

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 14 May 2002
(Morning)

Session 1

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EQUAL OPPORTUNITIES COMMITTEE

10th Meeting 2002, Session 1

CONVENER

*Kate Maclean (Dundee West) (Lab)

DEPUTY CONVENER

*Kay Ullrich (West of Scotland) (SNP)

COMMITTEE MEMBERS

*Mrs Lyndsay McIntosh (Central Scotland) (Con)

*Mr Michael McMahon (Hamilton North and Bellshill) (Lab)

*Mr Gil Paterson (Central Scotland) (SNP)

*Cathy Peattie (Falkirk East) (Lab)

Tommy Sheridan (Glasgow) (SSP)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

WITNESSES

Ms Margaret Curran (Minister for Social Justice)

Tim Ellis (Scottish Executive Development Department)

Yvonne Strachan (Scottish Executive Development Department)

CLERK TO THE COMMITTEE

Jim Johnston

SENIOR ASSISTANT CLERK

Richard Walsh

ASSISTANT CLERK

Roy McMahon

LOCATION

The Chamber

Scottish Parliament

Equal Opportunities Committee

Tuesday 14 May 2002

(Morning)

[THE CONVENER *opened the meeting at 10:30*]

Item in Private

The Convener (Kate Maclean): Let us start. I have received apologies from Tommy Sheridan. He has sent a letter, which has been circulated to committee members for their information.

Do members agree to discuss item 5, on a draft report, in private?

Members *indicated agreement.*

Taking Stock (Race Issues)

The Convener: The next item on our agenda is our third taking stock exercise. Today, the committee will deal with race issues.

Before I get ahead of myself, I welcome the Minister for Social Justice, Margaret Curran MSP, and Yvonne Strachan and Tim Ellis, who are from the Scottish Executive development department equality unit. At the outset, and on behalf of the committee, I congratulate Margaret Curran on her new appointment. The committee looks forward to working with her in her new role, just as we worked for a number of months with her in her previous role.

The Minister for Social Justice (Ms Margaret Curran): Thank you for your congratulations. I have indeed worked closely with the committee and I hope to continue that working relationship in my new role. Equalities will continue to be a significant part of my portfolio. The First Minister has said to me that he wants equalities to be central to the work that we do. The partnership with the committee is very much part of that effort.

On the previous occasion on which I gave evidence to the committee as part of the taking stock exercise, I gave evidence on disability issues. I remember being pressed quite sorely on the accessibility to people with hearing issues of our work on domestic abuse. I took the committee's comments seriously. I was pressed on the matter by Lyndsay McIntosh in particular, but I took it to be a committee effort—at least, that is how the questioning was received and experienced.

I have informed the convener that I have done some work on that issue. Yvonne Strachan has the details more readily to hand, but the adverts and other material on domestic abuse—which have been very successful—have been made much more effectively accessible to women who have hearing issues. That work has been done in response to the committee's questioning. I had previously not pursued that as a priority as much as I perhaps should have done, so I thank the committee for bringing that to our attention. I hope that we can continue that relationship in future. I imagine that, for obvious reasons, I will not always be able to give in to such pressure, but I know that we have a strong working relationship.

When I was in my previous position, Iain Gray dealt more with the race portfolio, although we were both committed to race equality as a critical part of our work. Obviously, race is a pertinent issue now, not only because of the legislative changes that we are dealing with and have been very much part of, but because of the wider social

and political debate about race issues that is taking place not only here, but throughout Europe.

It is important that the Parliament flags up the significance of race equality to our agenda. We must ensure that race equality is central to all the work that we do and in all the efforts that we undertake. I am therefore pleased that my first committee appearance as Minister for Social Justice is to speak about race equality. I hope that that signals the significance that race equality will continue to have for our agenda.

Cathy Peattie (Falkirk East) (Lab): Good morning and congratulations. I am interested in your approach to consultation and joint working. You will not be surprised to hear that I am interested in what has been done to ensure that the approach is not simply top down, but bottom up. What work has been done to consult and work with people at grass-roots level? The committee has heard about the need to build the infrastructure of the voluntary sector and of the black and ethnic minority voluntary sector in particular. I am interested in your approach to consultation. How will people be brought on board?

Ms Curran: Cathy Peattie has raised many issues. Consultation across the spectrum of people to whom we should talk is a broad issue. That spectrum ranges from young people, whom we may consult about school issues, to people who have ethnic minority backgrounds, whom we may consult about their experience of what we do and what they can tell us about some issues.

Cathy Peattie made an interesting point about infrastructure, which has been raised in many of the debates in which we participate. If we are serious about consultation and participation, we must resource people and help them to organise to consult us, because sporadic and hopeful consultation is unfair on the people who are on its receiving end and who do not have the resources or the information to be effective partners.

That explains why, in the first phase of mainstreaming, we have spent some time examining infrastructure. That applies to voluntary sector issues, as the committee knows. People are sometimes frustrated that we spend money on infrastructure, but we must do that because we cannot otherwise consult effectively.

We have given Black and Ethnic Minority Infrastructure in Scotland considerable funding and we have increased that funding recently, which is intended to allow development of infrastructure. However, we do not consider that to be the only option; we are clear that it should not be a substitute for grass-roots consultation, nor should it create a top-down approach. We fund some organisations, but we do not communicate

with only those organisations. With that funding, we expect such organisations to consult and to develop grass-roots strategies—they should talk to people locally and in different organisations and consider the agenda as broadly as possible.

