in Falkirk, the family had appalling racist language on their wall, but the local police and local MP told me it wasn't racist, and I was like, "Hold on, I don't understand this"' (respondent interview; see Meer, 2020). This respondent's testimony sits uncomfortably alongside contemporaneous scholarship on the topic, specifically Miles and Dunlop's (1986) influential thesis. In their view, the active racialisation of social and political life had taken a different course in Scotland and it was not a staple feature. As they elaborated:

> *There is no formal evidence of systematic police brutality and discriminatory arrest patterns. Political debate has rarely defined 'race' as a major problem requiring action by local authorities or the Scottish Office. The National Front presence in Scotland has been minimal and the party achieved virtually no electoral support during the 1970s. And there has been no sustained campaign of political resistance on the part of people of Indian and Pakistani origin in Scotland. (Miles and Dunlop, 1986: 27)*

These thresholds of what constitutes racism are very high – even if they were routinely met in England (Brown, 1984), which in itself was what provided Miles and Dunlop with the criteria of relevance. Another way of putting this is to say that they nearly entirely overlook structural and low-level racial discrimination. In either case, and whether or not this was valid at the time, given the findings on the degree of 'felt' racism in Scottish society today (see Appendix 1), as well as the structural outcomes discussed below, the account is not a sufficient summary of contemporary social dynamics.

For example, there is a pressing sense that while police authorities elsewhere in the UK have made attempts to recognise institutional racism, Police Scotland has not. Indeed, it took 18 years of campaigning by the civil rights lawyer Aamer Anwar, as well as a change in the law, for the police and judicial system to prosecute the killers of Surjit Singh Chhokar. More recently, the family of Sheku Bayou have waited almost five years to get an explanation for why Sheku died at the hands of the police. As with deaths in police custody in England, questions have been raised about the amount of force used on Sheku, in addition to the lack of independence and transparency in the mechanisms and structures which deal with police misconduct (Akhtar, 2019). It is welcome, then, that the Scottish Government announced in 2019 that a public inquiry would be held into Sheku's death, and that one of the questions it would consider would be whether race played a part in his death and its immediate aftermath.

It is worth noting that racially motivated hate crime remains the most commonly reported type of hate crime in Scotland (COPFS, 2019:1), and as recent attitude polling has shown, about a third of non-white black, Asian and minority ethnic (BAME) people in Scotland report experiences of racial discrimination, and a slightly higher proportion consider racial discrimination to be a widespread issue in Scotland (Meer, 2016, and Appendix 1). Interestingly, the same research reports that the majority of respondents who had experienced discrimination did not report it to any kind of authority. This was despite large majorities of the same samples insisting that they would encourage a friend or family member to make a formal complaint if they thought they had experienced discrimination.

Continuing barriers

How should we understand this? One means is to focus on everyday practice, in which surviving racial discrimination is a normalised strategy. While limited, the lens of 'racial micro-aggressions' is useful here. With a provenance in critical race theory (CRT) research, the concept of racial micro-aggressions describes the 'brief and commonplace daily verbal, behavioural, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory or negative racial slights and insults' (Sue, 2007: 271).

If we accept that the understanding of race and racism cannot be reduced to micro-aggressions alone, it might be adopted with caution to describe what non-white BAME groups compartmentalise or bracket off in their wider negotiation of social life. Of course, this is a complex social practice, and

as an explanation it is limited without qualitative data, but this reading is supported by studies that have undertaken precisely this type of work in Scotland (e.g., Botterill et al., 2019). Moreover, while we are talking here about subjectivity or people's perceptions, it is equally tied to material and institutional inequalities, something quite easily demonstrated by pointing to structural outcomes.

As the Scottish Parliament's Equal Opportunities Committee (2016) notes, despite having equivalent education and skills, non-white BAME Scots are more likely to be unemployed or in low-paid work than their white counterparts. This was especially highlighted in the written submission by the Coalition of Racial Equality and Rights (CRER), which reported that 17.7% of BAME people interviewed for local authority jobs were appointed, compared with a figure of 31.9% for white interviewees (2016: para 15). It is a finding that rests in a broader employment gap between BAME and white people in Scotland, which Scottish Government (2015) data has shown to be significant (in 2013, 57.4% of BAME people were in employment compared with 73.8% of non-BAME people).

Note that the largest non-white BAME groups in Scotland are the Scottish Asian populations at 2.7% (compared with 8% in England), while African, Caribbean and other black populations make up 0.8% (compared with 3% in England) (Hill and Meer, 2020). The 2011 Census marked notable increases in both populations: Scottish Asian populations had doubled since 2001 (from 1.4%), while African, Caribbean and other black populations had quadrupled (from 0.2%).

Office for National Statistics (ONS) Annual Population Survey (2018–19) data shows that the employment rate of BAME groups in Scotland remains lower than that of the white population, and with an employment gap of 15% (61% vs 76%) that is higher for women (20%) than men (9%). This is compounded by a BAME pay gap of 10% which contributes to in–work poverty, and which is currently larger than the gender pay gap (7% for full-time employees) and disability pay gap (8%). This discrepancy can be seen to permeate efforts to redress inequalities too, with the Modern Apprenticeships programme being the most prominent example: the proportion of eligible people from BAME groups in receipt of an apprenticeship is 2.1%, against 5.2% of the eligible population as a whole (Skills Development Scotland, 2016). In 2018/19, the proportion of Modern Apprentices who self-identified as being from the Mixed or Multiple; Asian; African; Caribbean or Black; or Other census ethnic groups was 2.3%, a rise of 0.4% on 2017/18.[1] Equally, we know, for example, that BAME people are more likely to live in poverty, with a poverty rate of 38% (30,000 people each year) for the Mixed, Black or Black British, and Other census groups, and 34% (40,000 people) for the Asian or Asian British group. In contrast, the poverty rate for the White British group was 18%, 850,000 people (Scottish Government, 2020).

Trajectories

In her race equality pathfinder, meanwhile, the Independent Race Equality Advisor notes that only 1.6% of the civil service in Scotland is BAME (Lyle, 2017: 6), notably commenting that 'inclusive policy making is not yet embedded in the DNA of the Scottish Government or public bodies in Scotland' (Lyle, 2017, 2). Racial inequalities are therefore evident across key sectors in Scotland in ways that warrant public policy interventions. In the chapters that follow, contributors pick up this challenge from different perspectives.

Reflecting on a long career of anti-racist activism, Rowena Arshad argues that the future of Scotland as a progressive, inclusive nation is dependent on key actors pushing in a common direction, a sentiment shared by Carol Young, who expertly evaluates past and present approaches, and for whom promises of good practice can turn out to be a commitment to equality without delivering. Danny Boyle advocates the adoption of a strategic policy foundation, rooted in race-focused international human rights law and buttressed by domestic equalities legislation, to take a more comprehensive view of racial equality issues in Scotland. This is taken up in Nasar Meer's discussion of whether recent race equality policy developments bear both specific and generalisable qualities; he concludes that while the burgeoning development of a broader 'Scottish approach' may be underway, it is not yet fully discernible in the area of race equality policy. A strand of this topic bears an older historical pedigree, discussed by Stephen Mullen, specifically concerning how we choose to narrate our nation's past in relation to the story of racism and anti-racism. This is a concern taken back to practice by Khadija Mohammed, specifically focused on anti-racism practice in the classroom in light of Scottish education policy and the formation of the Scottish Association of Minority Ethnic Educators (SAMEE) and the National

[1] Cross-Party Group on Racial Equality in Scotland, responses from Mr Jamie Hepburn MSP, 11 September 2019.

Mentoring Programme. Moving from researchers and non-governmental stakeholders, we offer three perspectives from politicians in Scotland. This opens with the contribution of one of the only two non-white members of the Scottish Parliament, Anas Sarwar MSP, followed by pieces by Fulton MacGregor MSP, who the chairs the Scottish Parliament's Cross-Party Group on Race Equality, and Gillian Wilson, who advances the Scottish Green Party's argument for connecting the race equality agenda to a holistic green agenda.

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Lessons Learnt about 'Race' in Scotland

Rowena Arshad

What are the rules of discussing 'race' as I have observed them in nearly three decades of working to embed anti-racist education and race equality work in public policies? Largely, they start from a 'do not see colour or difference' discourse, hence 'we treat everyone the same'. However, if you really must discuss 'race' issues, let's talk about culture instead, as that is much easier, less uncomfortable and far more manageable. Talking about racism is seen as highly negative and in Scotland, as a small country with egalitarian credentials wishing to punch above its weight, a positive narrative of doing good, promoting inclusion, willingness to assist refugees and welcoming migrants should be what we focus on. Talking about any complicity in perpetuating white hegemony or whiteness is avoided as promoting division, separatism and segregation. Discussion of racism is thus selective and engages with what is palatable and easily understood.

A key to progressing race equality is to develop a systems understanding of race matters. This means moving away from viewing racism as purely individually instigated deviant and irrational acts, to an understanding that race is connected to wider issues of power (Lopez, 2003). To advance racial equity requires an examination of systems – for example, how our education system is perpetuating racial inequalities via the formal and hidden curricula, assessment methods, teacher attitudes, and so on. If we attribute racism to acts of irrationality or an individual lapse of moral judgement, then in Scotland, where we pride ourselves on our commitment to tackling injustice, to being inclusive and open, we would clearly not make ourselves partisan to any deviant behaviour that is racist. However, studies to date (Meer, 2016; Scottish Government, 2018[1]) continue to show us that racial literacy and awareness in Scotland, from those in leadership positions to those delivering services, is rudimentary at best.

If there is a lack of knowledge of race issues for those in leadership and policymaking spaces, then it is questionable how these same people can identify effective change in the area of race equality. Lack of knowledge also leads to a lack of confidence, and one of the consequences is that race issues become downplayed. 'It does not happen here' becomes a more comfortable narrative to operate within. This approach closes down spaces for discussing racism. For those who do encounter and suffer racism, of any type, it becomes increasingly difficult to name the issues or discuss their reality, without appearing overbearing or paranoid or simply having a 'chip on the shoulder'. To overcome this gap of knowledge, there is a need to find out the realities from those who experience racial inequities on a daily basis and then to work with them on ways forward.

Another aspect to progressing equality (including race equality) in Scotland is to firmly debunk the 'treating everyone the same' narrative. This mantra, which appears peculiar to Scotland, is often coupled with a discourse that in our public services and policies, we already uphold an 'inclusion for all' approach. This is followed by a belief that the conditions are in place that will automatically benefit all people, including those viewed as from black and minority ethnic backgrounds. They are not. While there may be areas of overlap, policies will affect different groups of people in profoundly different ways. For example, in higher education in the UK there has been momentum on achieving gender equity via the Athena SWAN award. This award established by the Equality Challenge Unit in 2005 recognises and celebrates good practices in higher education towards the advancement of gender equality. However, it has largely failed to engage with issues of intersectionality, so connected characteristics of race, disability, sexuality, religion and belief have largely been invisible within the overall term 'gender equity'. In addition, the category is binary (male/female), which means people who are transgender are not included.

Leaders and policymakers need to be able to move beyond what is fair to what is equitable in terms of outcomes. What is fair, particularly in legal terms, may not be equitable, in that we cannot treat everyone the same, as everyone does not have the same starting point or needs. A note of caution also needs to be sounded about the term 'intersectionality'. This has become a buzzword with a rapid uptake, as though the inclusion of that word automatically raises the credentials of whoever is using it. For example, in the policy world, I have heard the word being used to

[1] See particularly section 4, 'Closing the awareness gap'.

mean having better representation around the policy table, or about someone having multiple identities. That is not what the word means. Intersectionality is about how axes of oppression intersect, and specifically about how black women's experiences of a range of issues differ from those of white women, as well as how black women experience racism differently to black men (Crenshaw, 1989).

Why, then, are initiatives to tackle racism or to put in place anti-racist measures largely still kicked into the long grass? This could be for a range of reasons: those who have the seniority to lead for change have had a lack of exposure to diversity; perhaps a lack of grasp of Scotland's own racialised histories; a reluctance to engage in concepts and conversations that might disrupt individual securities; a deep belief in Scotland's egalitarian credentials and that 'treating everyone the same' is sufficient; perhaps simply a refusal to know or care. It could be as basic as an anxiety about getting it wrong and being a labelled a racist. Whatever the reason, the life opportunities of black and minority ethnic people cannot wait for everyone to become aware, so there needs to be proaction from society's leaders to lead the transformation.

In my field of education, I observe in my work in teacher preparation that it is still an uphill struggle to get student teachers to robustly engage with concepts like positionality or what decolonising the curriculum actually means. While much of our own education may have been filled with silences about the contributions and achievements of black and minority ethnic people in Scotland and globally, allowing these silences in our own knowledge to persist is a choice. The 'lack of knowledge' argument cannot continue to be exploited as an excuse to justify unwillingness to engage with decolonising the curriculum (in the case of further, higher and school education) or to put in place policy that is not race-blind or race-evasive. We do not live in an ideal or neutral world, and issues of colonialism and empire are histories with contemporary impact and relevance. Trouillot, an anthropologist, reminds us in his book *Silencing the Past* that 'Naivete is often an excuse for those who exercise power' (1995: xix), and the continued lack of recognition or representation of black and minority ethnic people as 'core' in Scottish life means that there remains a code of who is in and who is on the periphery.

Earlier, I raised the importance of leaders and policymakers listening to black and minority ethnic people, particularly those who have been impacted in the everyday by who they are.

Given that the numbers of black and minority ethnic people in Scotland are relatively small in comparison with other parts of the UK, this does mean the range of voices to draw upon from black and minority ethnic communities is also smaller. This has led to a degree of inertia as, depending on whose voices politicians and policymakers are listening to, the action that follows is varied and does not all lead to challenging systemic racism. These voices range from black and minority ethnic people who do not wish to engage with any 'race' debate and would argue that they have not encountered any racism, to those who have experienced racism or racial micro-aggressions but would rather not speak about it. Then there are those who are focused on grappling with how systems maintain spaces for privilege and their work of seeking to dismantle knowledge frameworks and policies that are built on notions such as white supremacy and white privilege. This group would suggest that diversity and inclusion efforts are not enough to dismantle interlocking oppressive systems. They would argue for a need to interrogate how these systems are maintained at the macro, meso and micro levels. This group would also argue that people from specific backgrounds experience racism in sharper ways and that this is predicated largely on visibility – for example, through the colour of your skin. Yet another view is one that suggests a constant focus on racism alone is negative and risks succumbing to a victim mentality. People in this group do not deny that racism happens in various forms. However, they would add that a more effective approach is for minoritised peoples to seize their place and showcase their talents and contributions, thereby integrating and contributing as active citizens and claiming their human rights. Then there are voices that argue there is a need to move away from a focus on colour-based racism to one that challenges racisms regardless of who the target is.

Zeus Leonardo, an American professor of social and cultural studies, also suggests that we need to move beyond skin colour, as skin colour is not the only criterion for racial distinction. A range of other characteristics, such as hair texture, nose shape, culture, language/accent, religion and belief, also come into play. However, Leonardo reminds us that that those who most closely approximate what is deemed as the 'norm' and acceptable – that is, being white – are then accorded more acceptance and privileges.

Leonardo goes on to suggest that it is more important to focus on how processes secure domination and privileges for certain people and

not others, and he also suggests that even if white people start understanding how they benefit from their positionality, 'unless there are accompanying structural changes, it does not choke off the flow of institutional privileges' (Leonardo, 2004: 137).

Given the low level of racial literacy among those in leadership or policy development, the danger becomes that the voices listened to and seen as allies belong to those who do not challenge the status quo, diverting the gaze once again from structural and systemic issues to issues like culture, identity and individual experiences. It needs to be remembered that those on the receiving end of racism can be equally as confused as those in the majority, as they may not have had the opportunities to perform a critical analysis of the causes of their own oppression.

