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Official Report

EQUAL OPPORTUNITIES COMMITTEE

Monday 7 June 2010

Session 3

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CONTENTS

EQUAL OPPORTUNITIES COMMITTEE
11th Meeting 2010, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Marlyn Glen (North East Scotland) (Lab)

COMMITTEE MEMBERS

*Malcolm Chisholm (Edinburgh North and Leith) (Lab)
*Bill Kidd (Glasgow) (SNP)
*Christina McKelvie (Central Scotland) (SNP)
*Stuart McMillan (West of Scotland) (SNP)
*Hugh O'Donnell (Central Scotland) (LD)
Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Rhoda Grant (Highlands and Islands) (Lab)
Mary Scanlon (Highlands and Islands) (Con)
Margaret Smith (Edinburgh West) (LD)
Bill Wilson (West of Scotland) (SNP)

*attended

THE FOLLOWING GAVE EVIDENCE:

John Blackwood (Scottish Association of Landlords)
Seonad Forbes (Positive Action in Housing)
Brian Gibson (Strathclyde Police)
Ian Japp (Gangmasters Licensing Authority)
Anne Lear (Govanhill Housing Association)
Ruaraidh Nicolson (Association of Chief Police Officers in Scotland)
Detective Superintendent Roddy Ross (Tayside Police)
Suzie Scott (Glasgow Housing Association)

CLERK TO THE COMMITTEE

David McLaren

LOCATION

Glasgow City Chambers

Scottish Parliament

Equal Opportunities Committee

Monday 7 June 2010

[The Convener *opened the meeting at 13:14*]

Migration and Trafficking Inquiry

The Convener (Margaret Mitchell): Good afternoon, everyone, and welcome to the 11th meeting in 2010 of the Equal Opportunities Committee. I remind all those present, including members, that mobile phones and BlackBerrys should be switched off completely because they interfere with the sound system, even if they are on silent.

We have apologies from Elaine Smith.

The Equal Opportunities Committee is delighted to be here in Glasgow and meeting in the city chambers, which is an absolutely magnificent building. It was so much admired by a lot of the people who attended the morning session that it was able to advertise the tours that it offers every day of the week at 10.30 and 2.30. They are very much appreciated and will most certainly be taken up. I thank the city chambers staff for all their hard work in helping to organise our day. For the benefit of those who are watching the proceedings from the public gallery, this morning the committee met a number of people who have come to live in Scotland from all over the world. We listened to their experiences of living here, and in a moment, I will invite members to share the main points that arose in those discussions for the *Official Report* of this meeting.

Before I do so, however, I also offer the committee's thanks to all those who participated this morning for sharing their experiences. We very much appreciate it. I also thank Migrants' Rights Scotland and Positive Action in Housing for co-ordinating the event. I am aware that it was no mean feat.

We now move on to the first agenda item, which is to consider the outcomes of this morning's discussions. I propose to invite one member from each group of this morning's three groups to share with the committee the main points of discussion. There will be about five minutes for each group, which makes 15 minutes in total. For group 1, we have Hugh O'Donnell, Christina McKelvie will speak for group 2, and Bill Kidd will report from group 3.

Hugh O'Donnell (Central Scotland) (LD): I thank the members of the group who participated in our session. It was very informative and useful for us to gather first-hand experiences of communities of immigrants to Scotland.

I took from the session the point that people have come to different parts of the country for different reasons. Some have come for education, some for work and some because of developing personal relationships. It was interesting to see that those reasons were sometimes mixed and matched. People have been brought here because of a combination of circumstances, which sort of bursts the myth that people just come here to take economic advantage of the country. There is clearly a range of different activities and reasons for people to come here.

From the contributions, it was clear that the groups are focused on their input. They were at pains to point out that they are paying their taxes, making their national insurance contributions, paying their rent, and engaging socially with bureaucracy at all levels. That bursts the myth about the itinerant nature of immigrants. A couple of members of the group indicated that there are differences between access to the bureaucratic and welfare systems for people from European Union countries and access for those from non-EU countries. It was also pointed out that there are even differences for people from different countries in the EU, such as those from the A8 accession states and those from the A2 states.

It struck me that the people have a range of skills—some are highly skilled and they range from professional artisans to academics to journalists. For me, that takes away the myth about people picking up lower-skilled and lower-paid jobs than they would have expected. Indeed, two of the contributors have come here as self-employed individuals, which is very positive.

Across the group, there tended to be similar reflections with regard to language issues and the challenges that are posed by difficulties in accessing benefits and the welfare and social services systems. What I took from a lot of the discussion was that networks of people had set up quite a good word-of-mouth system in their communities, through which initial information could be obtained about the drop-in centres and how to access them. That was highly positive.

Issues were raised about people who need to improve their English language skills and it was observed that the cost of doing so is perhaps outwith the means of migrant workers. One issue that has not been mentioned in our previous evidence sessions is that migrant workers often support not only themselves but their extended families in their countries of origin, which means that their disposable resource can be quite restricted. Perhaps that should be taken into account.