Tim Ellis will outline the more consistent approach to consultation.

Tim Ellis (Scottish Executive Development Department): There are two forms of consultation. One is from the centre, through which we take a slightly more focused approach, and the other involves mainstreaming consultation throughout the Executive. They are complementary and both are important. For example, the education department recently published work on encouraging participation and consultation with young people, and the “Equal Futures” conference was held. All that has been aimed at targeting specific matters.

More generally, we are building links that will enable us to engage with grass-roots communities. We are doing that through research to examine forms of multiple discrimination, particularly involving race.

The committee will probably want to talk about the Executive's race equality scheme. As the Executive builds that up, one key issue that will arise is the need for consultation that goes beyond ordinary levels and that digs down a bit deeper. The consultation and engagement that we and other bodies conduct should go deeper.

Cathy Peattie: I understand that that is difficult to do and I did not ask my questions in order to be difficult, but the issues are important. I am sure that the minister appreciates that if the Executive can engage with such organisations, they will have much to give of their experience and understanding.

Some good work has been done on local joint working. The minister talked about a commitment to build infrastructure. I am interested in what the Executive will do to promote joint working, to ensure that the sectors that we are talking about are represented and involved in, for example, community planning. When major decisions are being made about those communities, they should have a seat at the table and have a voice. I am not suggesting that the Executive wants to do this, but those sectors should not be paid only lip service and used to allow someone to tick a box that says that they have been consulted. Those sectors should have an opportunity to feed into joint work and community planning.

Ms Curran: There are a number of responses to that. Cathy Peattie makes serious points. We know how hard it can be—some of the organisations concerned can have terrible burdens put on them. Generally, we tackle the issue by

ensuring that we raise equality in all forms and at every opportunity. It is not just about ticking one box—issues keep coming back and must be responded to rather than simply got off the agenda.

The Executive is engaged with a series of working groups involving a range of organisations. We are not just talking to the same organisations time and again. We will consult a number of the working groups next week to consider the funding strategy and how funding is disbursed.

Cathy Peattie's broader point about community planning is significant. I have spoken previously about the need to integrate equality issues into the work of social inclusion partnerships, and we have been considering how to develop toolkits for that. I often discuss the equality agenda with partnership and community representatives on SIPs during my visits to their organisations, and the question of how they pursue that agenda is a big issue for them. Issues around housing for disabled people are included in local partnership working, and there are also big issues to be pursued around race and the involvement of people from ethnic minority backgrounds.

The community planning agenda is significant for the future and we will publish our community regeneration statement in June. Members will undoubtedly ask me about equality issues then but, without going into what will be in that document, I can say that we envisage equality issues being pursued in that context, so they will therefore be very much part of the mainstreaming agenda. That means that, when we talk about communities, we are not just talking about white able-bodied communities. It also means that the key stakeholders will share a broad understanding of what the community is.

We just need to keep pressing and to bed that understanding down all the time in our work with the range of organisations that are involved. It is not easy, however, and we still need to put in a lot of effort.

Cathy Peattie: I am sure that you will agree that, in many cases, the white able-bodied community is not involved in those partnerships.

Ms Curran: Yes.

Cathy Peattie: There is therefore a lot of work to be done to ensure that mainstreaming takes place at community level. Is there anything that the Executive can do to ensure that such equality issues are on the local agenda? The money is coming from the Executive and there is good practice in the work that is being developed by the Executive, but how can we ensure that the funding and good practice get to the local level?

Ms Curran: I take that point. The problem with

the equality agenda in the past was that it tended to pit one group against another. We need to get away from that situation, in which groups compete for attention or resources. We are trying to avoid that and to develop a broader analysis of inequality and how it feeds in. It is not a matter of saying that responsibility for inequality in poor communities rests with the poor people themselves; we hope to deliver a much deeper analysis.

The broader way to make people do what we want them to do is to pull the lever of funding and state that, as a condition of the allocation of funding, we expect people to move forward on the equality agenda. We are starting to think much more in those terms. We must be careful not to be crude about it, however; we must not give people indicators that are not as effective as they could and should be.

We view mainstreaming and equality as parts of the same agenda. People cannot simply sign up for one part of it and ignore the rest. Hopefully, that is what we are embedding much more effectively in the social inclusion strategy through the SIPs and through our broader social justice and regeneration policy.

The Convener: Is that happening? Are organisations being told that if they do not publish equality plans or prove that all their policies and service delivery adhere to equal opportunities policies, their funding will be jeopardised?

Ms Curran: To be honest, we are not yet being as direct as that. I will ask Yvonne Strachan to say a wee bit about the race equality plans in a moment, because they have a slightly different resonance in the context of more general mainstreaming and equality work.

There is a growing expectation that equality must be embedded in any kind of submission for funding that is made to the Scottish Executive, and we have been encouraging the SIPs to take equality into consideration. It is less about telling organisations that if they include a paragraph on equality in their submissions they will get their money than it is a matter of telling them that we need to talk through how equality issues are being pursued in their areas. Some organisations might legitimately say that they are pursuing one issue over another. For example, some young people's SIPs might pick up on issues that would not appropriately be dealt with by another SIP. We would not centralise spending policy; we would not direct SIPs to spend their money in particular ways. However, we will have discussions with them about that issue.