Focusing on multiculturalism or interculturalism and celebrating diversity might encourage a 'politics of happiness' (Ahmed, 2008), but it does not engage with the reality that a system or a policy that marginalises or misrecognises certain people and groups works to benefit others. There is also a need to cease framing race equality work as something to benefit black and minority ethnic people: it benefits all of us, as it maximises our collective potential.

We need to guard against the trap of thinking that an absence of overt racism or that vocal championing of human rights are sufficient to negate the need for clear anti-racist initiatives. We are not yet able to say that we have a clean story of progress. Racism is integral to all modern state formations (Goldberg, 2002) and their maintenance. Unless we are all able to be equal before we are different, then there remains a need to continue to focus on explicit anti-racist work. Policy writing is a power-laden process, as are knowledge production and dissemination, and those in these positions hold great responsibility not only to find ways to ensure better representation of black and minority ethnic people at decision-making levels but also to take forward parallel changes to the culture of our schools, public institutions and the administration of our services.

In a country like Scotland, very conscious of issues of poverty and class divides, of collectivism and the importance of the public sector, it is very important to understand that 'race' remains an organising principle in almost all facets of social life. The future of Scotland as a progressive, inclusive nation is dependent on key actors such as politicians, policymakers, curriculum writers and societal leaders working together to ensure better representation of black and minority ethnic people at all levels of society. The importance of representation, seeing someone who looks and sounds like you in a leadership position, cannot be understated. Lack of representation is a barrier to stimulating diversity. Finally, too often, race equality is seen as a laudable principle, but as the benefits and outcomes are difficult to measure, it is deprioritised and becomes difficult to fund. Angela O'Hagan, a feminist academic, speaking at a recent roundtable on promoting gender diversity, said that 'Gender equality is not a priority to be balanced'. The same can be said of race and other diversity issues.

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Scottish Public Sector Equality Duties: Making 'Good Practice' Count

Carol Young

Since their inception in 2012, the Scottish specific duties on equality[1] have arguably become the biggest driver of race equality practice in Scotland's public authorities. These duties require the majority of public authorities in Scotland to undertake various activities to demonstrate their approach to eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations between people who share a protected characteristic and those who do not.[2]

Beyond simply driving practice, if implemented well these duties are a potentially transformative tool for achieving equality in Scotland. For this reason, these and the preceding race equality duty have been of fundamental importance to the work of the Coalition for Racial Equality and Rights (CRER) as a strategic anti-racist organisation.

CRER has researched the performance of the duties extensively, including delivering a large-scale study on behalf of the Equality and Human Rights Commission (EHRC) in 2018. The resulting report, *Effectiveness of the PSED Specific Duties in Scotland*,[3] analysed performance over the first four-year implementation cycle of the duties between 2013 and 2017. The research focused on the duties to publish equality outcomes and report progress on these, to gather and use employee information, and to publish pay gap information.[4]

The study set out to identify the changes achieved for people with protected characteristics as a result of work done by public bodies to implement the duties during this first four-year cycle. Monitoring and evaluation is an area of particular interest for CRER, in addition to our other research activities and related work such as the development of a set of principles for evaluating anti-prejudice activities (again, on behalf of the EHRC).[5]

This previous experience prepared us, to a certain extent, for the discouraging findings that resulted. Almost no concrete examples of positive change impacting people with protected characteristics were identified.[6]

This was despite a number of public authorities reporting having adopted what might be described as good practice approaches on tackling racial inequality. Many of these examples were in line with the sort of action that CRER, along with others in the race equality sector, might recommend. However, perplexingly, these approaches very rarely appear to have led to positive change.

Continuing to recommend action for the sake of action, without evidence of positive impact, is clearly a fool's errand.

This leaves Scotland's race equality sector in something of a quandary. The question is, how can we be sure that the good practice activities being recommended actually count for something?

The Scottish Government's 2020 review of the duties will bring a renewed focus on equalities practice in the public sector. There is much to be said about how changes to the regulations could maximise their potential and close the loopholes which hamper effective implementation.

Nevertheless, non-compliance with the duties is rife, and there is no way to ensure that a strengthened set of duties would have any greater impact on race equality if this continues. Anecdotally, public

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1 Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. These regulations of the Scottish Parliament impose specific equality duties on particular listed public bodies.

2 These three aspects, sometimes known as the 'three needs', are the basis of the Equality Act 2010 general equality duty, which applies to all organisations in Britain carrying out a public function.

3 CRER (2018) *Effectiveness of the PSED Specific Duties in Scotland.* Glasgow: EHRC.

4 The other aspects of the duties, including aspects relating to equal pay statements, equality mainstreaming, equality impact assessment and procurement, were not included and so are not discussed in any detail here. However, these have significant implications of their own as potential levers for change.

5 Duff, C. and Young, C (2017) *What Works? Eight principles for meaningful evaluation of anti-prejudice work.* London: Equality and Human Rights Commission.

6 The 80 reports studied contained 610 equality outcomes, with 130 total references to race as one of the protected characteristics that outcomes were intended to benefit. However, only 25 examples of evidence showing any degree of positive change for minority ethnic people were demonstrated in progress reporting on those outcomes. With the addition of evidence provided on outcomes not specifically referencing race as a targeted characteristic, the total number of examples of positive change rises to 41.

sector equality workers often seem to feel that weak approaches to enforcement entrench this, creating a laissez-faire attitude at senior levels within organisations. This was reflected to a degree in early research carried out on behalf of the Scottish Government, in which public sector stakeholders raised the need for clarity about compliance and for support from the Scottish Government and the EHRC to encourage senior leaders to take the equalities agenda seriously.[7]

So, based on CRER's overall experience as researchers and advisers to the public sector, what can currently be said about how public bodies can make good practice count?

The following examples, all relating to observed practice in the Scottish public sector, set out the kind of practical changes that could potentially address this challenge.

Good practice in gathering evidence on inequality

Research into basic compliance with the public sector equality duties by the EHRC in 2013 found that 55% of authorities mentioned using evidence in the development of their equality outcomes.[8] Using relevant evidence in setting outcomes is mandatory under the current duties. However, many well-evidenced, prevalent inequalities are not being reflected within equality outcome setting.

For example, in theory all education authorities in Scotland could usefully set an outcome addressing racism in the school environment. There are weaknesses in data collection, but in most areas some figures exist on racist bullying. At last count, at least 25 of Scotland's 32 local authorities held this data.[9]

Regardless of the availability of data, education authorities are undoubtedly aware of this critical issue. Previous research demonstrated that teachers reported racism as the most prevalent grounds for prejudice-based bullying,[10] and the Scottish Parliament Equalities and Human Rights Committee also raised concerns about this through its inquiry into school bullying.[11]

For the 2013–17 equality outcomes cycle, CRER estimates that seven education authorities made the welcome decision to take action on prejudice-based bullying within their equality outcomes. However, again, progress was not demonstrated.

In the worst instance, one of these authorities reported 'progress' on the outcome by presenting a baffling range of information with no relevance to bullying – including, for example, on interpretation requests, harmful traditional practices and child protection in 'different cultures'. Far from tackling racial inequality, this approach smacks of racism on every possible level.

While this may be an extreme example, the use of inappropriate evidence is common. Staff and service user surveys are often used as a source of evidence on views about discrimination and inequality. In essence, this is a commendable approach which could help to demonstrate progress. However, the information is almost never disaggregated by the protected characteristics of those completing the surveys, meaning that the results are irretrievably skewed in favour of participants who will not face racial discrimination, and therefore will not report it. The experiences of participants from minority ethnic groups impacted by racism are automatically erased by this approach. In some cases, it is clear that the information could be disaggregated, calling into question the motive for failing to do so.

There is no doubt that building a robust evidence base has to remain among the actions recommended to tackle racial inequality. For this to mean something, however, it is vital that organisations make an honest appraisal of that evidence and use it effectively, without selective judgement or defensiveness.

Good practice in involving equality organisations

Involving people with protected characteristics and their representatives in setting equality outcomes is another requirement of the specific duties.[12]

EHRC guidance on the meaning of 'involvement' in this context states that 'Unlike consultation,

[7] Fyfe, A., MacMillan, K., Bruce, C., Finlay, J. and Hewitt, E. (2013) *Public Sector Equality Duty Implementation of Scottish Specific Duties: Views from public authorities.* Edinburgh: Scottish Government.
[8] EHRC (2013) *Measuring Up Report 3: Monitoring public authorities' performance of the Scottish Specific Duties.* Glasgow: EHRC.
[9] Young, C. (2018) *Racist Incident Reporting in Scotland's Schools: Analysis and implications for practice.* Glasgow: CRER
[10] Dennell, B.L.L. and Logan, C. (2015) *Prejudice-Based Bullying in Scottish Schools: A research report.* Glasgow: EHRC.
[11] EHRC (2017) *It Is Not Cool to Be Cruel: Prejudice-based bullying and harassment of children and young people in schools.* Edinburgh: Scottish Parliament.
[12] EHRC (2016) *Involvement and the Public Sector Equality Duty: A guide for public authorities.* Scotland. Glasgow: EHRC.

involvement will support public authorities to develop active engagement on an ongoing basis with people over a period of time'.

This arguably reflects ambitions within the equality sector, where experience has shown that tokenistic, one-off consultations rarely lead to change.

CRER's research looked at involvement processes in some detail, including through interviewing equality organisations.[13] Only 2 of the 15 organisations interviewed reported that their involvement had produced significant impact on equality outcomes. In both cases this happened through in-depth involvement with an authority they had a pre-existing relationship with. Many others could see at least some degree of impact, but views were very mixed, and some public authorities were trusted more than others to deliver on impactful involvement.

A high proportion of public authority reports considered within this part of the study gave information about involvement, most often listing the groups involved but also occasionally giving information about the results.

Unfortunately, the link between involvement and the outcomes set was generally very difficult to identify. In the worst-case scenarios, equality organisations that were never consulted had been named within the involvement sections of equality outcome reports. Whether this is a result of oversight, error or the stretching of other interactions to fit a notion of 'involvement' is unclear.

Improved approaches to involvement would undoubtedly help to lay the ground for effectively tackling racial inequalities. Given the importance of ensuring minority ethnic voices are at the forefront of this, there may be an argument for amending the duties to require organisations to be more proactive in considering evidence from involvement. One way to achieve this could be to establish a right for relevant organisations to put forward suggested outcomes, which an authority would be obliged to publish along with a brief rationale on its decision about accepting them.

Good practice in outcome setting and progress monitoring

Equality outcomes should set out what specific changes need to be achieved for a protected characteristic group (or groups, if relevant) and should be geared towards meeting one or more of the three 'needs' of the general equality duty – eliminating discrimination, advancing equality of opportunity and fostering good relations. An outcome which sets this out clearly might be said to follow good practice.

Generally speaking, the more the wording of an outcome reflects the change the organisation wishes to achieve, the more likely it is that they will be able to demonstrate that change. For example, an education authority set an outcome in 2013 of raising attainment for two groups experiencing inequality in attainment – boys, and pupils from a particular minority ethnic group. It was successful in raising attainment for both of these groups, and was able to report clearly and quantifiably on the change achieved.

The most robust examples of progress reporting specify what intervention has been put in place and what the impact has been on those targeted. For example, a health authority detailed statistical improvements for minority ethnic people taking part in a targeted weight loss programme over 2013–17, demonstrating the change achieved as opposed to simply levels of participation.

These examples, however, are exceptional. Even where outcomes are well worded and potential progress measures are identified, change is very rarely achieved – certainly not in a demonstrable way. CRER's research showed that particular measures of progress were almost never reported on more than once in reporting over 2013–17. This made tracking change impossible in most cases.[14] Often, the gap created when progress measures are dropped from year to year creates a distinct appearance of obfuscation.

Organisations need to be prepared to put time and effort into progress reporting. The ability to gather and track evidence of impact is crucial in demonstrating progress, and therefore in identifying what works to tackle racial inequality.

Good practice in gathering and using workforce data

Employment inequalities are another example of a well-evidenced racial inequality in Scotland's public sector. This is an especially vital issue because of the knock-on impact employment opportunities have on inequalities in other areas, including income and housing. Gathering and using employee information is a requirement of the Scottish specific duties, with

[13] CRER, *Effectiveness of the PSED Specific Duties in Scotland.*
[14] CRER, *Effectiveness of the PSED Specific Duties in Scotland.*

an annual breakdown of data to be published every two years. However, again, the extent to which the data is actually used is variable.

Given the level of under-representation of minority ethnic people within the public sector workforce, the setting of outcomes seeking to achieve a representative workforce must be regarded positively. There are some effective examples within the reports studied by CRER – for example, a public authority which set an equality outcome on this was able to show some success by reporting on both the workforce profile and improvements in the proportion of black and minority ethnic people successfully appointed, relative to the number of white candidates. The organisation was able to demonstrate clearly how its approach had led to progress towards the equality outcome.

Frustratingly, organisations in general still fail to publish employee data to the standard required by the duties. Moreover, there is very little information to indicate how the data is being used (which is a requirement of the duties).

The use of this data to address inequalities in representation is something frequently stressed by race equality campaigners. Where under-representation is severe, there may be no realistic way to challenge it without taking positive action, and so this features heavily in conversations about addressing workforce inequality.

Positive action initiatives have a poorly evidenced history in Scotland, with little long-term evaluation showing the outcomes in terms of retention and career trajectory. Where the immediate impact is reported, it often lacks clarity. For example, one public service undertaking a high-profile positive action programme initially reported great success based on recruitment rates that prominently included groups which may not, in fact, be under-represented or face barriers to recruitment.

What's the answer? Addressing factors that weaken good practice

The essential truth is that in most cases, current 'good practice' activities in Scotland's public sector are mostly procedural and focus on outputs rather than outcomes. The refusal to properly evaluate and monitor work intended to tackle racial inequality is part of a pattern of institutional racism which deliberately swerves the hard tasks by focusing on celebrating diversity and 'building capacity' in communities which already have plenty.

Too often, promises of good practice turn out to be simply showboating: efforts to market a commitment to equality without delivering. A notable example of this is the institution which, in 2017, set an excellently worded equality outcome to tackle an inequality in student attainment which simply didn't exist. It did so in order to promote awareness of its general work to improve attainment among students. This dramatically illustrates how little interest there can be in meeting the equality duties beyond looking good on paper.

Many of the weaknesses identified in CRER's research should be a matter for enforcement. Unfortunately, the EHRC has been continually stripped of funding since its inception, spreading its work over nine protected characteristics over a lower budget than the single-issue Commission for Racial Equality had in 2007.[15] While there are undoubtedly questions to be asked about how the EHRC chooses to operate within these financial constraints, activity of the scale that could make a real difference to the absurd level of non-compliance seems unlikely. Its current 'critical friend' approach is evidently ineffective.

In retrospect, the race equality sector can arguably also be seen as complicit with the failings that hamper progress. There is a tendency to award accolades to those who try to innovate – accolades that become difficult to rescind when progress fails to materialise. Perhaps the sector needs to become more discerning, and to demand proof of change. Collectively, we exist as a sector to eliminate racial inequality – not to encourage action for the sake of action.

It's also important to recognise that although the hard-won legal framework on race equality is an important driver, public sector workers cannot be expected to respond to this alone. The language of the law itself can be a barrier, especially to understanding the nuances of the multi-generational impacts of colour-based racism, white privilege and intersectional discrimination.

Practical and accessible approaches are needed which build understanding of race equality and what this means for organisations. Thankfully, the investment required to achieve this is not necessarily more funding or resources. It's an investment in changing the culture within organisations, becoming more reflective, transparent and open about the need to tackle institutional racism.

[15] The Commission for Racial Equality's funding from central government in 2006/07 was just over £19 million; for the financial year 2019/20, the Equality and Human Rights Commission's budget is £18.5 million.

