

# Scottish Parliament Cross Party Group on Racial Equality in Scotland

Minutes of the Meeting held on 26<sup>th</sup> September 2017

## Attendance

### Present:

Fulton MacGregor MSP	Member of the Scottish Parliament (Convener)
Bob Doris MSP	Member of the Scottish Parliament (Vice Convener)
Adam Tomkins MSP	Member of the Scottish Parliament (Vice Convener)
Jatin Haria	Coalition for Racial Equality and Rights (Secretariat)
Carol Young	Coalition for Racial Equality and Rights
Victoria MacDonald	Lord Bracadale Hate Crime Legislation Review (Speaker)
Lynne Tammi	Article 12 (Speaker)
Michael Molden	Article 12 (Speaker)
Raza Sadiq	Active Life Club
Margaret Nakitigo	Afreshe
Harriette Campbell	African Caribbean Women's Association/WSREC
Arun Gopinath	Central Scotland Regional Equality Council (CSREC)
Sandra Scott	City of Edinburgh Council – Additional Support for Learning Service
Nikhat Yusaf	City of Edinburgh Council – Additional Support for Learning Service
Naren Sood	Ethnic Minorities Law Centre
Martin Hayward	Equality and Human Rights Commission
Abdul Bostani	Glasgow Afghan United
Gholam Dastagir	Glasgow Afghan United
Faten Hameed	Scottish Iraqi Society
Sandra Deslandes-Clark	SEMPERScotland
Trishna Singh	Sikh Sanjog
Bilial Shahid Ghani	Standard Life – MOSAIC
Imran Khan	Standard Life – MOSAIC
Rohini Sharma Joshi	Trust Housing Association
Davidson Chademana	STUC Black Workers' Committee / University and College Union
Khalida Hussain	Voluntary Action Fund
Audrey Coltart	Pilton and West Granton Community Council
Geri McDonnell	Pilton and West Granton Community Council
Mohammed Razaq	West of Scotland Regional Equality Council (WSREC)
Fuad Alakbarov	Individual

### Apologies:

Anas Sarwar MSP	Member of the Scottish Parliament (Vice Convener)
Jackie Baillie MSP	Member of the Scottish Parliament
Jeremy Balfour MSP	Member of the Scottish Parliament
Richard Lyle MSP	Member of the Scottish Parliament
Pauline McNeill MSP	Member of the Scottish Parliament
Sandra White MSP	Member of the Scottish Parliament
Suzanne Marshall	College Development Network
Rachel Vette	Edinburgh and Lothians Regional Equality Council
Lynsey Blyth	Ethnic Minorities Law Centre
Kash Taank	Glasgow Life

Micheline Brannan	Scottish Council of Jewish Communities
Shaben Begum	Scottish Independent Advocacy Alliance
Nicola Hay	Show Racism the Red Card
Nabirye Balyjusa	Scorescotland
Phakhawan Gibson	Thai Women's Association of Scotland
Elaine Dougall	Unite the Union
Surjit Choudhary	Individual
Zahra Hassan	Individual

## **Welcome and Introductions**

Convener Fulton MacGregor MSP called the meeting to order at 18.05 and welcomed members to the meeting.

## **Annual General Meeting**

The formal Annual General Meeting was commenced, with all existing office bearers being proposed for re-election. Those who were not in attendance had given their prior acceptance to the nominations.

The office bearers for the CPG on Racial Equality in Scotland for 2017-2018 were confirmed as:

- Fulton MacGregor MSP – Convener
- Anas Sarwar MSP – Vice Convener
- Adam Tomkins MSP – Vice Convener
- Jatin Haria, Coalition for Racial Equality and Rights – Secretariat

The gender balance of the office bearers was raised, with a commitment to address this going forward if possible.

It was agreed that the Annual Return for 2017 would be completed by the Convener and the Secretariat. The draft Annual Return was approved by the group, pending the addition of a summary of the meeting.

Organisations not listed as official members will be added to the membership list following the submission of the Annual Return.

## **Approval of the Minutes of the Previous Meeting**

The Convener then introduced the minutes of the meetings held on 21<sup>st</sup> February 2017 and 23<sup>rd</sup> May 2017. The minutes from the meeting on 21<sup>st</sup> February were not approved at the meeting on 23<sup>rd</sup> May, as quorum was not achieved.

The group approved the two sets of minutes.

## **Presentation: Victoria MacDonald, Lord Bracadale Hate Crime Legislation Review**

The Convener introduced Victoria MacDonald of the Lord Bracadale Hate Crime Legislation Review.

Victoria MacDonald provided a comprehensive [overview of the review](#) and the current [consultation exercise](#).

The remit for the review is to consider whether existing hate crime law represents the most effective approach for the justice system to deal with criminal conduct motivated by hatred, malice, ill-will, or prejudice.

In particular, Lord Bracadale will consider and provide recommendations on:

- Whether the current mix of statutory aggravations, common law powers, and specific hate crime offences is the most appropriate criminal law approach to take
- Whether the scope of existing laws should be adjusted, including whether the religious statutory aggravation should be adjusted to reflect further aspects of religiously motivated offending
- Whether new categories of hate crime should be created for characteristics such as age and gender (which are not currently covered)
- Whether existing legislation can be simplified, rationalised and harmonised in any way, such as through the introduction of a single consolidated hate crime act
- How any identified gaps, anomalies, and inconsistencies can be addressed in a new legislative framework, ensuring this interacts effectively with other legislation guaranteeing human rights and equality

The consultation phase of the review began on 31<sup>st</sup> August 2017 and will last until 23<sup>rd</sup> November 2017. It is seeking views on the issues outlined above. Three versions are available:

- A full version, aimed mainly at a technical, legal audience
- A non-technical version, aimed at the general reader with no specialist knowledge
- An easy-read version using simple language and pictures.