Cathy Peattie mentioned race equality plans, which are a big issue for us. Yvonne Strachan will say more about those.

10:45

Yvonne Strachan (Scottish Executive Development Department): The social inclusion network, which involves the Executive and external bodies, is addressing the direct connection between social inclusion issues and equality. One of its sub-groups is specifically considering mainstreaming equality. How equality relates to the social inclusion agenda is of key importance. The same applies to the work that is being done on partnerships.

Tim Ellis has been working on the race equality plans and might be able to say something specific about those.

Tim Ellis: The minister is right to say that in many ways our aspirations are ahead of our practice. However, the race equality plans will provide us with an opportunity to match aspirations with practice. In effect, we are required to do that. We have made progress in some areas. For example, we are further ahead on voluntary grants than on some other issues. However, funding and equality will not be linked overnight, particularly in bodies that have established funding regimes. As Yvonne Strachan and the minister said, we can, through the race equality plans and other work, make a start on that. However, it will take time to bed in new regimes.

The Convener: Do you know of any examples of good practice in that area?

Tim Ellis: There are examples of good practice in the voluntary sector. The equalities agenda, and race equality in particular, are also starting to become more firmly embedded in the work of the health sector. In the health sector we are not dealing with a direct grant scheme, but large sums of money are invested in health. We expect increasingly to see evidence that race equality issues are being addressed.

Elaine Smith (Coatbridge and Chryston) (Lab): I, too, congratulate the minister on her appointment.

Brief reference was made to children and young people. What is the Executive doing to raise awareness of, and to increase dialogue on, issues that affect children and young people in ethnic minority communities in Scotland? Are resources being targeted specifically at developing good practice in services for children and young people?

Ms Curran: Schools are the main service that affects children and young people. Work is being done on issues relating to the Race Relations (Amendment) Act 2000. In education authorities, there has been an emphasis on the need to promote racial equality. Work is also being done in schools. As members will know, the national

debate on education will focus on equality. Priorities 3 and 4 in the debate relate to inclusion, equality, values and citizenship.

The Scottish Executive funds the centre for education for racial equality in Scotland and the Scottish Traveller Education Programme, which impact directly on issues relating to children and young people. The anti-bullying network is also important. Research indicates that a number of young people experience racism as a form of bullying, so there has been a focus on racist bullying. The race equality advisory forum has also raised with Scottish ministers the issue of institutional racism and has suggested ways of dealing with that through education. The REAF has developed an education action plan to which we are responding.

Tim Ellis will talk about the more specific work that has been done recently.

Tim Ellis: The minister has covered most of what has been done. I mentioned earlier a conference that the Executive, the Commission for Racial Equality and Save the Children sponsored last year. Some very powerful messages came out of that conference, which focused on children's experiences of racism. Children were given an opportunity to share their experiences, which are not always the same as adults' experiences. A week or two ago, we published guidance on developing consultation with children on best practice in this area. As that guidance becomes more prevalent, it will become helpful. It is interesting that such a key area came out of the submissions that you received on the taking stock exercise. We must think carefully about how we progress in responding to that need.

Elaine Smith: I want to explore that further. Will you comment on whether the Zero Tolerance Trust's respect project will be rolled out? That is part of what you mentioned in your answer. It is important to note that children and young people have said at events for them that they feel that citizenship should be part of the school curriculum and the culture. Will you comment specifically on the consultation response that we received from Children in Scotland, which stressed the importance of visual representations of the diversity within Scotland's population? Is the Executive doing anything to support that kind of approach? Children in Scotland said:

"Too often, children and young people from ethnic minority groups are inadequately represented or completely missing from photographs and images used to illustrate printed material on children's services, policies and practice."

Ms Curran: Elaine Smith's question was as difficult as her questions usually are. In principle, we are supportive of the respect project pilot, which has been evaluated positively. We are

committed to rolling that out in schools. I have been in dialogue with other ministers—notably Andy Kerr and Cathy Jamieson—about how we will do that. We have also had discussions on the matter with the Zero Tolerance Trust. We must hold discussions with the education authorities, because the curriculum in Scotland is slightly different and we cannot just change it overnight. We are considering different models for change. We have agreed that, in the first instance, the matter will go to the education authorities, after which we will assess how to pursue the work. I will continue to talk to Zero Tolerance about that. Elaine Smith is right to raise the issue in the context of bullying and how young people experience it.

Elaine Smith was also right about visual representation and I understand why the comment on representations of young people was made. We must alter significantly our images and the way in which we produce material. Between the first and second rounds of adverts on domestic abuse, a change was made to ensure that we were much more sensitive to visual representations of women and their children. I think that we made some progress on that. I cannot claim that we have done everything properly, that we have made significant progress and that we are satisfied with that. I will consider visual representation of children from ethnic minority backgrounds and will ask that that be examined across the Executive. Off the top of my head, I do not know what the state of play is throughout the Executive, although we have made some efforts to address the issue in my department's portfolio. I will perhaps write to my Cabinet colleagues to suggest that they follow our lead on the matter.