Race, Equality and Human Rights in Scotland

Danny Boyle

Race equality policy in Scotland pivots upon the *Race Equality Framework for Scotland 2016–2030* and its subsidiary action plans. While the national strategy has been developed at a Scottish Government level, many of the critical policy actions are the responsibility of local authorities or statutory services. A lack of consistency across these duty bearers on what we understand to be race, equality and human rights obligations results in a lack of substantive progress for all of Scotland's racial minority communities. By adopting a comprehensive human-rights-based approach to recognition, evidence development and policy response, Scotland could become an example of international best practice in progressing substantive racial equality.

Who *are* Scotland's racial minority communities?

Racial discrimination is stipulated in international law as an open term which any individual person or community has the right to self-define. Racial discrimination is defined in Article 1 of the International Convention of the Elimination of all forms of Racial Discrimination (ICERD) as follows:

> *In this Convention, the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.*[1]

The definition of race within the UK Equality Act (2010) mirrors Article 1 of the ICERD treaty:

> *(1) Race includes— (a) colour; (b) nationality; (c) ethnic or national origins.*[2]

Thus, in legalistic terms at least, the UK approach has incorporated a response to international legal obligations in relation to adhering to the prohibition of discrimination – the foundation for progressing substantive race equality.

In Scotland, those most likely to be included within the ICERD and Equality Act 2010 provisions covering race, colour, descent, or national or ethnic origin constitute 8.4% of the population, numbering over 450,000 individuals.[3] Not all of Scotland's racial minority communities, however, experience racial inequalities in exactly the same way.

Terminology, recognition and competing understandings

Race and racial discrimination have become interchangeable terms used simultaneously from sociological, equality and human rights law perspectives to mean different things applying to the same situation. This can create tension when activists, academics, national and local government officials, equality leads or civil society organisations use different interpretations in their evidence development, analysis and approach.

Race equality policy development, analysis and evaluation in Scotland adopts multiple nouns and pronouns in confusing ways that routinely do not correspond to the scope of protections as codified in international and domestic law. This has a direct impact on the evidence base and data analysis adopted to endorse a policy position or priority. Terms such as 'ethnic minority', 'minority ethnic', 'black and minority ethnic' and 'black, Asian and minority ethnic' are all used in different ways.[4] Using undefined terms or interchangeable terms with different meanings to different groups causes confusion, and the struggle for race equality can be too narrowly defined, meaning that there is a

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1 UN General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195 – Article 1.

2 Scottish Government (2016) *Race Equality Framework for Scotland 2016–2030.* Edinburgh: Scottish Government: p. 4.

3 Scottish Government, *Race Equality Framework for Scotland 2016–2030*.

4 Human Rights Council, Forty-First Session, 24 June – 12 July 2019, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance: 'However, racial and ethnic terminology varies even among State institutions, and different terms are sometimes used interchangeably, in potentially confusing ways.'

5 The Presbytery of Glasgow and the Synod of Glasgow and Ayr (1923) *Menace of the Irish Race to Our Scottish Nationality.* Report to the General Assembly of the Church of Scotland, 29 May.

potential to exclude some on the basis of colour. For example, this is the case for the multi-generational Irish community in Scotland, who despite facing a history of racialisation in Scotland[5] are considered only within the context of 'sectarianism', even though this is a term and focus of analysis rejected by the community itself[6] that has the effect of extinguishing their rights as an ethnic minority community. In addition, Polish men living in Scotland have alarmingly high rates of suicide in comparison with both Scottish men and men living in Poland.[7] Despite this evidence, there remains an incoherence in community recognition and data disaggregation that prevents this national health issue being identified and tackled as a matter of race equality.[8]

While these terms may be familiar to those initiated into this subject matter, they do very little to illuminate to duty bearers, frontline services, the general public and those tasked with progressing Scotland's Race Equality Action Plan who precisely is relevant to the provisions of race codified in law and thus dictating the legal obligations of duty bearers. The differential use of terminology is illustrated by the following two examples, in which the same terminology used in Scottish Government-initiated reports is adopted in different ways to the exclusion of non-visible minority communities protected on racial grounds of ethnicity and nationality.

In Independent Race Equality Advisor Kaliani Lyles's 2017 report entitled *Addressing Race Inequality in Scotland: The way forward*, racial minorities are described as follows:

> *In this report, I use the term 'Minority Ethnic' (ME) to refer to the 8% of the Scottish population whose self-defined ethnicity is not white Scottish/British. I also use the term 'Black and Minority Ethnic' (BME) to refer to people from visible minorities. They represent 4% of Scotland's population. The word 'Black' is a recognition of a political identity. This does not imply that all those who face racial inequalities identify in this way.*[9]

However in *Teaching in a Diverse Scotland: Increasing and retaining minority ethnic teachers in Scotland's schools* (2018), racial minority communities are described in the following terms:

> *Scotland's Census 2011 recorded that the percentage of people in Scotland from minority ethnic groups is 4% and this compares to 1% of the teacher workforce reporting as being from a minority ethnic background in the 2017 Summary Statistics for Schools in Scotland publication.*[10]

The 4% and 1% figures relate solely to the colour dynamic of race, and bind together all those assumed to be 'black' regardless of their ethnicity or nationality, for example Pakistani, Indian or Arab. This is despite evidence indicating that there is a significant under-representation of Gypsy Traveller, Polish, Indian, Chinese, African, Black and Caribbean teachers in Glasgow – Scotland's largest and most diverse local authority.[11]

As such, evidence identifying that under-representation is occurring on grounds of other racial indicators is not part of a national policy strategy to tackle under-representation in the teaching profession.

What this example – and it is not an isolated one – illustrates is that there is no uniform approach to recognising, analysing and developing race equality policy in Scotland that is compliant with comprehensive race rights as expressed in international and domestic law. This matters, because Scotland's race equality framework and subsidiary action plans have over 80 action points spread across nine key policy areas.

Scotland's race equality framework and action plans

Scotland's first iteration of the *Race Equality Framework for Scotland 2016–2030* (REF) was

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6 'The Irish-Catholic presence – the largest ever migrant group to settle in Scotland – tends to be discussed in the context of "sectarianism", a concept which treats Catholics and Protestants as equivalent and ignores the racism directed towards the former.' McBride, M. (2018) 'The contemporary position of Irish Catholics in Scotland', in: N. Davidson, M. Liinpää, M. McBride and S. Virdee (eds) *No Problem Here: Understanding racism in Scotland.* Edinburgh: Luath Press.

7 'This study found a higher rate of suicide among Polish nationals in Scotland than Polish individuals in Poland or the Scottish population.' Czarnecka, M., Gorman, D. and King, R. (2018) 'Key themes from a study of Polish suicides in Lothian and Scotland 2012–2016: Recommendations for policy and practice', *European Journal of Public Health* 28(Supplement 1).

8 'Given Scotland's relatively small ethnic minority population (4%), such large gaps in data could mean that published statistics on ethnic minority access to services could be inaccurate.' EHRC (2017) *Race Rights in the UK.* London: EHRC.

9 Lyle, K. (Independent Race Equality Advisor to the Scottish Government) (2017) *Addressing Race Inequality in Scotland: The Way Forward.* Edinburgh: Scottish Government: p. 2.

10 Strategic Board for Teacher Education (SBTE) Working Group (2018) *Teaching in a Diverse Scotland: Increasing and retaining minority ethnic teachers in Scotland's schools.* Edinburgh: Scottish Government: p. 7.

11 Glasgow City Council (2019, 31 March) 'Employee diversity information'. www.glasgow.gov.uk/article/18638/Employee-Diversity-Information.

published in 2017 as the *Race Equality Action Plan for Scotland 2017–21* (REAP). The Scottish Government has committed to providing annual update reports, and the first of these was published in June 2019, entitled the *Race Equality Action Plan: Year 1 progress update*. The existence of a framework and the distillation of this into four-year cycles of actions and annual progress reports should be welcomed. In January 2020, the Scottish Government announced the creation of a new stand-alone department, the Directorate of Equality, Inclusion and Human Rights. One must assume that its purpose is to ensure a targeted and strategic focus on progressing substantive equality through the prism of human rights obligations, particularly in areas of devolved governance.

Despite the words 'human rights' appearing throughout the REF and REAP, there remains a lack of support or guidance for duty bearers as to what the implications of using this language actually are for race rights in Scotland. Treating people with dignity and respect should be par for the course for policy development, but when we use human rights language in relation to progressing race equality in Scotland, we need to be significantly better at explaining and showcasing specifically what we mean by this. The Committee on the Elimination of Racial Discrimination (CERD) has made recommendations in respect of education and hate crime[13] in Scotland. Responsibility for these areas resides under the collective competencies of the Scottish Government along with, respectively, education authorities, and Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS). Thus, if we are serious about race rights and equality then it is imperative that we respond to these international obligations as a priority as part of forthcoming REAPs.

Parliamentary scrutiny

In late 2019, the Scottish Parliament's Equality and Human Rights Committee instigated a welcome introductory review into race, equality and human rights in Scotland. The evidence-gathering sessions in 2019 help to illustrate the points that I have made thus far:

> *Ruth Maguire MSP: 'One of the specific criticisms [of the report] was that, when you include white communities, it waters down the impact on black communities, and that, because of their whiteness, white migrant communities will always be absorbed. How would you respond to that?'*[14]

While the Scottish Government's Independent Advisor on Race Equality outlined:

> *The important thing is to be led by the evidence. Rather than starting off with a kind of whataboutery, we should look at the evidence and at what we know to identify the key things that we need to do to make a difference. I want to see change. I do not want to be bogged down by endless arguments. Language is important and definitions are important, but we should be led by the evidence.*[15]

It is crucial to agree that data gathering is vital for policy development. It is imperative to understand, in this context, that definitions are not mere sets of wording but rather are legal statements. These must be aligned to international and domestic laws, thus ensuring that policy development is informed and responsive to all covered by such definitions.

For example, evidence of racial inequalities in Scotland indicates that citizens from Polish and African backgrounds disproportionately reside in poverty and work in low-paid jobs.[16] South Asian Pakistanis are more likely to be at risk of diabetes.[17] In relation to available criminal justice data from 2016, Catholics, a religious classification routinely conflated with Scotland's multi-generational Irish diaspora,[18] make up 14% of the national population but represent 23% of the prison population.[19] A similar disparity exists for Muslims. Ironically, Catholics and Muslims and those of Pakistani ethnicity are

[12] CERD/C/GBR/CO/21–23 – 34 (c): the 'state party' should 'Ensure that the school curricula across its jurisdiction contain a balanced account of the history of the British Empire and colonialism, including of slavery and other grave human rights violations'.
[13] CERD/C/GBR/CO/21-23, para. 16 – (b): the state party should 'Systematically collect disaggregated data on hate crimes, ensure that measures to combat racist hate crimes are developed with the meaningful participation of affected groups, and undertake a thorough impact assessment of the measures adopted to ensure their continued effectiveness'.
[14] Equalities and Human Rights Committee, 21 November 2019 transcript. www.parliament.scot/parliamentarybusiness/report.aspx?r=12387.
[15] Equalities and Human Rights Committee, 21 November 2019 transcript.
[16] Scottish Government (2018, 14 May) 'Equality evidence finder. Summary: Ethnicity'. www.gov.scot/Topics/People/Equality/Equalities/DataGrid/Ethnicity.
[17] Malik, M.O., Govan, L. and Petrie, J.R. (2015) 'Ethnicity and risk of cardiovascular disease (CVD): 4.8 year follow-up of patients with type 2 diabetes living in Scotland', *Diabetologia* 58: 716.
[18] Kennewick, W. (2013) 'The Jews and Irish in modern Scotland: Anti-Semitism, sectarianism and social mobility' *Immigrants & Minorities* 31(2): 189–213.
[19] Scottish Government (2018, 14 May) 'Equality evidence finder. Summary: Ethnicity'.

overwhelmingly the most likely to be victims of either religious or racially aggravated hate crimes, based on the last sets of disaggregated statistics that were published in 2014/15 and 2017/18 respectively. The links between Irish Catholic socioeconomic disadvantage and prison incarceration confirm a trend identified by the Scottish Parliament's Public Petitions Committee as far back as 2011.

> *There is strong evidence that Catholic disproportionality is primarily a result of the fact that most prisoners come from areas of deprivation and that Catholics in Scotland tend to be concentrated there.*[20]

In addition, people of Irish ethnicity in Scotland are significantly more likely to die from long-term alcohol abuse.[21] Race-specific issues also continue for African, Gypsy Traveller, Roma, Black and other racial minority communities. If Scotland is to be a global leader in race, equality and human rights, then these are examples of the issues we must tackle across the policy action points outlined in the current and forthcoming race equality action plans.

Conclusion

The current default position on race equality in Scotland reinforces the notion that ethnic minorities are black/different and Scottish/majority ethnic people are white. The race sector, therefore, is presently bound to a self-fulfilling prophecy of internal and external exclusion, operating within a simultaneously enforced and self-subscribed environment delineated on the basis of block racial classifications. The material effect of this is that some racial minority communities and their lived experiences are sidelined or ignored because they are 'white'. In addition, it is imperative that Scotland's diverse national identities celebrate the equal value of visible minorities who self-identify their black Scottishness/Britishness in this way.

When duty bearers adopt narrow interpretations of protected racial provisions in policy development, we restrict our evidence base, we restrict the momentum for change and we stifle community cohesion opportunities.

By adopting a strategic policy foundation, rooted in race-focused international human rights law and buttressed by domestic equalities legislation, duty bearers would be obliged to take a more comprehensive view of racial equality issues in Scotland. To fulfil the abundant potential of the REF and REAP(s), the Scottish Government, as the key national duty bearer, must support local authorities and others in whatever ways are required to update and develop a richer understanding of their race, equality and human rights obligations.

[20] Public Petitions Committee (2011) *Offender Demographics and Sentencing Patterns in Scotland and the UK.* Edinburgh: Scottish Parliament.

[21] 'Our data suggest that those of Irish ethnicity have persistently higher rates of alcohol and associated liver disease harms that require concerted action.' Bhala, N., Cézard, G., Ward, H.J.T., Bansal, N. and Bhopal, R. on behalf of the Scottish Health and Ethnicity Linkage Study (SHELS) collaboration (2016) 'Ethnic variations in liver- and alcohol-related disease hospitalisations and mortality: The Scottish health and ethnicity linkage study', *Alcohol and Alcoholism* 51(5): 593–601.

The Opportunities and Obstacles for a 'Scottish Approach' to Race Equality

Nasar Meer

Is there a particular character to race equality in Scotland that is different to elsewhere in the UK? As ever, much depends on both how this question is posed – and to whom.

While the primary legislation of public equality duties is set by UK statute, the secondary legislation that facilitates its operation across devolved areas is the responsibility of the Scottish Government. This means that, theoretically, the Scottish Government can go further than England and Wales (where the UK Parliament legislates *both* for primary legislation and secondary legislation). For example, within existing parameters, Scottish administrations have shown an interest in mainstreaming race equality, in ways that lean against UK-level disinterest (Meer, 2019).

Diverging or orbiting?

One civil servant describing the Scottish Government's race equality framework launched in 2016, for example, calls it 'a point in the crossroads' (Rjil3[1]), part of a moment when something *may* facilitate (rather than *has* facilitated) divergence. The race equality framework is itself reflective of a type of divergence in mood if not yet deed; as a UK-wide equality practitioner puts it:

> *The atmosphere in Scotland … is much more conducive to the type of work and kind of thinking that we have. We are genuinely in a situation where we have far less concern about the direction of travel of the Scottish Government than we do about what is happening in Westminster. I don't think that is hugely contentious. (Roic4)*

So this a perceived cultural change that is said to mark both a contrast in where Scotland is today compared with where it has been in the past, and also, given the 16-year scope of the race equality framework, where it might go relative to England.