Victoria MacDonald then provided an explanation of hate crime as crimes motivated by “animosity, prejudice, or hostility towards a victim due to their membership of a particular group.” She also explained why it is important to have hate crime as a particular offence. She noted that racial hate crime remains the most commonly reported hate crime.

She stated that so far, there has been 103 consultation response to the question on individual’s experiences of hate crime. Victoria asked that the third sector participate in the review by supporting individuals to respond to the consultation, and highlighted the willingness of the secretariat of the review team to provide assistance if needed.

A discussion followed the presentation. The following issues were raised:

- The academic nature of the consultation, and the need to consider the impact on individuals, rather than the operation of the system as a whole
- Poor responses from Police Scotland when hate crimes are reported
- The need for COPFS to respond more effectively to hate crime, as poor responses are not limited to the police
- The importance of having robust legislation to addressing poor criminal justice responses to hate crime
- Concern for groups not currently covered by the existing legislation
- The importance of education on hate crime for young people
- The prevalence of under-reporting

- The need for resourcing for the third sector to support individuals to participate, and the potential for a few race equality sector events
- The need to monitor the implementation of current legislation to better understand the performance of the current law
- The perceived lack of priority given to hate crime by Police Scotland and the criminal justice system
- The relationship between this legislation review and the wider work of the Independent Advisory Group on Hate Crime, Prejudice, and Community Cohesion
- The importance of concentrating on improving processes and procedures rather than experiences of victims, as action rarely follows this
- The potential for a register for hate crime offenders
- Wider issues of racial profiling and PREVENT
- The effect of hate crime on the friends and family of the victim

Jatin Haria noted that CRER is organising a consultation event on 2<sup>nd</sup> November and urged members to get in touch if they would like to participate.

Adam Tomkins MSP also asked if the CPG could invite COPFS, Police Scotland, members of the media, and others to the CPG to speak further about hate crime, prejudice, and racial equality.

## **Presentation: Lynne Tammi and Michael Molden, Article 12**

Lynne Tammi and Michael Molden offered apologies from Bernadette Williamson.

Lynne Tammi spoke about the very common causal discrimination faced by Gypsy/Travellers. The Gypsy/Traveller community is portrayed as a problem and a “blight on the community,” with petitions lodged against their presence and frequent media othering and cultural denigration (e.g. through ‘My Big Fat Gypsy Wedding’). She noted that the media often misrepresents the community as new migrants, when Gypsy/Travellers in Scotland are generally long-resident and Scottish, often living in Scotland from the 18<sup>th</sup> century onwards. Despite this, the stereotypical portrayals and othering continues. She stated that there seems to be an acceptability of anti-Gypsy/Traveller prejudice and attitudes, and noted that the Scottish Government needs to better understand the lived experiences of this community to develop effective policy and legislation. Developments such as the Lord Bracadale review offer hope.

Michael Molden offered his presentation, and shared his experiences of discrimination and bullying in the education system. He stated that the media has a role to play in fostering school bullying through negative portrayals of Gypsy/Travellers. He spoke about the launch of the “Don’t Teach Hate” campaign in London. He noted that there is a recognition that hatred is learned behaviour, whether from media, family, or wider society, and that schools should challenge this by educating pupils through the curriculum. He called for a Gypsy/Traveller Month to promote education, and stated the cognitive learning theory shows that direct challenges to beliefs can backfire, but finding common ground between groups and seeking agreement to non-controversial statements (e.g. “Do Gypsy/Travellers have a right to be in Scotland?”) is effective.

A discussion followed the presentation. The following issues were raised:

- The importance of viewing prejudice “in the round,” as this offers an opportunity for solidarity between people with protected characteristics

- Amnesty International Scotland's school education programme which can cover a variety of human rights topics, including Gypsy/Traveller discrimination
- The development of school resources in partnership with Show Racism the Red Card
- The ongoing issue of prejudice in the media and the role individual journalists can play in promoting hate speech
- The lack of a Gypsy/Traveller perspective in the media, with only 0.5% of articles on Gypsy/Travellers written by a community member
- Lessons that may be learned from the 'Zero Tolerance to Bullying' campaign
- The importance of diversity and racial equality in the curriculum to counteract the prejudice being learned by pupils
- The relationship between prejudice-based bullying in schools, and diversity and equality education, and the need to consider especially schools in which Gypsy/Travellers may be seasonally schooled

Bob Doris MSP asked what the CPG could do to challenge anti-Gypsy/Traveller prejudice in schools. It was agreed the CPG would contact the Scottish Government in the first instance to see how this is being supported in schools.

It was also noted that City of Edinburgh Council Additional Support for Learning Service leads on equality training for schools and has conducted some anti-Gypsy/Traveller prejudice training.

## **Close**

The Convener brought the meeting to a close at 19.45 and thanked everyone for their attendance.

The next meeting will be announced in due course.