Elaine Smith: I could not ask for more than that. I am glad that you have given such a commitment and I hope that the committee will be told of the outcome.

Ms Curran: I am sure that the committee will ask about that.

The Convener: When, toward the end of November, education authorities and schools produce their policies on racial equality, will the Scottish Executive and the Commission for Racial Equality examine those policies, or will the CRE alone examine them?

Tim Ellis: The policies are not approved formally by the Executive or by the CRE, although we will certainly want to look at them. Initially, the education authority has primary responsibility for them. The CRE and the Executive will give proactive consideration to what comes out of those plans and schemes more generally.

The Convener: You say that the policies are not

approved formally, but I presume that they must reach a certain standard in demonstrating a commitment to racial equality.

Tim Ellis: The CRE guidance on what will be expected will be quite clear. The CRE will work closely with education authorities to ensure that such a commitment is embedded. I am sure that a learning process will take place as the process progresses, but the CRE will work to ensure that a certain standard is reached.

Kay Ullrich (West of Scotland) (SNP): Good morning, minister. I reach across the party divide to congratulate you on your appointment.

I want to ask about Gypsy Travellers. You will be aware that the committee made 37 recommendations in its report to the Parliament on Gypsy Travellers and public sector policies in relation to them. You will also know—it is no secret—that Gypsy Travellers and the committee were quite disappointed with the Executive's response to the report.

What progress, if any, has been made in the year between publication of the report and cessation of grant funding to the Scottish Gypsy Traveller Association? The subject is of particular interest at this time, given that Lord Avebury's bill has brought the issue of Gypsy Travellers to the fore furth of the border—that is, in England and Wales. I am really asking what progress has been made since our report was published.

Ms Curran: I remember the committee report clearly because I remember the debate on it in the Parliament, and I am well aware of the disappointment in the Executive's formal response to it. I hope that I tried to indicate in my reply to the Parliament that the Executive's approach and attitude had changed—I am trying to be careful about what I say. We were very aware of the disappointment that was expressed by the committee and by various sections of the community. We want to alter that perception significantly. A seminar that is about to take place is important to the Executive. At it, we will meet all the key representatives, which will allow us to begin to take forward that agenda.

As far as I recall, the part of our response that dealt with health was regarded as being much more sympathetic—

Kay Ullrich: The part on health was decidedly better than many other parts of the response.

Ms Curran: I know that a great deal of discussion took place between housing officials and representatives of the Gypsy Traveller communities at the committee's seminar, and I know that progress was made. I will ask Tim Ellis or Yvonne Strachan to provide details on that progress.

The Convener: If the committee agrees, it might be useful if you were to provide a written response to that question. Our report was wide ranging, so it might be more useful to have a written response that shows the progress that the Executive thinks has been made.

Kay Ullrich: A written response that followed the headings and the different issues that were raised in the committee's report would be particularly helpful. The response on health stood out because we felt that some of the issues that we raised were being addressed. However, we were very disappointed with the responses to other issues, such as education, police and housing.

Ms Curran: That helpful suggestion will allow me to provide a comprehensive written response.

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): I add my congratulations on the minister's appointment. It might be unfortunate from your perspective that, despite your promotion, you must still be questioned by the Equal Opportunities Committee. We are always keeping an eye on you, even if you are making progress.

Previous ministers have given the committee commitments on issues that we have raised with them. For example, Jackie Baillie gave us a commitment to undertake preparatory work on a zero tolerance campaign. Following the civic participation event that the committee hosted in the chamber, we were required specifically to pursue the idea of a high-profile, high-impact zero tolerance campaign. What stage has that preparatory work reached?

Ms Curran: I assume that you are referring to the campaign that I know as the anti-racism campaign.

Mr McMahon: Yes.

Ms Curran: The campaign will be launched in the near future—we plan to launch it during the summer. Some discussions have taken place on the campaign and we have undertaken research in order to ensure that we impinge on the attitudes that we want to address. That research has informed our preparations for, and development of, the campaign. We have reached the stage of preparing campaign materials, such as the advertisements that we will run. It will be a significant high-profile campaign and will be embraced by the entire Executive. It will be led by, and have the involvement of, the First Minister. In the context of recent events, it is important that the Executive begin to tackle the unacceptable attitudes that persist in Scotland, as well as certain practices that might not be conscious, but which have unacceptable results. We are devising a comprehensive strategy to begin to deal with that,

which will be implemented in the summer. Yvonne Strachan knows the details of that work.

11:00

Yvonne Strachan: The issue has been raised in the committee before. The member will appreciate that, because of events and issues, it is important to ensure that whatever campaign is run, it is as effective as possible, not only in meeting the targets but in getting the right messages to deal with the anti-racism issues as we see them. Quite a lot of the detailed work on the campaign has gone into developing those ideas and messages and collaborating internally and externally to ensure that that is possible. The campaign is intended to be ready for launch in late summer.

Ms Curran: We see it as a positive campaign rather than a negative one. It is about valuing Scotland's diversity and the various contributions from all the different communities that make up Scotland. Within that positive framework, we want to tackle decisively some of the profound issues that we need to tackle.

Mr McMahon: You alluded to BEMIS. I have had meetings with BEMIS, to talk about the work that it has undertaken and envisages undertaking. Where does the work of BEMIS fit in with campaigns such as the anti-racism campaign and the general promotion of black and minority ethnic communities?