This last point is important but not straightforward, however, for it relies on a story of English regression as much as one of Scottish advance. In this scenario, Scotland 'orbits' around existing settlements, rather than necessarily setting off on a new course.

Beyond contingency, however, is there evidence of a distinctive 'Scottish approach' to race equality, one that not only 'diverges' or 'orbits' but which has an inherent characteristic in which there is a social policy 'idea of [Scottish] community' that is 'connected with sets of political values' (Béland and Lecours, 2005: 679)?

The picture is unclear

It is striking that prominent reports and commissions concerned with social and constitutional reform in Scotland have made little mention of race equality as distinct from a generic concern with 'fairness'. This includes the reports of both the Commission on Scottish Devolution (Calman Commission, 2009) and the Commission on the Future Delivery of Public Services in Scotland (Christie Commission, 2011). Hopkins (2016: 31) has characterised this tendency as one of 'disentanglements', which 'does not necessarily mean that racial equality is ignored completely; instead, it may be regarded as less urgent, not as important and less worthy of attention compared to other matters'.

One way to reflect on this is to consider the extent to which race equality stakeholders are being brought into the policy process in Scotland. Here, we note that in her race equality pathfinder, the Independent Race Equality Advisor concluded that 'inclusive policy making is not yet embedded in the DNA of the Scottish Government or public bodies in Scotland' (Lyle, 2017: 2). This is despite a very self-conscious claim to the contrary by civil servants of the Scottish Government.

> *The way we approach what we do in government comes from that idea that Scotland is actually a nation that thinks about the nation as opposed to the state. So the Scottish Government in the devolution settlement actually are responsible, rather than to the Crown, they're responsible to the Scottish people. (Rgid4)*

Is this so for race equality policy too? Well, if it were to be the case I think two obstacles would need to be addressed. One is the desire to work through difficult topics, and the other is a commitment to cross-departmental work that we have seen in other

[1] Respondents are identified by codes throughout to preserve anonymity.

areas, e.g. in relation to health inequalities. Here's how one Scottish Government civil servant presented this challenge to me:

> *So I suppose that's moving into sort of the difference between formal resistance and just individual people's personally understanding about equality and what they think is their role. (Rjil7)*

What emerges from this description is a recognition that the pursuit of race equality relies on civil servant capacity building and policy learning, as well as wider communities of mobilisation. Noteworthy, too, is that race is understood as a policy problem to be resolved rather than as a part of an emerging story of the very identity of Scotland.

A missing focus on institutions?

Another way of putting this is to remind ourselves that race equality is also intrinsically critical of more than public policy, specifically because it takes on the discursive character of the very identity of society, and goes beyond public policy and administration to invoke debates about national belonging.

Equally, which parts of the policy problem come to be included is then key.

This is reflected in one stakeholder's observation that 'if you talk about institutional racism people get scared and they withdraw. Because obviously it harks back to Stephen Lawrence, and I think people think that we have moved on from there' (Rcis2). Another elaborates on this at length with the following story concerning a facilitation exercise between stakeholders and the Scottish Government:

> *One of our professional stakeholders was a very senior police officer who spoke at length about institutional racism and believed that Police Scotland was institutionally racist. We were not allowed to include a synopsis of it in the conference report because there was widespread panic in government that that would hit the press and look terrible. So basically unless public institutions are comfortable with the fact that things may temporarily look terrible, we won't be able to meaningfully have that public conversation because we haven't got the issues into the open. (Ryic3)*

Minimally, we might say that if there is a burgeoning Scottish approach, this is also characterised by an active reticence to speak publicly about structural racism. This is not unique to Scotland, as illustrated by the findings discussed at the outset, but equally Scotland does not stand outside this.

There is a burgeoning literature on a 'Scottish approach' to policymaking, something that is said to traverse a number of policy domains while being underwritten by a distinctive 'style' of government. Cairney (2017: 339) offers a valuable description of its provenance and iterations, characterising its emergence as:

> *[A] broad idea about how to govern by consensus in an era of 'new politics'; developed from 2007 as a way to pursue a 'single vision', cross-cutting government aims, and an outcomes-based measure of success, developed in cooperation with the public sector; and … from 2013, a way to articulate, and measure the impact of, key governing principles ('assets-based', 'co-production', 'improvement methodology') and address specific issues such as inequality'.*

This resonates with testimony from civil servants who refer to a 'style' of consultative involvement broadly corresponding with the first stage of development described from 2007 onwards – from the time of the first Scottish National Party (SNP) minority government – and its contemporary manifestations. What appears to be desired is the fashioning of something like Rhodes' characterisation of a governmental tradition, specifically the curation of 'a set of inherited beliefs about the institutions and history of government' (2011: 4). If this is so, then it equally relies on what Béland and Cox understand as the 'positive role of ambiguity', in so far as 'broader – and vaguer – ideas are more likely to appeal to a greater number of constituencies that have heterogeneous preferences' (2016: 432).

Convention is the key here, to the extent that individual motives and objectives become much less relevant to sustaining and proliferating racial inequalities.

One of the features that characterised the Stephen Lawrence case was the coalition of civil society anti-racist mobilisation that marshalled and sustained a coordinated effort, in order to platform such issues as identified by 'Ryic3' above. The response in that case prompts us to consider the extent to which Scottish stakeholders are working with sufficiently shared or overlapping objectives in policy networks, or what has come to be known as advocacy coalitions.

Key to this formulation is an overlapping consensus on values and beliefs about underlying causation, rather than general social, political or economic interests on their own, that are said to bring actors from competing positions together in the process of influencing policy

decisions. In the pursuit of race equality in Scotland, a recurring deficit is identified by respondents, and the following four responses are illustrative of its perceived character *across the policy process*.

Here are a civil servant in the Scottish Government, who helped to craft the race equality framework and other race initiatives, and a race equality activist discussing the same topic:

> *If we go to the gender movement and ask 'what are your three top priorities?' they will say 'equal pay, violence against women and advancement at work'. If you speak to LGBT community, maybe 2–3 years ago, they would have said 'harassment, equal marriage and pensions'. Very clear, very focused. If you go to the race movement and ask the same question, and you get 40 different things … of course people will start to gravitate away from you because you lack coherence. (Roic5)*

> *I distinctly remember this [parliamentary] evidence session, and there was one representative from a BME intermediary organisation who was very much saying something very different to the rest of us. … There are problems between intermediary organisations which have not been able to be sorted out, which then spills over into what people think and say in these arenas. (Rcis4)*

Contrary to a successful policy coalition, it is clear that neither race equality stakeholders nor policy actors are 'clustered' in ways that can 'harness enough legitimacy around their policy ideas to avoid considering alternative approaches' (Carstenson and Schmidt, 2016: 327). Indeed, the opposite would appear to be true, in so far as competing agendas jockey for position and key arguments can be fragmented. These are noticeable tendencies when set against the lobbying of other equality groups.

The reasons for this include genuine disagreement on the root causes of race inequality in Scotland, and specifically the difference between people's capacity and social structure, between education and training needs on the one hand and institutional discrimination and indeed racism on the other. No less relevant is the fact that there is here a real challenge for organisations that receive funding for a variety of matters associated with, but perhaps not directly related to, race equality policy work, to labour with agendas outside this remit.

Race equality policy developments in Scotland's devolved context bear both specific and generalisable qualities, but while the burgeoning development of a broader 'Scottish approach' may be underway, it is not yet necessarily discernible in the area of race equality policy. As the secondary data has already shown, racial inequalities in Scotland are profoundly structural in ways that bring together attitudes, behaviours and institutions. Convention is the key here, to the extent that individual motives and objectives become much less relevant to sustaining and proliferating racial inequalities. Policy actors therefore need a greater consensus on the underlying causes if policy change is to be successful and effective, and if a distinctive Scottish approach to race equality is to prevail.

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Different but Similar? BAME Groups and the Impacts of Covid-19 in Scotland

Kaveri Qureshi, Nasar Meer and Sarah Hill

It is increasingly apparent that the UK's public health response to Covid-19 varies across its home nations. In May 2020, as the UK government announced its intention to ease lockdown and converted its key public health message from 'stay home' to 'stay alert', the Scottish Government[1] and the Welsh Assembly[2] announced their intention to maintain lockdown, pursue testing and insist on social distancing measures in ways that strike out on a different approach. In one respect, policy divergence is inevitable. It is more than 20 years since health was entirely devolved to Scotland, and even before that, public health policy in this area had pursued a distinctive trajectory. The question this raises for us is whether this divergence is also reflected in race, ethnicity and health outcomes, and specifically whether the BAME disproportionality so widely catalogued in England is also manifest in Scotland.

In England, ethnic minority groups have faced significant vulnerability to severe complications from Covid-19 and to fatality. After taking account of the geographical concentration of the epidemic in areas with a higher proportion of ethnic minority populations, and the younger age structure of the BAME population, which should confer a protective effect, the inequalities in mortality relative to the white British majority become more stark than at first glance. The number of Bangladeshi hospital fatalities has been twice that of the White British group; Pakistani deaths are 2.9 times as high and Black African deaths 3.7 times as high.[3] Two-thirds of the health and social care staff who have died of Covid-19 have been from BAME groups.[4]

Yet in Scotland the data so far has suggested a different pattern, with the proportion of ethnic minority patients among those seriously ill with Covid-19 seemingly no higher than the proportion in the Scottish population generally.[5] Public Health Scotland has committed to improving and updating the analysis as more data becomes available. As a public body with race equality obligations, the monitoring of ethnicity data should be routine for Public Health Scotland. But it also makes good epidemiological sense to monitor the situation closely because the Scottish data indicates stark inequalities in Covid-19 mortality by deprivation, with people in the most deprived areas of Scotland more likely to contact NHS 24-1111 and community hubs and assessment centres with concerns about Covid-19 symptoms, more likely to attend hospital with Covid-related symptoms, more likely to be admitted to intensive care units (ICU) and ultimately 2.3 times more likely to die from Covid-19 than those living in the least deprived areas.[6]

There needs to be vigilance and monitoring of Covid-19 cases and deaths by ethnicity because these unequal vulnerabilities to Covid-19 by deprivation categories will disproportionately implicate ethnic minorities in Scotland. While higher numbers of some of the major ethnic minority groups (e.g. Pakistani, Indian, Chinese) live in less socioeconomically disadvantaged circumstances in Scotland compared with the rest of the UK,[7] overall, ethnic minorities remain more likely to be in poverty than the majority white population,[8] and this is particularly true of those members of ethnic minority groups who are new migrants.[9]

1 BBC News (2020) 'Coronavirus in Scotland: Stay at home message remains as exercise rules ease' BBC, 10 May. www.bbc.co.uk/news/uk-scotland-52605959.
2 BBC News (2020) 'Coronavirus: Wales' stay home advice "has not changed"'. BBC, 10 May. www.bbc.co.uk/news/uk-wales-politics-52605939.
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These higher levels of deprivation are expressed in underlying profiles of poor health and susceptibility to chronic disease.[10] In particular, South Asian groups are disproportionately affected by diabetes and cardio-vascular disease,[11] while ischaemic heart disease has been one of the most common pre-existing conditions observed in Covid-19 fatalities in Scotland.[12] After accounting for underlying differences in socioeconomic position between the ethnic groups in Scotland, these poorer health profiles persist, and the higher risk of stroke among black African groups also becomes apparent.[13] This means that ethnic minority populations will be more susceptible to critical complications if they contract Covid-19, not because ethnic and racial categories are themselves a causal factor, but because they map on to underlying social determinants which generate these pre-existing health conditions.

The health disadvantage of ethnic minority groups is ultimately a manifestation of racial discrimination, both personally mediated and institutional,[14] which allows white people to gain more from the education system, the labour market and the health system[15] while also affording marginal attention to the racial dimensions of policy responses in health and other sectors.[16] It is deplorable, but sadly unsurprising, to note that in three Scottish surveys of BAME experiences of discrimination from 2015 to 2019, 18–20% of respondents reported experiencing discrimination in using health services.[17] In spite of the Covid-19 vulnerabilities faced by ethnic minority groups, public health messages concerning Covid-19 prevention and social distancing have not been consistently made available in Scotland and poor language provision in healthcare settings has been identified as a particularly strong barrier to healthcare for anyone with a minority language as their mother tongue.[18] Most worrying of all, presently there are members of ethnic minority groups who are subject to immigration controls who are obliged to pay to access NHS services. Migrants with no recourse to public funds (NRPD) do in principle have access to 'diagnosis and treatment of infectious diseases', so there should be no need for NHS workers to carry out immigration checks or report if they are treating a suspected Covid-19 patient who is in this position.[19] However, migrants without formal status will continue to face barriers in accessing NHS services because NHS charging has deterred them from seeking healthcare in the first place, as doing so raises concern about the risk of deportation.

Not only is access to healthcare impaired among Scotland's ethnic minorities, but risks of exposure to Covid-19 will be disproportionately greater for these groups. The same factors that predispose people from ethnic minorities to live and work in circumstances that engender chronic ill health are those that will make it harder for them to protect themselves from Covid-19 through effective social distancing.[20] Overcrowding is of particular concern for new migrants, refugees, and Pakistani and Bangladeshi households in Scotland,[21] militating against effective social distancing. There is cause for particular concern about the Covid-19 vulnerabilities of asylum seekers with no recourse to public funds. In Glasgow, the Mears Group PLC (providing accommodation and support to asylum seekers) has moved those with no recourse to public funds from dispersal accommodation into hostels and hotels where there are no social distancing measures.[22]

The economic impacts of Covid-19 control are set to cast a long shadow over the months and years to come. There are likely to be disproportionate

[10] Walsh, *The Changing Ethnic Profiles of Glasgow and Scotland*, p. 14.
[11] Walsh, *The Changing Ethnic Profiles of Glasgow and Scotland*, p. 14.
[12] National Records of Scotland (2020) *Deaths involving Coronavirus (COVID-19) in Scotland, Week 19 (4 May to 10 May 2020)*. Edinburgh: National Records of Scotland, p.18. www.nrscotland.gov.uk/files//statistics/covid19/covid-deaths-report-week-19.pdf.
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[17] See Meer, N., this volume, Appendix 1.
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[21] Netto, Sosenko and Bramley, *Poverty and Ethnicity in Scotland*, p. 7.
[22] Goodwin, K. (2020) 'Asylum seekers' lives "put at risk" by decision to move them to hotels'. The Ferret, 22 April. https://theferret.scot/asylum-seekers-moved-hotel-lives-at-risk-covid-19.

economic impacts from Covid-19 containment measures that will amplify socioeconomic inequalities between ethnic groups.[23] In Scotland, uneven engagement in paid work is reflected in the data on poverty, which finds that whereas 14% of White British people in Scotland are in relative poverty, this affects 20% of people from non-white ethnic groups; after taking account of housing costs, the situation is even starker, with 36% of non-white ethnic minority people in poverty compared with 17% of the White British group.[24] Ethnic minorities in Scotland are concentrated in the lowest-paid occupations, particularly the White Polish (with 35% employed in elementary occupations), White Gypsy/Traveller (20%), Black African (18%) and Other Asian/White Other groups (17%).[25] Certain ethnic minority groups are particularly concentrated in shut-down industries. For example, 50% of Pakistani, 31% of White Polish and 30% of Indian people in Scotland work in hotels and restaurants.[26] Ethnic minorities have been incorporated into the UK's segmented labour market in ways that have directed them predominantly towards sectors offering few job protections, including provisions for sick leave and sick pay.[27] Compared with white British workers, ethnic minority workers in the UK are more likely to be on agency contracts or zero-hours contracts and more likely to be in temporary work.[28] Larger percentages of some ethnic minorities, notably Pakistanis, are self-employed,[29] meaning that they are very likely to have lost income during the current lockdown. Housing precarity is also concentrated in ethnic minority households. Ethnic minority groups in the UK are more reliant on private rented housing than the white British majority – and particularly new migrants, who are overwhelmingly reliant on private rented accommodation[30] and thus at risk of being unable to pay rent.