We spoke about the challenges that migrant workers face. Aside from the ones that I have just mentioned, the main challenge is to do with United Kingdom agencies, particularly the Home Office, losing documents, passports and identity cards, and there was some criticism of, and fairly negative comment about, the efficiency and effectiveness of agencies. For reasons that I am sure we will all understand, those institutions often ask for originals rather than photocopies, but it is quite a challenge if the only means of identification of someone who has come to a foreign country disappears in the bureaucratic system. As well as not knowing where it has gone, they will not be able to get it renewed if they cannot engage with the process. That point was made by a number of the people with whom we spoke.

Positive comments were made about the opportunities that exist for cross-cultural engagement and for socialising beyond people's own community groups. A number of examples were given of people volunteering in their own communities. In addition, positive examples were provided of local authorities employing people from migrant communities to provide translation and interpretation services, although a criticism was made of the quality of translation, which was that people sometimes put their own interpretation on what was said rather than simply translating it. That is an issue that the agencies might want to consider.

A positive comment was made about the efforts that are being made on behalf of those who want to get into vocational work and who already have vocational or academic qualifications from their own countries with regard to the issue of equivalence and where those qualifications sit in relation to the Scottish education system.

Mention was made of racism, which varies from verbal abuse to physical assault and includes behaviour such as spitting. It is noticeable that people who are not of the traditional white Anglo-Saxon appearance seem to suffer more from that.

We asked about the media. There was fairly robust negative comment about the narrow focus of the media when it comes to the image of migrant workers and migrants generally. A comment that struck me was that politicians in the widest sense need to be careful about the extent to which they pander to that or, indeed, initiate it without thinking about what they are saying.

Major gaps in access to information were identified, and some suggestions were made about widening the range of languages in which information is published and ensuring that it is disseminated to the existing network of migrant communities for further dissemination.

Many of the observations about housing were in keeping with previous written evidence about the quality of housing, and reinforced the argument that, for the most part, migrants to this country do not have ready access to public housing. Most migrants are in private housing that is often not of the best standard and whose quality it is often difficult to persuade landlords to improve. Although the accommodation is of lower quality, migrants seem to pay private landlords considerably more than social landlords receive.

Finally, we touched on education. I was gratified that people from all the communities represented spoke positively and highly of how Scottish education has accommodated their needs and used the skills and talents that they have brought to the country. The one exception was a comment about the cost of English lessons. By and large, people were positive about our education system.

The Convener: That was a good and full report.

Stuart McMillan (West of Scotland) (SNP): I will add one point about the use of the English language. We were informed that the public impression is sometimes that many people who come to this country do not use English often, but the reality is that, although some people might not want to speak English often in public because of their cultural backgrounds, they use English as the main language in their home life. That is important to put on the record.

Hugh O'Donnell: In the lunch break after the morning session, I spoke to several people who were in the group. I talked to two individuals who did not speak for themselves in the first session—they spoke through an interpreter—and it turns out that they both speak French, German, Polish and English.

I reinforce what Stuart McMillan said. The impression that we have is that people come to this country without any such skills, whereas such people are more multilingual than many of us in the indigenous Scottish population are. We should take account of that. Speaking to those individuals stretched my French somewhat, but there we go.

The Convener: In the group, some pretty horrific comments were made about the social experience of private landlords and of private housing, which can be far below the standard that people had experienced in their home countries. However, people are prepared to put up with that to access education, to obtain qualifications and to work hard at their jobs, so that they can improve their accommodation later. They put up with such accommodation to allow them to work and improve the quality of their lives. That attitude is interesting.

I ask Christina McKelvie to report on group 2.

Christina McKelvie (Central Scotland) (SNP): Our group experienced much the same challenges as Hugh O'Donnell described. Our small group contained three groupings. One was Filipino nurses, who had issues with their qualifications not being recognised and with not having as much career advancement as some of their counterparts had. Another group was people from Estonia. Malcolm Chisholm might correct me if I am wrong, but I think that one reason why they came to Scotland when Estonia joined the EU was that they were interested in old democracy and they liked the idea of democracy—that attracted them here. The other group was a couple of folk from African and Asian countries. The differences in how they are treated are marked. Colour is a huge issue; when any discrimination is involved, colour is an easy target.

13:30

We looked at issues across the public sector and getting access to the public sector, but the main one was language and communication. For example, someone who needs to go to a general practitioner must take an interpreter. There are issues to do with people not accessing proper health care because of language barriers. Some of the ideas that the group came up with included telephone interpreting and more innovative ways to use technology to allow people to communicate better. So, they did not just tell us the problems, but came up with some of the answers as well, which was very heartening.

On education, one person who was in the group has a law qualification but cannot practise law in Scotland, so that person has gone into teaching and thinks that curriculum for excellence will answer some of the questions about the whole citizen and that it will raise awareness among teachers and people in teacher training about how to tackle discrimination issues and teach kids about different cultures.