Ms Curran: BEMIS plays a critical role. As I said to Cathy Peattie, it is one of many organisations that we support financially. Similarly, we support the race equality work of the Scottish Council for Voluntary Organisations and other organisations. BEMIS plays a particularly significant role. The sector was vulnerable and BEMIS did not have the core funding that it needed to engage with some of the issues with which we were asking it to engage. We recently increased the core funding that BEMIS receives, in recognition of its significance, and we regard it as a key partner in accessing the voluntary sector. It informs us about the organisations that are out there and can help us to begin to understand the scale of the issues that they face, which need to be dealt with.

We have a shared understanding that it is necessary to engage with those who have experience of inequality to understand it properly. Many people—including the committee—have commented on the fact that the Parliament has no representatives from ethnic minority backgrounds. The Executive recognises that it has a responsibility to ensure that it engages properly with people who experience inequality, who have something to tell us that we would not necessarily understand automatically. We also recognise that ethnic minority communities are diverse. There are

women's organisations in black and ethnic minority communities and there are different disability issues. Michael McMahon probably understands better than any other member how those inequalities intersect with each other. There are also other issues, concerning young people and older people, that we need to understand. What BEMIS does is part of a jigsaw of work that needs to be done to develop an agenda and to assist people to articulate their agendas to us so that we can engage directly with them and focus on the arrangements that we need to put in place to develop the agenda further.

Mr McMahon: Unless you exclude the Irish, there are members of the Parliament from ethnic minority groups.

Ms Curran: Oh, yes. Forgive me.

Mr McMahon: That mistake is often made. Might the issue of sectarianism fit into the overarching work that is being done on race equality? Some of the problems that are encountered are not of a religious nature, but of an ethnic minority nature and can be interpreted as sectarianism.

Ms Curran: Yes. That is a profound issue. Please do not tell my mother that I excluded the Irish as a group—she would never speak to me again. I, too, come from an Irish background, and some of the family experiences that I have had in Scotland have allowed me to understand the different experiences that ethnic communities have and the disadvantages that they face.

There is a debate to be had about racism, the issue of colour and the disadvantage that it brings. It would be foolish to go down the road of pitting one unequal group against another—I do not want to get into that. I think that the member agrees that racism is a profound issue that we must tackle in society, so there is no real debate there.

I am glad that the member corrected me about people of Irish origin and I hope that he will not tell my mum that I left them out. Sectarianism is a serious problem in Scotland and we are having a debate on it in the Parliament. A working group on religious hatred has been set up and the Executive is beginning to consider the issues that are involved. We will need to address some complex areas if we are to take the matter forward. I take the point that the member made about the overlap between ethnic groups and religious groups and their characteristics.

One of the duties that I passed to Hugh Henry yesterday was to receive a presentation from Glasgow City Council on work that it is doing on sectarianism, as it has just undertaken substantial research on the subject. I have not yet met Hugh Henry to get the results of that research. We must spend time thinking through some of the issues

and we must take a serious approach to sectarianism, because it blights our country. Issues around sectarianism seriously affect many people's opportunities, so we cannot afford to be complacent about it. We need to have a broader understanding and analysis of why sectarianism arises in society and what we can do about it. Discussion of that is continuing and we have much work to do.

Mrs Lyndsay McIntosh (Central Scotland) (Con): Good morning. I shall avoid the sycophancy of remarking on your promotion—you know that I am tough.

Although we have equality schemes to equalise races, there still appear to be questions about religious groups—I am thinking about Jews and Sikhs. What approach will the Executive adopt to deal with the equal opportunities issues that affect those groups?

Ms Curran: At one level we are governed by current legislation, which does not necessarily address the point that Lyndsay McIntosh raises. I was trying to say to Michael McMahon that the Scottish Executive, in being responsible for equalities, wants to ensure that we have a grasp of the discrimination that exists in society and ensure that we are prepared to tackle it. There is a degree of overlap between racism and what some people would argue to be religious discrimination, which takes us into the debate about sectarianism and religious hatred. We are restricted by the definitions that are in legislation.

The Executive will work within a framework that promotes tolerance and equality for all. Within that framework we could examine possible strategies for specific groups.

Yvonne Strachan: Religion is covered by the general definition of equal opportunities in the Scotland Act 1998. It is not covered by anti-discrimination legislation, but we know that, given article 13, employment law will subsequently cover religion.

The Executive's support for interfaith work has been a positive development, as has our encouragement of engagement with different faith communities. Exploring issues on an interfaith basis gives us a perspective on religion that the Executive can use in its broader range of equality work. That is still at an early stage. Members will appreciate that the area has not been fully developed. We are keen to explore such developments. The contributions that the Scottish Interfaith Council and others can bring to the table are valuable in that process and we are looking forward to its contribution to the discussions that we will have.

Mrs McIntosh: We are getting there.

I move on to asylum and refugees. Perhaps the minister will tell us what mechanisms the Executive is putting in place with regard to asylum and refugee issues and about the extent to which they will ensure a policy of successful integration—I know that that is topical, given the news last night. How have the initial concerns over the operation of the UK national asylum support service been addressed?