The data on Covid-19 fatalities in Scotland showing no apparent ethnic disproportionality should therefore not give rise to any complacency about ethnic minorities being better off in Scotland or narratives about racial equality being more secure in Scotland than in the rest of the UK.[31] Mindful of the Scottish Government's signalled intention to respond to Covid-19 in ways that 'promote solidarity … promote equality ... [and] align with our legal duties to protect human rights',[32] the government will need to think concretely about the inequalities broadly experienced by ethnic minority groups, both in the short run of Covid-19 control efforts but also, crucially, in the medium and long term, with the likely recession ahead.

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Conversations about Racism and Whiteness Are Missing within Education in Scotland

Khadija Mohammed

This contribution does three things: firstly, it provides a brief critique of the Scottish education policy context; secondly, it shares my lived experience as an educator in Scotland; and thirdly, it shares the journey that led to the formation of the Scottish Association of Minority Ethnic Educators (SAMEE) and the National BME Leadership and Mentoring Programme.

Policy

Almost half a century on from the Race Relations Act (1976), both covert and overt forms of systemic racism persist in educational institutions across Scotland. The chief executive of the General Teaching Council in Scotland (GTCS) was vilified when he said that his biggest concern was that 'we have got professional teachers in schools in Scotland who exhibit blatant racism' (Hepburn, 2018). Furthermore, we have local authorities, in some parts of Scotland, which seem to think they don't have a problem with racism because they don't have any black and minority ethnic (BME) pupils in their schools. The thinking is that if you don't see ethnic diversity, there is no need to address racism. I argue that Scottish schools, historically and currently, are not structured to serve BME communities. The policies that frame our teaching and learning in schools are written from a majority white perspective; they are colour-evasive and focus on assimilation. The education system centres on a whiteness ideology, privileging white children, their parents and white teachers. Indeed, it is a privilege to '*not see*' the issues: the privilege of being able to be complacent, nervous or simply unwilling to examine one's own stereotypical attitudes. Although frameworks and policies show some promise of ensuring that all young people will have equality of opportunity in relation to attainment, one can't help but ask: are we getting it right for every child, and is it really success for all?

More recently, the *Race Equality Framework for Scotland 2016–2030* has committed to promoting good relations and community cohesion, but how this manifests in practice is not clear. The framework states that 'Scotland's educators should be confident and empowered to promote equality, foster good relations and prevent and deal with racism' (Scottish Government, 2016:54). The goal identified to achieve this aim is for practitioners to develop *intercultural competency* – there is no clear reference to naming and addressing racism. This colour-blind statement seems to suggest that in terms of racism, there is 'no problem here' (Davidson et al., 2018). The narrative promoted by Scottish elites is that Scotland is a post-racial society, with a political strapline of 'One Scotland, Many Cultures'. Where policies and frameworks do not explicitly encourage practitioners to interrogate their own understanding of racism, these practitioners will choose the safer, more appeasing option – and that is to focus on culture. 'Without a clear understanding of race and racism, even the most well-meaning efforts are likely to fail' (CRER, 2016:6). Indeed, where institutions and policies use flowery words like 'diversity', 'intercultural awareness', 'fairness' and 'equality', they further highlight their colour-blindness and lose sight of critical reflections around racism and whiteness. So, when race is not talked about and reflected in policies and practice, what impact does this have on the lived experiences of BME teachers?

My experience as a BME educator

I have been working in teacher education for over ten years, and I am one of two Muslim, BME teacher educators in our Scottish institutions of higher education (HE). This under-representation can be seen at every level within education. Prior to becoming a lecturer, I worked for 10 years in various teaching posts in primary education, where I couldn't help but notice that I was the only BME teacher to be seen in the local authority that I worked in. Similarly, over 20 years ago, in teacher training, I found myself to be the only BME student teacher in my entire cohort. My initial teacher training programme (ITE) prepared me well for survival in a white world where, despite being from a BME background, I learned how to play white – effectively assimilating into the majority white culture of the schools that I would work in. Conversations exploring my cultural, linguistic and religious identities were not encouraged – they simply were not acknowledged. And therefore my doctoral research examines BME teachers' lived experiences and how they negotiate their professional identity within a predominantly white teacher workforce.

I taught in schools where I was the only BME teacher and where the pupils were all white. One year, a BME pupil who had recently arrived from Pakistan was placed in my class. With very little English, she struggled to comprehend what I was teaching. I

realised quickly that we shared the same mother tongue, Urdu. I started to make small modifications to my teaching, speaking with her in Urdu, using multilingual wall displays to support her learning and to show that I valued different cultures. It felt great. I began to interrogate my own professional identity and embarked on a master's in education, where I learned to appreciate the important role that teachers can play in acknowledging and nurturing the identities of all their learners, and particularly children from BME backgrounds. However, in practice I felt that this important work was often overlooked and not actively encouraged. In short, a colour-blind approach was adopted by our leaders in schools and fellow white colleagues.

Conversations with BME teachers negotiating their professional identities, my research and the formation of SAMEE

As I was one of the few BME teachers in my local community, it was not long before BME young people, their parents and fellow BME colleagues alike were contacting me. The young people were asking for advice about subject choices, on wearing appropriate clothing for PE and about university applications. BME parents too were saying 'I don't know how to support my child as I'm not familiar with the curriculum and therefore I'm unable to contribute to my child's learning'. BME teachers were confiding in me, sharing their experiences of how they were being treated in school by their colleagues and leaders. This I found to be quite alarming – conversations were clearly missing. Why is it that young people question whether being multilingual is advantageous? Why do BME parents feel they can't access the curriculum in order to support their children's learning? Why were BME teachers feeling isolated and 'othered' in their schools? BME teachers also experienced difficulty in gaining promotion in the workplace.

In my doctoral research one BME teacher spoke about the time when she realised that being a BME educator put her in a position of privilege, giving her insight and positionality which equipped her to connect with and support BME students. However, her leaders within the schools where she worked often framed her use of cultural connections as a deficit. On one occasion she was admonished by her head teacher for communicating in Urdu with an Urdu-speaking student to explain a piece of work he was struggling with. The head teacher devalued the teacher's ability to engage students in their home language. Many such experiences in schools lead BME teachers to feel over-scrutinised by their senior leadership team and further isolated from their white majority ethnic colleagues – so much so that they begin to question whether they are qualified to be in the classroom, and whether the cultural knowledge or linguistic capital they bring to the school community in order to make connections with their students is perceived negatively in the school space rather than as a strength. In some cases, the racialised gaze and racism that BME teachers face lead them to end their career as a teacher.

Given that the teaching profession is troubled by the low BME representation among teachers and head teachers (1% and 0.6% respectively, according to the 2011 Census) in comparison with their majority white colleagues, and that BME teachers have a huge impact on the engagement and academic outcomes of students from BME backgrounds, there is a pressing need to identify and shape policies and practices that will support in the recruitment and retention of BME teachers. This is where SAMEE was formed, as I discuss in more detail below (Mohammed, 2019; CRER, 2018; Scottish Government, 2018a).

Turning the gaze: Critical conversations with white ITE students

In my current role as a senior lecturer in education, I work with both undergraduate and postgraduate teaching students. Thirty years on, not much has changed since my own teacher training days. Opportunities to discuss race and whiteness are still missing from ITE programmes. There are claims that such topics are embedded within different modules, under what I call safer titles such as 'globalisation' or 'sustainable education'. Again, whiteness prevails and conversations around racism remain invisible. Student teachers have to meet the GTCS standards for registration, and under 'professional values and commitment' they need to demonstrate that they give due consideration to social justice. In my experience, the focus almost always centres on additional support needs rather than issues around race and whiteness. Given that policy directives offer little support to practitioners, I wanted my students to engage in conversations around race but with a specific focus on whiteness and privilege. When I first started, I was nervous about their reactions – it seemed quite natural for me to talk about the colour of my skin, yet I felt hesitation when making reference to theirs. I facilitate workshops where they explore privilege, and how this is earned and how it manifests within the classroom, in their day-to-day interactions

with the children they teach. Turning the gaze in this way has encouraged the student teachers to think more critically, and I see a real shift in their desire to become race-cognisant and develop an anti-racist consciousness. This is also part of the journey for them to become potential 'white allies' and support fellow BME educators, BME students and the wider education space.

Conversations with key stakeholders

My interest in race and whiteness has been fuelled by own lived experience and my PhD study. This has led me to become active outside of my own university: I convene the anti-racist sub-committee for Scotland's largest teaching union, the Educational Institute of Scotland (EIS), and I am a member of the Strategic Board for Teacher Education, the Scottish Government diversity in the teaching profession working group which is chaired by Professor Rowena Arshad. More recently, I have been appointed chair of the Scottish Funding Council and Advance HE steering group in response to the Equality and Human Rights Commission report on racial harassment in higher and further education (EHRC, 2019) to challenge racial harassment and racism in the tertiary sector. Finally, I have a seat at the table, an opportunity to shape educational policy, representing BME communities and ensuring that their voices are heard. I have been able to help inform the EIS policy on tackling anti-Muslim prejudice and the more recent report by the Scottish Government on the recruitment and retention of BME teachers in Scotland. While there has been support from the Scottish Government, progress continues to be painfully slow. It is the lack of willingness and complacency shown by some key stakeholders which led me to create the BME Leadership and Mentoring Programme for SAMEE.

Following the national report *Teaching in a Diverse Scotland: Increasing and retaining minority ethnic teachers* (Scottish Government, 2018b), 17 recommendations were made and approved by Scottish Government.

Scotland's first national BME mentoring network was launched by SAMEE in partnership with the GTCS in 2019. SAMEE is an organisation that provides a safe space for BME educators, from Early Years through to higher education, to come together and share their lived experiences. It provides BME educators with opportunities to share their career journeys from recruitment to promotion and to seek support with their continuous professional development. Our bespoke leadership mentoring programme emphasises the significance of a diverse workforce which recognises and values mentees' culturally specific contributions to the education sector. BME educators expressed the view that the programme provides a space for them to share their lived experiences of working in educational settings where they have faced structural, interpersonal and pedagogical barriers. SAMEE members spoke openly about their schooling and noted that they had internalised racism within a system which did not challenge discrimination. It was therefore important that SAMEE's programme offered a space for learning and healing for its members before they enter the classroom (Kholi, 2014). They also felt that they now had the opportunity to discuss their cultural heritage and linguistic skills with colleagues, and to use this to communicate and connect with their diverse multilingual students. They engaged in conversations around agency and a sense of wanting to take action and explore opportunities to promote and encourage leadership through professional activism to build resilience and capacity. They discussed feeling more confident to take control and navigate their professional journey in the knowledge that they have support from SAMEE.

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Addressing the Absences in Teaching Scotland's Slavery Past

Stephen Mullen

It is now accepted that Scots had limited involvement with the transatlantic slave trade, with just 27 recorded 'triangular trade' voyages departing Scottish ports between 1706 and 1766: a similar number would have left Liverpool in one year, on average (Duffill, 2004). The Legacies of British Slave-ownership project[1] has transformed understanding of the Scottish role in Caribbean slave-ownership. When chattel slavery was abolished by the British government in 1834, slave-owners were compensated for the loss of their enslaved 'property'. While Scots comprised around 10% of the British population at the time, individuals in Scotland claimed around 15% of the compensation awards in Great Britain. Furthermore, it is now known that some Scots were responsible for forcibly trafficking huge numbers of people between Africa and the Caribbean while located outside Scotland. It is estimated the firm John Tailyour from Montrose was the second-most prolific importers of African enslaved people in Kingston, Jamaica, between 1785 and 1796 (Radburn, 2015). In other words, while Scots were under-represented in the eighteenth-century transatlantic slave trade, they were disproportionately over-represented in Caribbean slave-ownership and as overseers, planters and merchants across the British West Indies and North America more broadly. The recent transformation in the historiography, however, has not been matched with civic recognition.

Curating Glasgow, forgetting slavery

In the period leading up to Glasgow's term as European City of Culture in 1990, Glasgow Council confirmed the title of 'Merchant City' for the historic quarter at the east end of the city centre. The sobriquet – which originated in Gomme and Walker's *Architecture of Glasgow* (1968) – has proven beneficial in marketing the area as a special enclave with a unique identity. It is now one of the city's most distinctive areas, boasting its own annual festival. While the title was modern, the quarter was not. The location was once home to colonial merchants who built fabulous Palladian townhouses after 1711. The term therefore was a nod to eighteenth-century colonial grandeur, and serves to glorify merchants and their transatlantic activities. It may now seem remarkable that an area in modern Scotland could be named after traders in slave-grown produce known historically as the 'tobacco lords' and 'sugar aristocracy'. Yet there seems to have been little criticism at the time of the renaming, except by author James Kelman, who proposed an alternative title of 'Workers' City' (although 'Slave Merchant City' might have been more appropriate). While the zone is currently devoid of any acknowledgement of how these colonial fortunes were acquired, a debate now rages about whether these street names that celebrate slave-owners should be renamed. What changed in that 30-year period?

T.M. Devine (2015) suggests that the 'amnesia' regarding Scotland's historic connections with transatlantic slavery is partly due to a collective failure among historians and museum professionals. Indeed, in 2010, he personally apologised for failing to consider chattel slavery in his seminal work *The Tobacco Lords*, first published in 1975. Slavery was absent from national discourse for the next generation or so. In 2001, Glasgow Anti-Racist Alliance (now the Coalition for Racial Equality and Rights, CRER) organised the first walking tour of the Merchant City, highlighting links with the slave trade and plantation slavery. Even so, Glasgow faced criticism in 2007 for its muted response when the bicentennial of the Abolition of the Slave Trade Act was commemorated across Great Britain. Current Scots Makar Jackie Kay noted at the time that there was nothing in Glasgow's museums, particularly in the Gallery of Modern Art ironically once home to 'tobacco lord' William Cunninghame. That same year, *The Oxford Companion to Scottish History* could be published as the 'definitive guide to 2000 years of Scottish history' yet contain just a solitary mention of 'slavery' in the index, and even then it referred to the slave trade in Africa (Lynch, 2007). With the connections out of sight at the time, it seems they were out of the contemporary Scottish mind.

The recent historiography suggests that historic involvement with slavery had profound implications for Scottish economic development. T.M. Devine's recent edited collection *Recovering Scotland's*

[1] See www.ucl.ac.uk/lbs.

Slavery Past – Edinburgh University Press's best-selling title in 2015–16 – concluded that slavery and its commerce had a much more significant effect on Scotland than on England, Ireland or Wales (Devine, 2015). The recent report 'Slavery, Abolition and the University of Glasgow' (Mullen and Newman, 2018) provided a figure for how much one institution actually benefited from slavery-tainted income: up to £198 million in modern values, which was used for campus development, staff costs and student scholarships.

Glasgow Museums have responded to historiographical developments, increasing activism and public awareness. In 2014, the 'How Glasgow Flourished' exhibition contained an acknowledgement that slavery contributed to the development of the city. There is now a permanent exhibition in the Gallery of Modern Art documenting the slavery past of William Cunninghame and his role in the tobacco trade. In October 2019, Glasgow Museums advertised the creation of a new post, curator of slavery and empire, for a new project, 'Legacies of Slavery and Empire', which promises to put a spotlight on their collections and practice like never before (CRER, 2019). While more can be done, Glasgow Museums are leading the way in Scotland regarding the representation of slavery in their collections: Edinburgh-based institutions are in preliminary stages of similar processes. Thus, new evidence about Scotland's relationship with transatlantic slavery is percolating into the popular consciousness through public engagement activities and the slow improvement in museum representation. Yet one foundational aspect of the 'amnesia' of historic connections with slavery – the teaching in Scottish secondary schools, or lack thereof – requires some refinement.