Ms Curran: There are a number of possible responses to that question. The issue has just become my responsibility; it was not mine before my recent appointment.

You will know that the Executive has set up the Scottish refugee integration forum. That has been working well and has set up three satellite groups, one of which met the other day. Work has been continuing to promote positive images of refugees as members of society and to develop more strategies for community development and integration.

The Sighthill community festival on 8 June is a repeat of a festival that was run before, which was very successful in emphasising the need for positive examples of integration. There are many positive examples of integration. I visited a school in Cranhill where the teaching staff are superb at implementing some of the work that is being developed. Children from different backgrounds have added to the school and have been welcome. That is very positive.

We know that we must ensure that communities feel that they are supported through the changes that they face. A funding package of £700,000 was given to Glasgow Alliance to help communities with the dispersal programme. That has been distributed through SIPs and is being used to benefit the wider community as well as asylum seekers and refugees. I hope that, through such funding, we are developing resources that can assist integration.

Mrs McIntosh: I move on to translation services, which, I suppose, is a related issue.

Although it is great that £60,000 has been allocated over two years to help to develop high-quality translating and interpreting services across Scotland, the CRE has expressed concern over whether adequate resources have been committed to delivering what they state to be the “clear objective of ensuring co-ordinated service provision across Scotland, free at the point of access.”

Do you have a view on that?

Ms Curran: Recently, there has been pressure on such services and they are stretched. The translating, interpreting and communication support group is assessing the weaknesses in current provision and is trying to develop

proposals for improving standards. I understand that we do not yet have those proposals, although a development worker post is about to be advertised so that we can bring the issues together and develop the different formats that we need.

I will hand over to Tim Ellis.

Tim Ellis: The advertisement for a development worker went out a week or so ago, so progress is being made towards getting someone in that post.

A development worker is only one part of the issue. One of the key matters that comes out of the Race Relations (Amendment) Act 2000 and the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002 is that all bodies have to think more carefully about the resources that they are putting into dealing with the issues. Glasgow has quite a well-structured system and we want to consider its experience more closely, especially where multi-agency working is trying to make the best use of the available facilities and capacity.

The translating, interpreting and communication support group has identified the further issues of the capacity for and quality of translating and interpreting. The funding that is available for translating and interpreting is a key issue. It is also important to have an underlying structure in place to allow for development in future. The development worker will be crucial in drawing together those links and best practice so that we can develop the initiative.

Cathy Peattie: I welcome all that you are saying, but I am concerned about sustainability. Five or six years ago, there was a reasonable network of community interpreting organisations in Scotland. They were funded mainly through the urban programme. There was a lot of expertise around, but a lot of it went when the funding was withdrawn.

It is a pity that we are trying to reinvent something that we had in the past. In the black and ethnic minority communities with which colleagues and I have worked, there is real frustration that the work and training that were done and the expertise that was built up were lost. If we are to develop a reasonable service, it must be sustainable and it should not just be flavour of the month for the next year or two. It is a great pity that the skills were lost. We cannot turn back the clock, but the service should not be lost when it is no longer fashionable.

11:15

Ms Curran: That is one of the issues that Tim Ellis flagged up. I hope that, through the work of the TICS group and the development worker, authorities will take responsibility for translation

services so that they are seen as a mainstream part of life and not as add-ons that are required occasionally for certain key groups. Translation is part of the service that we must deliver in Scotland. Our country is diverse and people have different needs. We must deliver appropriate services.

Organisations always tell us that they are under strength financially. I take Cathy Peattie's point that we must consider sustainable solutions and how services are delivered to ensure that we maximise the available opportunities.

The Convener: Funding is important. Dundee City Council was probably the only council to mainstream a translating and interpreting project when urban funding ran out, which meant that the council had to pay 100 per cent of the costs instead of 25 per cent. The council still has a good translating and interpreting service. The Executive must ensure that authorities that have translating and interpreting services are adequately funded, because such services are expensive to run properly. The services do not simply require bilingual people; the interpreters must be trained to learn the language that is required in, for example, courts, hospitals or schools.

Ms Curran: I take that point. We will consider it in the work that will be done.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): On behalf of the Liberal Democrats, I too give the minister my hearty congratulations.

Ms Curran: This is wonderful.

Mr Stone: It is your day. Given my constituency, the minister will not be surprised if I flag up rural issues. One conclusion in the Scottish Executive central research unit's document "Racist Crime and Victimisation in Scotland" is that

"Minority ethnic people living in isolated areas are likely to feel the effects of racist crime even more severely than victims living in cities with access to various support networks."

What is being done specifically to support minority ethnic communities in rural areas?

Ms Curran: That is an interesting question. We expect all organisations with which we work to have a rural dimension to their work and I know that they have such a dimension. For example, the SCVO recognises the geographical diversity of Scotland and ensures that it has appropriate responses and that it is tuned to what is available locally. If there are gaps in services, the SCVO ensures that it meets them. We expect the organisations that we fund to ensure that they are not simply urban-based or central Scotland-based services.

In my previous existence, I talked to a number of

organisations to ensure that they picked up on the rural agenda. Liberal Democrat members put pressure on me many times in the Parliament to ensure that the social inclusion strategy had a significant rural dimension and, as Mr Stone will know, it has such a dimension.

About a year or nine months ago, Ross Finnie and I launched a report on social inclusion in rural Scotland that picked up a lot of the issues. We are ensuring that all the social justice milestones and targets have a rural dimension. For example, when I launched the funding for BEMIS, I talked to its representatives about the need to respond to experiences of racism and racist attack in isolated areas where people feel particularly vulnerable. To be honest, I think we probably have more to do and I will examine the matter to make sure that we properly address it.

Tim Ellis: I point the committee to the research that we submitted, which contains a chapter on race equality issues in rural areas and synthesises a lot of useful stuff. The key issue, however, is that we do not have a handle on the scale of the problem and need to do a lot of work to build up some basic data on the issues. Soon, there will be a seminar on rural issues at which there will be a specific workshop on minority ethnic experiences. That will be a helpful way of pinning down what some of the practical solutions to some of the issues might be.

Mr Gil Paterson (Central Scotland) (SNP): I add my voice to the congratulations, minister. We are all pleased with where you are just now.

I want to correct history for the benefit of the *Official Report*. You do not need to apologise to your mammy at all, minister. You will find that almost all the population of Scotland are Irish—it is just that some of us came here a wee bit earlier than others. It might be good for Scots to realise that we are all part of one big family that came from one particular place and landed up here where we are trying to create a new place. It is worth while saying that.

"Racist Crime and Victimisation in Scotland", to which Jamie Stone referred, states:

"Regional Procurators Fiscal conceded that apart from in serious cases heard by a Sheriff and a jury, resource constraints meant it was not possible routinely to provide feedback to witnesses and victims on the progress or outcome of cases."

It is evident that victims receive little feedback. In cases involving racist crime, rape and the violation of children, it would benefit the victims immensely if we were proactive in that area. Research is telling us that the healing process kicks in earlier if such proactive action is taken.

Ms Curran: I believe that that is right. We need to consider how services can respond to that. In

recent years, there has been considerable progress in Scotland in the debate around racist incidents and racist crime. I am not being complacent about that and I am not implying for a minute that there is not much more work to be done and change to be delivered, but we are beginning to sharpen our understanding of the scale of the problem and what the costs of the experiences are to the people involved. The systems need to be geared up to respond to that. Perhaps the next part of the change that we need to think through is to do with how all aspects of the criminal justice system respond to that.

Mr Paterson: A further major gap that was identified in the research was the lack of information leaflets about the criminal justice system that are translated into languages that are used by ethnic minorities. Translating those leaflets would be a simple and pretty costless exercise but would be of great benefit to minority communities in Scotland.

Tim Ellis: You are right and I understand that the justice department is doing work in that area. The research work that was done ran more or less in parallel with a huge body of work that the police, the Procurator Fiscal Service and others have been doing. There is probably a degree of timing mismatch in those pieces of work, but I know that the area that you mention has been considered. Certainly, the Executive has made some leaflets for victims of crime available in minority ethnic languages. It is part of the general programme of providing more information about the process, in order to clarify and demystify it and to debunk some of the thoughts that people who come to the system for the first time or who are unfamiliar with it might have.

Mr Paterson: We found that the group interview participants in the research study generally believe that the sentences for racist offenders are light, but that people of minority ethnic origin who were convicted of crimes get longer or stiffer sentences. On the other hand, sheriffs believe that they have to mark society's concern about racist behaviour by imposing a higher sentence for racially aggravated offences. As that goes against what people at the sharp end feel about the situation, we have obviously got our wires crossed a wee bit. More work needs to be done. Does the Executive plan to address the problem of perception?

Tim Ellis: That is largely a matter for the Deputy First Minister. A huge programme of work has been introduced in response to the recommendations of the working group that was set up following the Stephen Lawrence inquiry. Furthermore, the Crown Office and related bodies have set up a working group to consider some of the issues. However, there will always be limits to

what the Executive can do in this area. As sheriffs have the discretion to apply whatever sentences they think are appropriate in the light of guidance and precedent, we must be careful not to be too prescriptive. That said, guidance has been issued to cover certain areas. For example, the Lord Advocate issued new guidelines to chief constables about the reporting of racist incidents. We have carried out work where it has been possible to do so, but undoubtedly there is still more to do.

Mr Paterson: I am talking about providing information about what is happening, which is surely one of the easiest ways of addressing the problem of perception. The Executive has to do an awful lot more work in this respect. Improving the way in which we put such information into the public domain would require only a small amount of resources but would have many benefits. I think that the perception that a person from a particular background is likely to get hammered is more widely held than by the ethnic minorities.

Ms Curran: We want to counteract such a perception, and providing information would form a big part of doing so. Although we could pursue the information agenda more assertively, sentencing is a bit more tricky, for the reasons that Tim Ellis outlined.

Mr Paterson: I appreciate that.

Kay Ullrich: I do not know whether this is a question or an observation. As you might know, I worked in the criminal justice system as the senior member of a court social work team and I am surprised to hear that there is a lack of information leaflets in ethnic minority languages. When I worked in that sector—I retired five years ago—the local authorities whose area was covered by the sheriffdom provided such leaflets as a matter of course and made them available to social workers, in the court waiting room and elsewhere. I am concerned if that is not the norm throughout Scotland.