Schooling and slavery

Slavery and abolition have been compulsory themes in secondary schools in England since 2008 (Devine, 2015). In contrast, the 'Atlantic Slave Trade, 1770–1807' module has been optional in Scotland since 1999 (revisions to its content were made 2014). The external exam for National 5 Curriculum for Excellence (History) has three separate elements: one from Scottish units (which includes themes like the Great War, Mary Queen of Scots and the Reformation, and the Union of 1707), another from British units, and another from European and World units. The Atlantic slave trade is taught as a British unit. The National 5 course specification (SQA, 2017–18) reveals that the key issues that define content are: 'The triangular trade', 'Britain and the Caribbean', 'The captive's experience and slave resistance' and 'Abolitionist campaigns'.

Under 'The triangular trade', the specification recommends as content: 'the organisation and nature of the slave trade: its effects on British ports, e.g. Liverpool, Bristol'. There is no mention of Scottish cities or Glasgow's merchants in the course specification. It is entirely possible and, given the relative unimportance of the Scottish slave-trading, perhaps more accurate to teach the topic from the viewpoint of Bristol and Liverpool's merchants. The implications of teaching from an English perspective are obvious, serving to perpetuate an *It Wisnae Us* culture (Mullen, 2009).

Examination of the past papers for History National 5 (SQA, 2015–19) suggests an Anglocentric focus within the British context. Again, there is no mention of Scotland or Glasgow's merchants. In May 2015, one question invited candidates to explain the importance of the slave trade to Britain's economy through this source (truncated here): 'The slave trade had raised Liverpool from a struggling port to one of the richest and most prosperous trading centres in the world'. Similarly, in May 2019, a source on London's merchants was provided to evaluate the 'benefits of the slave trade to the British economy'. Posing questions on English merchants sets parameters for the future study plans of candidates which become a self-perpetuating cycle.

The key question, then, is: how many teachers introduce Scottish themes on the Atlantic slave trade as it is being taught in Scottish schools? A recent visit to my former high school, St Aidans in Wishaw, North Lanarkshire, confirmed that Glasgow's merchants are an important feature in the course. This included showing pupils David Hayman's recent two-part series: *Slavery: Scotland's hidden shame*, which was shown on the BBC in 2018. Teaching the topic from a Scottish standpoint is not a unique approach: many other high schools also do this, although content is obviously at the discretion of teachers and dependent on the availability of resources. In other words, it remains up to individual teachers if they introduce Scottish content into a British-focused module. Anecdotally, one marker at the Scottish Qualifications Authority told me that most, but not all, candidates provide Scottish examples in exam answers, presumably to generic questions such as in the exam of May 2016: 'Explain the reasons why the slave trade was important to British cities'. Marking instructions (2015 and 2019) confirm that as it is a British unit, evidence related to both English and Scottish examples is credited.

While it seems unlikely that many teachers completely omit Scottish content, it seems reasonable to conclude that material on England is prioritised. This is hardly surprising, given the greater involvement of English merchants in slave-trading while the greater impact on Scotland was via commerce in slave-grown produce (technically a corollary of slave-trading). Even if complete omission is fairly uncommon, the arbitrary decision-making has the potential to perpetuate the myth among learners that Scots had limited involvement with transatlantic slavery. Slave-trading was mainly an English enterprise, although teaching via this approach fails to recognise the distinctive role Scots had in slave economies across the Americas, and the great wealth it brought to the nation. Since Scotland had a smaller economy than England yet industrialised faster, this is an important point: the impact of slavery and its commerce was proportionately greater. Indeed, as Devine now notes, transatlantic slavery was 'integral to … the national past from the seventeenth to the early nineteenth centuries' (Devine, 2015: 247).

Resources for teaching Scottish-specific content within the 'Atlantic Slave Trade, 1770–1815' module are now increasingly available. Between 2011 and 2013, Karly Kehoe's (2014) project 'Looking Back to Move Forward: The British periphery, slavery and the Highlands, 1750–1833' produced a resource pack which covered the four core areas of the module (including 'The triangular trade' and 'Britain and the Caribbean'). The resource pack contained correspondence from Highland planters and merchants and was used by teachers who delivered the topic across 29 Highland secondary schools. In 2018, the graphic novel *Freedom Bound* was published (Pleece, 2018), which was based on the research undertaken by Simon Newman and Nelson Mundell as part of the 'Runaway Slaves in Britain: Bondage, freedom and race in the eighteenth century' project at the University of Glasgow (2015–18). The work traced three interconnected stories of runaway enslaved people in Scotland before slavery was declared illegal in Scotland in 1778, including the story of Joseph Knight, whose court case led to the famous decision. A full class set of *Freedom Bound* was delivered to every Scottish state secondary school in September 2018 with the aim of augmenting teaching plans around the topic of the Atlantic slave trade. The associated teacher's guide, however, noted that *Freedom Bound* might seem 'tangential' to the National 5 and Higher Atlantic slave trade courses, although the Scottish Qualifications Authority will consider and credit the new evidence in future exams (*Teacher's Guide: Freedom bound*, 2019). New evidence about Scotland's relationship with transatlantic slavery can be included in the national curriculum with some negotiation.

Looking forward

The next generation of educators and learners now has greater access to materials related to Scotland and transatlantic slavery: a flourishing historiography, the promise of new exhibits in museums, television programmes that trace historic connections in full detail, graphic novels outlining the hitherto unknown presence of enslaved people in Scotland, and teaching packs that highlight the under-acknowledged role of Scots in the Caribbean. The dramatic increase in materials, as well as the current Anglocentric focus on the topic, suggests that a top-down refining is required as to how this often uncomfortable past is taught in Scottish secondary schools. Firstly, the course specification about the current Atlantic slave trade module – as well as approaches to past papers and marking instructions – could be modified to encourage teaching via Scottish examples. If a topic is chosen in Scottish secondary schools that focuses on the nation's historic connections with transatlantic slavery, even within the British unit, it seems reasonable that this should be taught from a Scottish perspective. Moreover, the chronology might be extended to 1838 in order to incorporate new evidence about the profound Scottish role in slave-ownership in the British West Indies. A second, more radical approach would be to develop a new topic, 'Scotland and Transatlantic Slavery, 1750–1838', to be taught in the Scottish units. This could facilitate exploration of the distinctive Scottish role in slave-trading and plantation slavery through a national approach that includes not only the colonial merchants of Glasgow but also the absentee planters in the Highlands, bankers in Edinburgh and cotton masters in Lanarkshire, as well as the runaway slaves and thousands of young Scots who crossed the Atlantic. If, as T.M. Devine contends, racial slavery was integral to Scotland for over two centuries, this theme deserves equal footing with themes such as the Reformation, the Union of 1707 or the Great War in secondary education. Since the latter approach could mean the prioritisation of slavery over topics equally fundamental to the learning of the next generation of learners, the former approach – retaining the British-Atlantic framework – seems a more appropriate compromise. Either way, improvements in the broader education on Scotland's slavery past – via historians, museum professionals and schoolteachers – should ensure that there are no more celebratory Merchant Cities in future.

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An Agenda for Change

Anas Sarwar

Speaking out about my own experiences of racism and Islamophobia was probably the hardest thing I have ever done in politics. The fear of being 'pigeonholed', of not being accepted as equal to others and not being seen as 'mainstream', makes you hold back. In a political class that is almost entirely white and largely middle-aged and male, it is difficult to be the one highlighting your own difference. But, an emotional combination of what feels like a rising tide of prejudice, watching my children grow up and grapple with many of the same challenges and, crucially, having confidence in who I am and what I believe helped me do it. I also understand that I am in a very privileged position. I have a platform. I have a voice, while many others in everyday walks of life don't. If we are to take this head on, if we are to challenge it and we are to see meaningful change, not in words but in deeds, then more of us do need to speak out so we can give others the same confidence.

I am not naïve, though. I recognise that for those constantly challenging (particularly when they are often the lone voice) it can be a depressing and lonely experience. I know there are individuals in workplaces, public bodies, local authorities, college and university campuses, school staff rooms, and more fighting every single day just to be heard and treated as equal. Those people need to be supported, but I also say to any of them that may be reading this that they need to look after themselves too – it's the only way you can keep challenging.

I think it is important to recognise the political context in which this conversation is taking place. This is not a conversation isolated to one city, to Scotland, the UK or the EU. This is a global phenomenon. We are seeing a global rise in nationalism, in the politics of 'us versus them', the othering of whole communities, and the principles of division and disunity being the new normal. A world where it feels like unity and compromise are now seen as dirty words.

While our politics feels so bitter and divided, challenging prejudice and hatred should be an issue that unites all political parties. A message that I continue to repeat publicly and privately to all my colleagues is that whatever divisions you believe exist between our political parties, or whatever differences you may believe exist within our political parties, they pale into insignificance compared to the divisions that people want to create within our communities.

It is also worth emphasising that we must challenge the lazy assumption that the politics of Trump or of Brexit are somehow the cause of these problems, that if you fix them then you automatically sort the issue. The reality is that Trump, Brexit and many other political phenomena are symptoms, not the cause. Yes, they have helped to legitimise prejudice and hatred, yes, they have helped to amplify it, but they haven't in themselves caused it. We must challenge and defeat the politics that plays on fear, but we must also address the structural and institutional issues that underlie it.

A rising tide of prejudice

So how do we challenge the politics of division and make unity fashionable again?

Well, firstly, we must recognise that we can no longer afford to pick and choose. There isn't a hierarchy of prejudice. An injustice against one is an injustice against all. We must speak out and challenge all forms of prejudice, no matter who it is against and who it is by. We can't leave the fight against all forms of prejudice to individual communities. This really has to be a fight for all of us. It is also about recognising that if we do leave individual communities to defend themselves then we have collectively failed as a society before we have even started.

Secondly, this must be viewed as a mainstream issue, not an afterthought or a tick-box exercise. We must recognise that we are talking about not just isolated incidents but the impact on life experiences, life chances and life outcomes. If we are to create a healthy, happy and prosperous nation then we must create a society where all are able to achieve their full potential regardless of their gender, race, religion, class or sexuality.

Thirdly, we must not just see a change in policy – we need a fundamental change in culture at every level. While I welcome the Scottish Government's race equality framework and have zero doubt in their support for the principles, I honestly believe that we can have the best frameworks and policies in the world, but they will ultimately fail if we do not

change the culture. We have had lots of frameworks, reviews and discussion groups. We need action. The government can start by leading by example in the public sector and help to drive change in the voluntary and private sector.

Meaningful outcomes

I recognise the important work done by the All Party Parliamentary Group on British Muslims (APPG, 2019) in consulting on and publishing a working definition of Islamophobia. I think it is important that this is adopted, and quickly. It's time to move on from the debate on whether Islamophobia exists and, if so, what it means, and instead turn our focus to what do about it.

All of the policy work that I am pursuing as chair of the Cross-Party Group (CPG) on Tackling Islamophobia has been done with people's lived experiences in mind. They are split into five broad themes: Justice, Education, Employment, Woman and Media.

I have lost track of the number of times that people have shared personal stories of a hate crime with me, but have never reported it for various reasons. We must consider and address the barriers to reporting: the fear of not being believed; an ineffectual or weak reporting system; a lack of trust or faith in meaningful action being taken; a recognition that often the perpetrators are colleagues in a workplace or neighbours, and the challenges that may bring.

We should ensure we have an adequately resourced and adequately trained police force. There should be a designated hate crime officer on every shift and in every command area. We should also completely overhaul and redesign the third-party reporting systems, which are not fit for purpose.

Samena Dean's (2017) research into Islamophobia in schools found that children are scared to go to school the day after a terrorist attack out of fear of what might be said to them.

We must ensure that all our teachers are adequately trained to deal with prejudice in the classroom and playground. This would be aided by having a more diverse teaching workforce, including at headteacher level. We should include in the teaching curriculum lessons on our shared and diverse history. This is a country made out of diversity, a country that came through two world wars due to the sacrifice of people from many nations and all faiths. I also believe that children learn best from other children, and we should create the environment in our schools for children to hear about each other's culture, heritage, beliefs and challenges. This will help to change their perspective, but also to educate their families and wider communities.

An audit of diversity in our public sector workforce that I researched with the aid of the Scottish Parliament's independent researchers at SPICe (Scottish Parliament Information Centre) found that Scotland's diverse minority communities were under-represented, with only 1.8% of employees coming from a BAME background. In two-thirds of councils, less than 1% of employees are from an ethnic minority background. There is one council with less than 0.1% (Sarwar, 2019).

If there are some in our communities who don't think they have an equal stake in society or an equal opportunity, then what chance do we have in the fight for equality? We should adopt the so-called Rooney Rule, which means that at least one person from a BAME background should be shortlisted when a job becomes available. We should also consider whether CVs should be anonymised when they are being considered. We have seen evidence that you are less likely to be called for interview if you have an ethnic minority name rather than an Anglo-Saxon one (Adesina and Marocico, 2017). This doesn't address the challenge that comes at interview stage, but I believe a diverse interview panel can help. This, of course, relies on having some diversity in the workplace in the first place!

I have argued earlier that the government should be leading by example. We have done it before with the introduction of the Gender Representation on Public Boards Act to ensure 50–50 gender representation on public bodies. A similar legal mechanism should be used to drive up ethnic minority representation. This would demonstrate that the government is serious and would send a positive message.

There is clearly a gendered nature to prejudice. A survey published by Amina Muslim Women's Resource Centre found that a majority of Muslim women have experienced an Islamophobic incident, and 21% said this occurred on our public transport system (Amina, 2019). It is sadly the case that the victim is more often female and the perpetrator is almost always male. I don't believe that this is a coincidence.

There is a specific issue around our public transport network that must be addressed by the police, local authorities and transport providers. There also

needs to be greater awareness about the need for bystander support. Crucially, we must address all the policy issues above with a gender focus in mind. I am also mindful that we need to stop talking about empowerment and instead empower. We must recognise that sometimes men must vacate the stage and let women lead the discussion about their own experiences and policy development. It is also important that we have more diverse voices in our public sphere and that we encourage more woman in the media.

Forcing change

The media has a really important role to play. I am a passionate supporter of a free and prosperous media industry. In an era of fake news and disinformation, the role of media professionals has never been more important. But one thing that has struck me is the level of distrust of the media among some communities.

That's why I invited journalists and editors to address the CPG on Tackling Islamophobia and we agreed a number of action points, including: a round of newsroom visits for representatives to get a better understanding of how news is made and for journalists to listen to concerns about the impact their reporting can have; improving the diversity in the media workforce; and producing media guidelines for journalists. These will be the world's first ever media guidelines on coverage of Muslims and Islam.

While the focus is often on our mainstream media, social media poses much deeper challenges. Social media has helped to open up our world, to connect people on opposite sides of the world and to allow greater scrutiny. But it has also helped provide a platform for those who seek to divide which they can use to amplify their message, recruit and often fundraise. These platforms must recognise their responsibilities too. I hope all equality and campaign groups can come together to force these often large corporations to act.

While at times it feels like the tide is all going the wrong way, that the forces of division are unstoppable and that progress and meaningful change is not possible, we can't allow the sense of pessimism to prevail. We owe it to all who have fought for equality and justice before us and to all those that are struggling with everyday prejudice in their lives today to speak out, build alliances, work together, change the culture and force change at all levels. This is a fight for all of us.

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Diverse but Marginalised

Fulton MacGregor

Scotland has so many diverse minority ethnic communities to be proud of, and the contribution they make, along with the integral role they play in enriching Scotland socially, culturally, and economically, is something to celebrate. I have had the pleasure of chairing the Cross-Party Group (CPG) in the Scottish Parliament on Racial Equality since it was re-formed after the election in 2016. During that time, I have had the privilege of meeting and speaking with many people from around Scotland about the issues that are faced on a day-to-day basis by people from black and minority ethnic communities.

What I find most sad and disturbing is that many are still being marginalised and abused in Scotland every day simply because of their race. This is completely unacceptable. I am someone who believes in a fair and just society for all, and race should never be of detriment to an individual's employment opportunities, and yet it is still the case that there are barriers in place to allowing individuals of all races to fulfil their potential.

Despite high levels of educational attainment, ethnic minorities are twice as likely to be unemployed. While progress has been made, the employment rates in Scotland are significantly lower for minority ethnic groups. In the year ending June 2017, the employment rate in Scotland was 73.4% compared with 58.5% for minority ethnic groups overall – an employment rate gap of 14.9 percentage points. There is a particular disadvantage for women from minority ethnic groups. Female employment rates for minority ethnic groups are typically around 24 percentage points lower than male minority ethnic employment rates.

Government action

To tackle this, the Scottish Government has developed a suite of actions that will begin to address the employment gap, which are closely aligned with the Race Adviser's recommendations outline in the Race Equality Action Plan which was published last December.

As a government, our aspiration is that minority ethnic people are employed in jobs which are appropriate for their level of skills, qualifications and experience. Therefore, we will map activities to improve employment and progression for groups who suffer disadvantage in the labour market. In addition to this, I welcome the promotion of the Scottish Government's Workplace Equality Fund of £500,000, which is being put in place as a mechanism to increase employment opportunities for ethnic minorities.

As many of you will be aware, the Scottish Government published the Race Equality Action Plan last December. This plan outlines more than 120 actions that the Scottish Government will take over the course of this parliament to secure better outcomes for ethnic minorities in Scotland, including examining what we can do to progress and aid education, health, housing, poverty, community cohesion and safety, participation and representation, and the treatment of Gypsies/ Travellers.

We are seeking to show what taking leadership in advancing race equality will do for our country. The Scottish Government allocated over £2.6 million in 2017/18 to fund organisations working to advance race equality, and it will establish a programme board to implement the framework and action plan in collaboration with stakeholders. However, we can all agree that advancing race equality isn't the job of government alone and that everyone in society must play their part in removing the barriers faced by our minority ethnic communities.

Progress yet to be made

Since the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination in 1965, the United Kingdom, among 87 nations, has signed up to and committed to recognising the human rights and personal freedoms of all people, regardless of race, nationality or ethnicity. Major steps have been taken in the fight against racial discrimination since then, but how sad is it that, more than 50 years later, the problem has not been eradicated from our streets and workplaces?

Despite good progress, there is still a huge amount of work to be done to rid ourselves completely of racism, particularly casual racism,

which occurs even among senior public figures, including politicians. In 2016, the UN Committee on the Elimination of Racial Discrimination called on Scotland to strengthen its commitments to those international ideals. It recommended that the Scottish Government take steps to prevent hate crimes and racist bullying in schools; increase access to legal aid; improve the curriculum on the history of the British Empire and colonialism, particularly with regard to slavery; and review stop-and-search powers in law enforcement. As a result, the Scottish Government (2017) recently published *A Fairer Scotland for All: Race equality action plan and highlight report 2017–2021*, which outlines the steps that the Scottish Government intends to take to promote racial equality in Scotland in a wide range of areas – from employment to housing to promoting community cohesion and safety, to name but a few. I was grateful to the cabinet secretary for coming along to the most recent meeting of the CPG to update members on the plan.

Recognising racism and establishing a national approach to eliminating it in our society is a momentous step that I am sure that we can all support, particularly at a time when Lord Bracadale is undertaking a review into hate crime legislation in Scotland. In recent weeks, we have seen significant coverage of the racism that is experienced by elected officials in Scotland, who call on us to consider the reality of racism not only in our political system but in wider Scottish society. If that is the sort of racist abuse faced by elected members, what must other members of ethnic and cultural minority communities be facing? For example, a report from the Crown Office and Procurator Fiscal Service (COPFS, 2017) shows that racial crimes were the most commonly reported hate crime in the past year, with 3,349 charges reported. Although it would be easy to congratulate ourselves for having the lowest number of reported hate crimes in more than 10 years, that is 3,349 charges too many.

As elected representatives for a diverse range of people, it is important that we recognise that these issues are faced not only by members of minority ethnic communities. The CPG on racial equality in Scotland has focused its attention on matters such as poverty and the discrimination that is faced by Gypsies/Travellers. Over recent weeks, there has been much discussion in the chamber about sectarianism in Scotland and how we should best tackle it.

There is much more to this picture. We need to look beyond to understand the inherent structures that perpetuate racism and prejudice in our society. A publication that examined the link between ethnicity and poverty in Scotland found that, overall, poverty is higher among ethnic minority groups than it is among the majority white population, and that there is a lack of inclusive services – including childcare – that take into account cultural and religious differences (Kelly, 2016).

A report from the Equality and Human Rights Commission (EHRC, 2016) found that 'if you are born into an ethnic minority household today, you are nearly four times more likely to be in a household that is overcrowded and up to twice as likely to be living in poverty and experiencing unemployment'. Not only that, but people from ethnic minority communities with qualifications equal to those of their majority white counterparts face greater barriers to finding work that matches their qualifications. That is a waste of talent and completely unfair on the individuals concerned. These inherent biases and injustices do nothing but hurt our society. As I have mentioned in the chamber previously, I am dealing with a constituency case that involves some of these problems.

Looking to the future

At the end of the day, we are all Scottish people with various cultural and racial backgrounds. We are part of the grand tapestry of Scotland. Everyone is part of our inclusive national identity. We are all equal citizens who are united through our shared national identity. As members of Parliament, we must use our privilege as the voice of our constituents in towns, villages, cities and communities in Scotland to champion our nation as an international leader in challenging racial discrimination and progressing racial equality.

Scotland has a proud history of challenging racial discrimination, and we must share the responsibility of carrying that work forward. The Scottish Parliament should strive to be a leading international voice in reinforcing the support of our institutions for a world that is founded in justice, equality and human rights. One of my main hopes in life is that the generations that follow us, when looking at these matters during discussions on history such as those that my children will have at school, will wonder why we ever thought that this was an issue. However, policies, legislation and cross-party groups on their own will never be enough to make that dream a reality.

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Choose Hope Not Hate: Scottish Green Party Policy and Action on Race Equality

Gillian Wilson

Commitments in Europe

With the conference held in the lead-up to the 23 May 2019 European elections, the Scottish Green Party's 'Choose Hope over Hate' manifesto outlined the Scottish Greens' position on race equality. We recognised the institutional, cultural and personal forms of racism that are present in Scotland and have permeated our society and shape our lives. The manifesto highlighted the party's commitment to ensuring rights for black and minority ethnic residents and standing against racism wherever we find it, challenging structural racism.

The manifesto stated the party's firm belief in the right to asylum and in creating a welcoming Scotland for asylum seekers, promising to work hard to ensure that all people seeking asylum are safe and supported and that their human rights and dignity are protected and respected. We should never forget that guarantees of safety for asylum seekers exist due to lessons from Scotland's and Europe's own dark history. Specifically on asylum and migration, the party committed that MEPs (members of the European Parliament) would work with Greens across Europe to establish legal and safe channels for migration; build an EU asylum policy based on solidarity and human rights; and campaign for the fair sharing of responsibilities among member states and re-establishing a European sea-rescue mission.

We also committed that Scottish MSPs will support the rights of minority cultures; oppose and speak out against oppression on the grounds of religious belief; ensure better enforcement of the EU racial equality directive; and support stronger measures to combat discrimination in employment practices and in the workplace.

Achieving race equality: Delivering on the *Race Equality Framework for Scotland 2016–2030*

The Scottish Green Party (SGP) recognises that racial discrimination remains a crucial issue in Scotland, for UK-born individuals as well as for refugees and first-generation migrants. People from Scotland's minority ethnic communities are significantly more likely to live in poverty, and employment and political representation rates are unacceptably low compared with those of white ethnic groups. The party signed up to acting both internally and cross-party with other MSPs to achieve full implementation of the *Race Equality Framework for Scotland 2016–2030* in order to tackle pervasive racism across our society, acting on all its elements including community cohesion and safety; participation and representation; education and lifelong learning; employment, employability and income; and health and home life.

What are the existing Scottish Green Party policies on achieving race equality?

The Scottish Green Party's policies include those on:

- Promoting and achieving a diverse Scottish identity
- Promoting and enabling community cohesion
- Opposing the Prevent legislation and its implementation
- Equality in education
- Equality in training and employment
- Tackling racism and hate crime

In October 2018, we also passed policy on challenging the far right, including how we can actively and directly challenge the views and operations of the far right, and policy relating to creating a more just and equal society by tackling the underlying causes of poverty and division that create a breeding ground for the far right. This included policy on screening recruits to key institutional bodies (e.g. police, education, policy) to ensure those with far right views do not get into these position; requirements on social media platforms to remove far right, Islamophobic, anti-Semitic and other hate speech/material; zero tolerance on Islamophobia and anti-Semitism; monitoring of far right hate crime; legal recognition of victims of far right hate crime; opposition to Prevent; increased investment in the prevention of far right terrorism; and funding for community cohesion work in schools and communities, among other measures.

In October 2019, the SGP also adopted the definition of Islamophobia, as affirmed by the All

Party Parliamentary Group on British Muslims, into its policy document: 'Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.'

Scottish Green Party actions for delivering race equality

Our MSPs, branches and members have actively opposed the Prevent policy and its implementation; campaigned against detention centres and for the closure of Dungavel Immigration Removal Centre; supported anti-deportation campaigns and supported asylum seekers and refugees in their cases; supported the rights of EU nationals in Scotland; opposed white supremacists and challenged the far right; and supported equal rights in employment and education discrimination cases for constituents.

As a result of a motion put to conference in October 2019, the SGP has recently set up a working group to develop a more detailed policy and working strategy for achieving racial equality in Scotland and within the Scottish Green Party. This group will be putting recommendations for policy and action to the national council by the end of 2019.

The SGP has a poor track record in attracting members from black and minority ethnic communities in Scotland and we need action to improve this. This will be built into the planned racial equality working group's plans, and could include actions such as (i) outreach to BME groups and campaigning in target wards, (ii) working with racial equality and BME organisations working to improve and increase political engagement with potential BME candidates at all levels, (iii) recruiting and training BME candidates for the party, and (iv) promoting BME candidates on SGP lists.

We also need to revisit procedures and strengthen them to ensure that we apply our zero tolerance of racism, Islamophobia and anti-Semitism within the party. We need to further strengthen procedures for reporting disciplinary issues within the SGP, and to improve procedures for dealing with such disciplinary cases, including racist incidents and behaviour within the party. We are keen to work with BME communities in Scotland and collaborate on developing policy, representation and campaigns within the party. For those interested, we encourage you to contact a local branch in your area or the head office in Edinburgh.

Appendix I

Self-Reported Discrimination in Scotland, 2015–2019

Nasar Meer

This appendix provides an overview of three cross-sectional surveys of more than 502 black, Asian and minority ethnic (BAME) people in Scotland undertaken at two-year intervals (2015, 2017 and 2019). Since they first commenced, these have been among the first quantitative surveys of their kind to focus exclusively on BAME experiences of discrimination in Scotland (see Meer, 2016).

The key findings include:

- In each survey year, around one-third of the aggregated sample agreed with the statement 'I have experienced discrimination in Scotland in the last two years' (31% in 2015, 34% in 2019 and 32% in 2017; Figure 1).
- This, however, varied among different groups. For example, in 2015 nearly 45% of respondents with self-reported Black African Caribbean heritage agreed with the statement that they had 'experienced discrimination in Scotland'. This rose to 50% in 2017 and dropped back to 37% in 2019. It compares with 29% in 2015 for respondents with Asian heritage, 30% in 2017 and 34% in 2019. Mixed heritage respondents displayed the lowest level of agreement: 23% in 2015, 32% in 2017 and 22% in 2019 (Figure 2).
- When asked a similar (less personalised) question, higher numbers agreed with the statement 'Other people would perceive discrimination to be a problem in Scotland'. As many as 42% in 2015, 43% in 2017 and 43% in 2019 agreed with this statement.
- Of those who reported experiencing discrimination, more than four-fifths (89% in 2019, 83% in 2017 and 82% in 2015) felt that this was due to their real or perceived ethnicity, and a greater number in 2019 than in previous years felt that it was also due to their real or perceived religion (66%, compared with 43% in 2017 and 42% in 2015; Figure 3).

Those who reported facing discrimination did not feel that it was restricted to a single area, but identified instead perceived discriminatory experiences in employment – either 'in getting a job' (36% in 2015, 38% in 2017, and 25% in 2019) or 'in being promoted' (31% in 2015 and 2017 and 18% in 2019) – as well as in education (35% in 2015, 18% in 2017 and 15% in 2019) and in the use of transport services (35% in 2015, 32% in 2017 and 35% in 2019).

Smaller proportions, though still around one-fifth of the representative samples, said that they had experienced discrimination in 'achieving equal pay' (22% in 2015, 21% in 2017 and 18% in 2019) and in 'using health services' (18% in 2015 and 2017 and 20% in 2019).

In each year, over half of the sample also said they had experienced discrimination 'in other areas' (Figure 4).

Interestingly, the survey found that while in 2015 and 2017 60% of those respondents who had

Background to the surveys

The surveys were undertaken during the summers of 2015, 2017 and 2019. Working with the polling company Survation, we made the data representative by weighting it by sex, age, ethnic group and region of Scotland. Targets were derived from the 2011 Scottish Census regarding the demographics of different ethnic groups in Scotland. Respondents were recorded at the local authority level but grouped into three large regions for weighting purposes (North East and Highlands, Eastern Scotland, and South Western Scotland). Those giving an ethnic group of 'Other' were not weighted up or down by ethnic group but were held constant on that aspect of their weighting, as we considered that there was room for ambiguity in the definition of an 'other' ethnic group. We were concerned that people who gave this answer by phone might differ from those who gave the answer to the paper census questionnaire, on which it was clear that 'other ethnic group' was mostly for those who considered themselves to belong to the 'Arab' ethnic group. Geography was recorded at the local authority level but grouped into three large regions for weighting purposes, as the bulk of the BAME population in Scotland is concentrated in the Greater Glasgow urban area (broadly analogous to the South Western Scotland region).