I used to sit in the court day in, day out interviewing victims, offenders and their families. As this is a matter of perception, we should provide information about sentencing options. The public is not aware of the constraints on such options in a sheriff court.

Ms Curran: I take that point. People should be informed about the justice system and the experience that they can expect to have in it. From the reports on some of the recent big cases, it is blindingly obvious that we need to respond to the needs of families and victims to be better informed about the processes that they are going through and about what their options are.

Kay Ullrich: And about what expectations they can have.

Ms Curran: Absolutely—they should be better informed about the standards of service they can expect from professionals and about what services are available to them. I take that point. I hope that that is one of the issues that we are pursuing rigorously.

The point that Kay Ullrich made about the availability of information leaflets is interesting. That point should emerge from some of the requirements on public bodies to ensure that they are promoting race equality. I will ensure that we consider that issue on a Scotland-wide basis when we examine how we expect to meet some targets on that. I will perhaps come back to the committee on that. I take the point that Kay Ullrich made.

11:30

The Convener: The final question is from Elaine Smith.

Ms Curran: I hope that it is not one of Elaine Smith's usual questions.

Elaine Smith: It may well be. My question is about an issue that was raised at the Equal Opportunities Committee meeting on 26 March, when there was a lack of clarity about the production of a code of practice to support the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002. At that time, the CRE stated that its understanding, which was based on the law, was that the CRE was to issue the code of practice. However, Tim Ellis, who was present at the meeting, said:

"The code will be produced by the CRE and will be subject to approval by the Westminster Parliament, after consultation with Scottish ministers and with the National Assembly for Wales."

He also said:

"Technically, it will be part of the same code, but we expect it to be a separate code in practice. The detail is still to be worked out."—[*Official Report, Equal Opportunities Committee*, 26 March 2002; c 1418.]

The last sentence is important. Can the Minister tell us whether the detail has been worked out yet? If so, what is the outcome and, if not, when are we likely to know the outcome?

Ms Curran: Tim Ellis is delighted that he has been quoted. I will ask Tim to bring us up to speed on that.

Tim Ellis: Infamy at last.

I would like to clarify slightly what I said. Following the committee meeting, I discussed the subject further with the CRE. In effect, two options are available. The first is that the code could be part of the same code, which would mean that it would be a revision to the existing code that the CRE is to implement shortly for bodies in England

and Wales. The second is for it to be an entirely separate code of practice. I understand that the code is likely to be entirely separate, but the subject is still under discussion. Whether the code is a separate code or a revision to the existing code that applies in England and Wales, it will be subject to approval by the Westminster Parliament.

The key point that the CRE and I made at the meeting was that the code that was to apply to bodies in Scotland would be called a Scottish code. That will ensure that bodies in Scotland know that it applies to them and that they will be under no illusions as to what that means for them. The code will have a statutory basis and will be used in the courts to establish whether a body has acted unlawfully.

Elaine Smith: The document is important. What is the production time scale?

Tim Ellis: The draft code of practice will be published for consultation on 29 May 2002, in Aberdeen, while the Parliament is sitting there.

Elaine Smith: How long will the consultation process run for?

Ms Curran: Three months.

The Convener: I hope that committee members will be invited to the launch of the code of practice. From my invitation, I notice that the code is to be launched "in the presence of the Minister for Social Justice", which sounds very regal.

Ms Curran: Is that right? That is the first that I knew of that.

The Convener: We look forward to the launch.

I thank Margaret Curran, Yvonne Strachan and Tim Ellis for giving evidence to the committee today. I look forward to working closely with the minister in future.

Ms Curran: I will send the committee the reams of material that I was asked for.

The Convener: The committee looks forward to receiving responses to the questions on which the minister said she would get back to us.

Scottish Civic Forum (Discrimination Conference)

The Convener: We move on to item 3. Committee members should have a copy of the note that relates to the conference. The committee has to decide whether it wants to be represented at the conference. If committee members are interested in it, they could—

Mr McMahon: Is the invitation for one member to represent the committee at the conference?

The Convener: Yes. It is not for the committee as a whole.

Mr McMahon: I have the conference in my diary. I have another engagement in the morning, but I plan to go to the afternoon session. I planned to go in my own right, not as a committee representative.

The Convener: If other members would like to attend, perhaps they will contact the clerk. I am sure that that would not be a problem. Are we agreed that Michael McMahon should represent the committee?

Members *indicated agreement.*

Carers Week

The Convener: The next item concerns an invitation from the Social Justice Committee, which is to hold an event to raise the profile of carers week. We have received a letter from Johann Lamont, which asks whether the Equal Opportunities Committee would like to be involved in the event and, if so, which member would represent the committee. I assume that the committee wants to be involved in the event?

Kay Ullrich: I would like to be involved, as the subject has been a particular interest of mine for some time.

The Convener: If other members are interested in the event, they can contact the clerks, as I am sure that more than one committee member can attend.

Cathy Peattie: I am interested in attending.

The Convener: I note Cathy Peattie's interest.

Elaine Smith: Are there financial implications? Does the Social Justice Committee expect the Equal Opportunities Committee to make a contribution?

The Convener: No. It is a free event.

Are we agreed that Kay Ullrich and Cathy Peattie attend? If other members are interested, they should contact the clerks.

Members *indicated agreement.*

11:35

Meeting continued in private until 11:43.

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