Figure 1

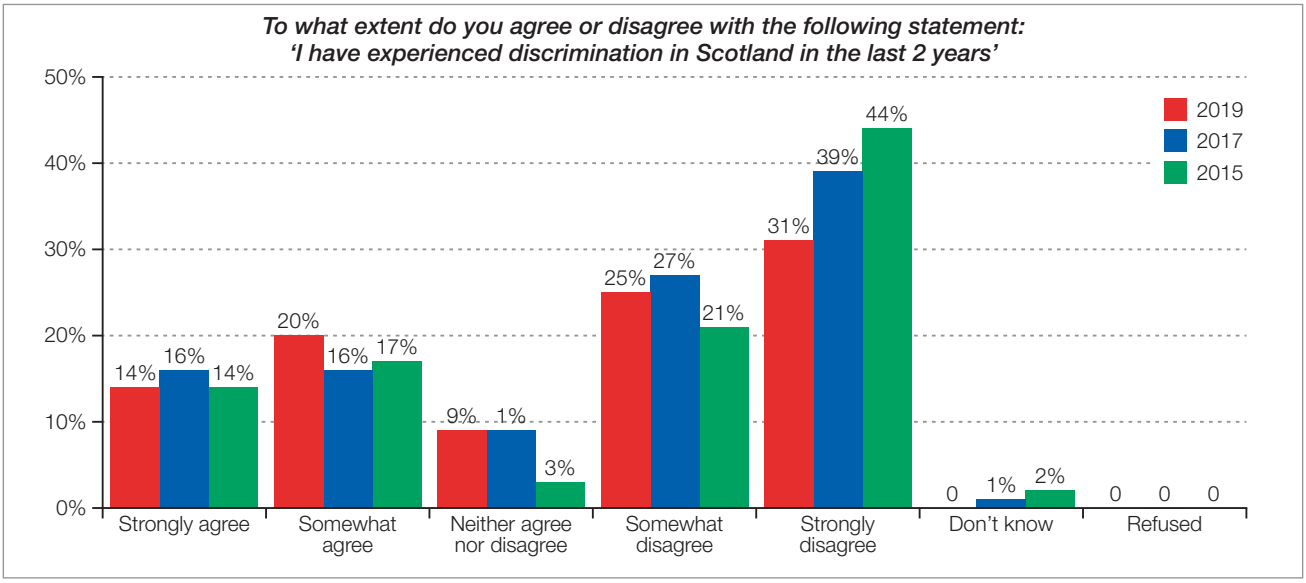


Figure 2

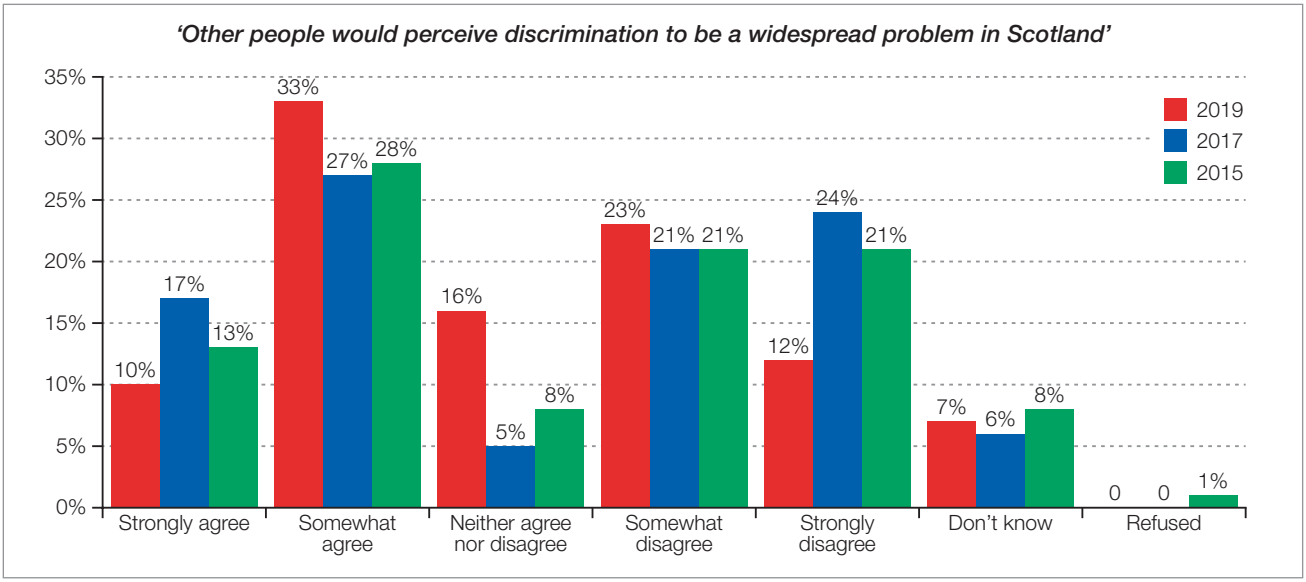
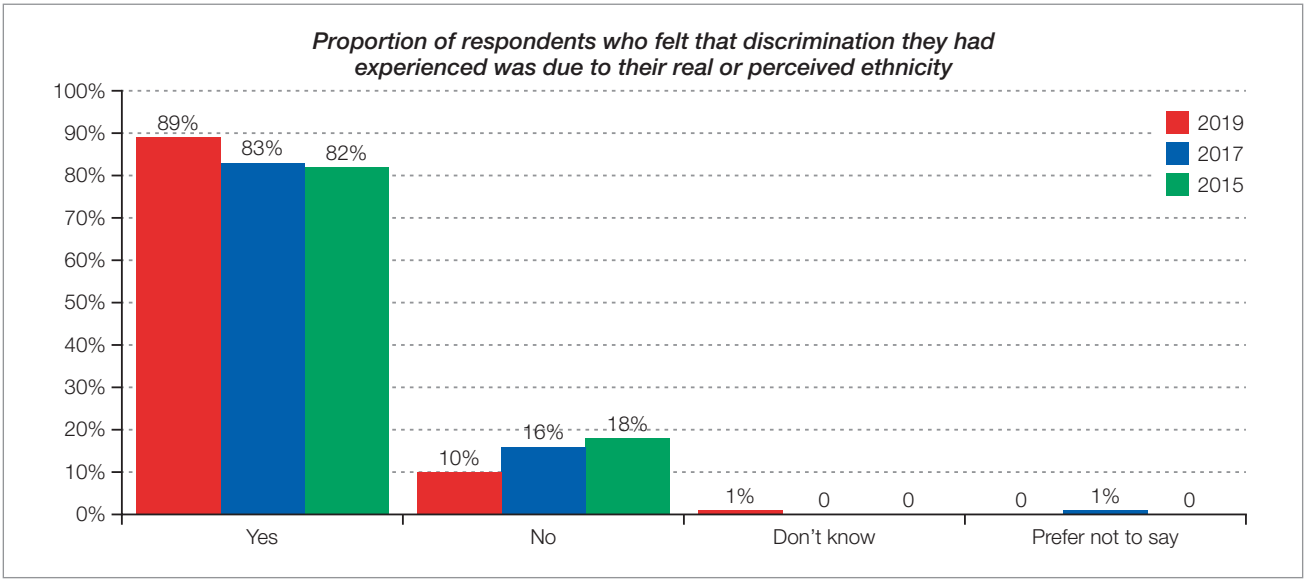


Figure 3



experienced discrimination did not report it to any kind of authority, this had fallen to 49% in 2019 (suggesting perhaps that reporting mechanisms were improving).

This was despite large numbers of the samples insisting they would encourage a friend or family member to make a formal complaint if they thought they had experienced discrimination (83% in 2015, 86% in 2017 and 87% in 2019), which suggests that perceptions of both low-level and more obvious experiences of racial discrimination in Scotland go under-reported.

Yet majorities in the samples 'strongly' or 'somewhat' agreed with the statement 'I have confidence in the laws against discrimination' (66% in 2015, 65% in 2017 and 60% in 2019), and similar majorities agreed that they had confidence in the authorities and other organisations to pursue discrimination cases (64% in 2015, 62% in 2017 and 57% in 2019; Figure 5).

When respondents were asked if they felt that incidents of racial discrimination were increasing or decreasing, between a fifth and a third stated they had become 'more frequent' (21% in 2015, 34% in 2017 and 27% in 2019). Meanwhile, a decreasing number (54% in 2015, 51% in 2017 and 42% in 2019) agreed with the statement 'The Scottish Government is doing enough to tackle discrimination in Scotland' (Figure 6).

The study also asked respondents about national identities, and found that more than one-third of the samples (35% in 2015 and 2019 and 31% in 2017) described themselves as 'equally Scottish and British' (with Scottish Muslims notably more likely to do so).

When asked whether an independent Scotland 'would be better or worse placed to tackle discrimination in Scotland', between a fifth and nearly a quarter agreed with the statement (22% in 2015, 22% in 2017 and 24% in 2019).

As with other attitudinal data, these findings are based on perceptions and this means that the actual levels of racial discrimination may be greater (and undetected) or lesser (and over-reported). What is especially relevant for our purposes is that the knowledge that BAME groups have a familiarity with the concept of discrimination, to the extent that they can answer direct questions on this, has long been supported by qualitative findings, but is also expressed in the largest study of BAME groups ever undertaken in Britain. This is a finding robustly established in the fourth 'National Survey of Ethnic Minorities' (Modood et al., 1997, p. 131) which asked direct questions about the perception of discrimination and reported, for example, a significant increase since the previous survey (1984) in the belief that employers discriminate on the grounds of race and ethnicity.

We certainly know from fieldwork that racial discrimination occurs across the UK, illustrated in the fact that BAME applicants are less likely to be successful in applying for a job even when differences such as age and education are discounted. For example, Di Stasio and Heath (2019) undertook a field experiment which documented racial discrimination against applications from BAME backgrounds. BAME applicants, despite having the same skills and qualifications as non-BAME applicants, had to submit 60% more applications to receive the same result. As this survey shows, we cannot assume this is not an issue in Scotland too.

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Figure 4

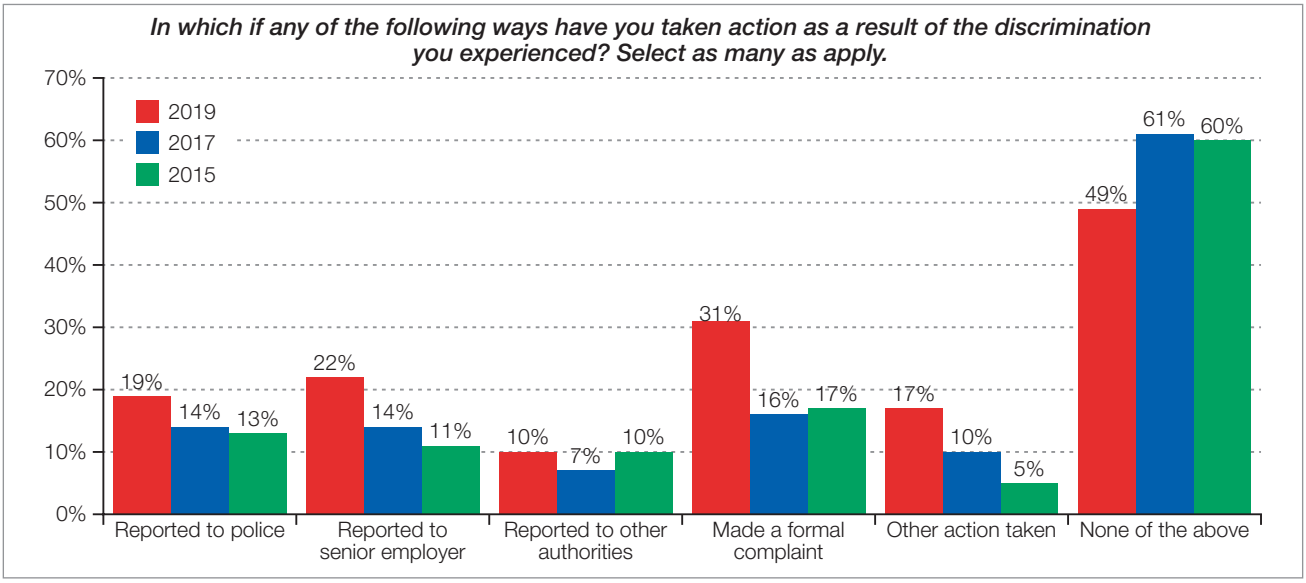


Figure 5

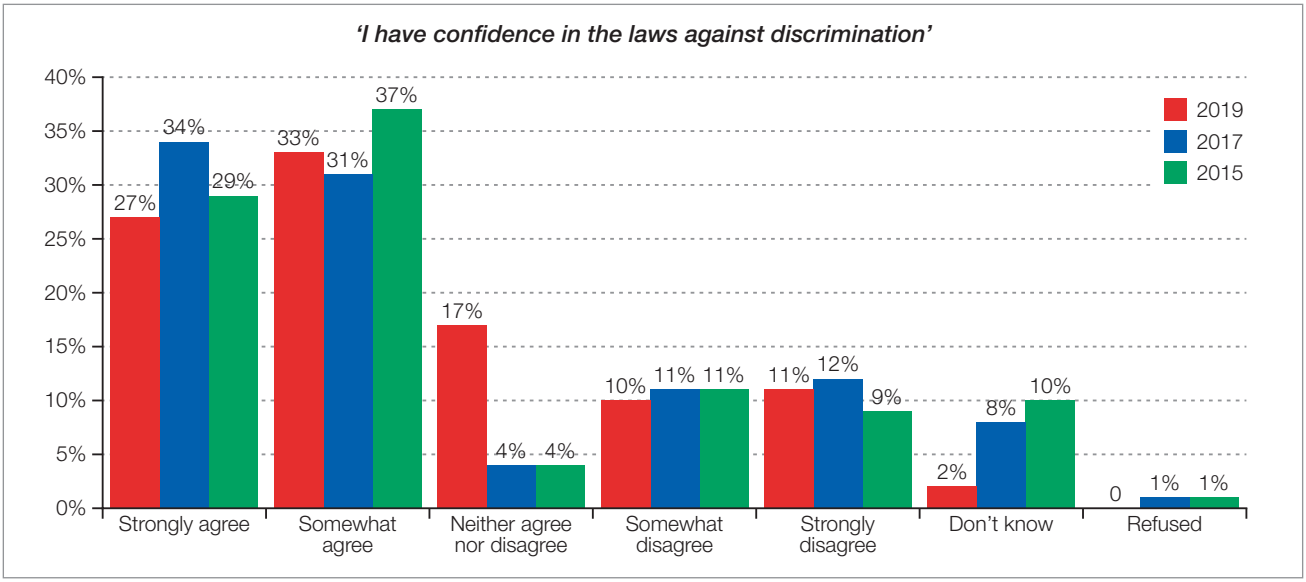
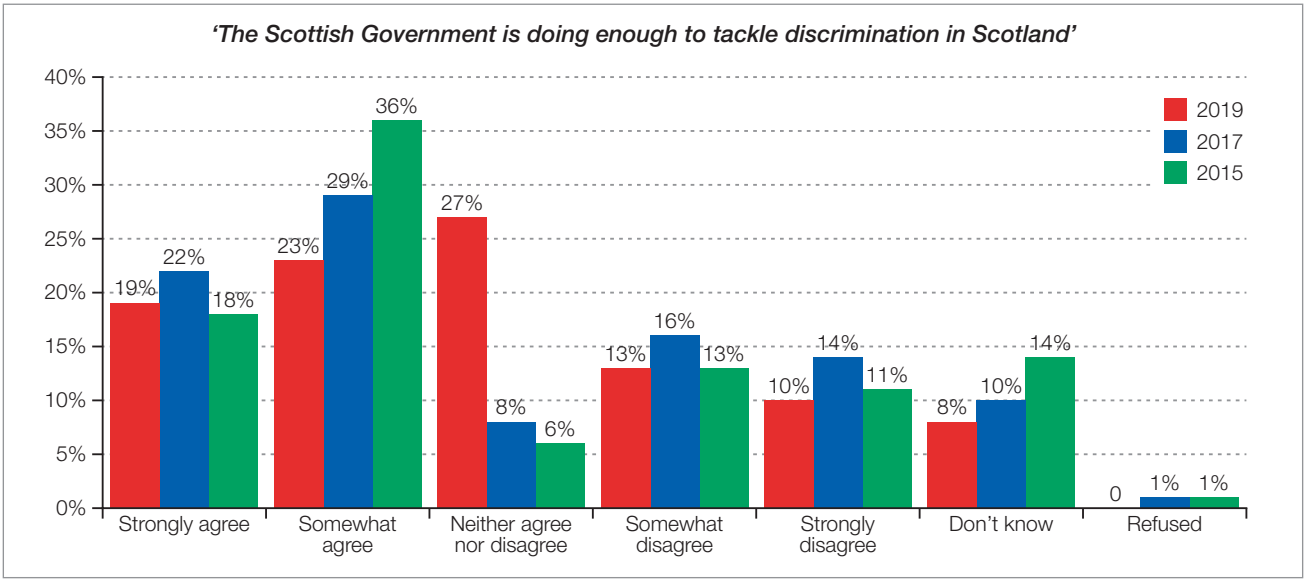


Figure 6



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