We discussed at length media issues, such as the negativity and the conflation of issues in the media. We discussed how unhelpful the slogan "British jobs for British workers" is, especially to communities where colour is the concern.

There are concerns around the immigration system: the points system creates a two-class system whereby people are allowed to access some services but not others and a person who loses his or her job loses the right to any recourse to public funds and has no access to social housing. The same issues and concerns around private landlords and the cost of private housing were mentioned.

One of our participants made an interesting point about the media, which was that the media take emotive issues that are not evidence based and "fire the flames of prejudice"—that is a direct quote. That is probably the most concise way I have heard that being explained, and I will remember it.

Issues that the Scottish Government could take up and take further include making it clearer to all aspects of Government how important migrants and migrant populations are to Scotland and how we need them to fill certain skills gaps, which is about making representations to the migration advisory committee, and pointing out some of the problems around the points-based system. Malcolm Chisholm may want to talk about this: one of the things that we picked up was that the £30,000 earning threshold means that young vibrant people who want to stay here to earn money and live in Scotland have to go to London to make that basic salary or else they do not qualify for the points system, which is a real barrier to any sort of advancement.

One of the heartening things was around rights and explaining rights. A lot of the people in our group were ambassadors in their own communities and across communities in explaining rights. Quite a few of them are also involved in the trade union movement, which is where they learned about their rights, and they are now passing that on. That has worked extremely well.

One of our Estonian participants came up with an idea for an integration procedure paper that would be articulated as a serious document. He thinks that things could be laid down quite clearly in that way. I am sure that Malcolm Chisholm will have something to say on this, but I thought that such a paper would almost be like a written constitution in that it would be laid down in it what people are entitled to and how important they are in the grand scheme of things. The Estonian participant felt that such a paper would enforce feelings of security and comfort and make people integrate much better. I felt that it was a great idea.

Although we covered a lot of the same challenges and issues as Hugh O'Donnell's group—no doubt the other groups had them, too—our group had lots of positive suggestions about how to fix things, which was very heartening. I have loads of notes here, so I could probably go on for ages. However, I would probably cover some of the same ground, so I will stop here. I do not know whether Malcolm Chisholm has something to add.

The Convener: Do you want to add anything, Malcolm?

Malcolm Chisholm (Edinburgh North and Leith) (Lab): No. Christina McKelvie has covered things comprehensively.

Bill Kidd (Glasgow) (SNP): The situation for the members of our group was very similar to the situations that have been outlined. A lot of the stuff that I was going to say has been said already, but some of it bears a second telling.

A lot of people come to Scotland as a result of friendships with indigenous Scottish people or other migrants who have advised them that Scotland is a good place to come for work and for the social environment. Scotland is generally seen to be welcoming. That is not true all the time, but it has been the experience of a lot of people.

The fresh talent initiative has also brought people here. However, there are problems with it, because qualifications from many countries where migrants come from are not recognised here, which leaves people in a difficult situation as they end up becoming well-qualified cheap labour. Sometimes that is beneficial to employers, because they get somebody who is extremely well qualified and will probably be able to do the job to a higher level than would otherwise be the case. Frequently, however, migrants find that they are doing fairly menial jobs, or jobs of low value, in spite of their qualifications. It is incredibly difficult for them to have their qualifications either recognised or upgraded. It can cost a lot of money to do that. Given that income is an issue, it is extremely difficult for a lot of people to address that issue.

Another point that has been raised already is that colour is an issue for a lot of people. In spite of Scotland's reputation, which we trumpet a great deal, for being a friendly and open place, there can be a problem if you are of a different colour. Frequently, people find that they are discriminated against either because of their colour of because of their name, without even getting the opportunity to present themselves or their capabilities in a work situation—frequently, they do not even get to the interview stage.

There are difficulties with benefits claims, which are frequently due to the lack of knowledge of those who are handling the benefits, who do not understand the full rules about who is entitled to what. The difficulties are also down to language issues. Given that there is a very great shortage of English for speakers of other languages classes, language barriers pertain, which it is difficult to break down. It is hard for people who do not already speak English to be able to just pick it up as they go along, because people can be a bit offhand in dealing with co-workers who cannot communicate easily with them.

A big issue that came up was that migrants contribute to our society. They pay taxes and national insurance and they do jobs that require to be done, but they are frequently portrayed in a negative manner, often through the media. As Hugh O'Donnell said earlier, some politicians, for whatever reason—good or ill—latch on to that in order to progress their own agendas. Accusations of migrants taking jobs or not carrying out the job well enough are frequently made. The contribution that they make to society is lost behind all that. Frequently, people do not want to speak up about their experiences because they feel that they will not be believed, they do not feel confident enough to address the issue or they do not have the experience of being able to do that in the country from which they have come, so they allow such situations to happen.

As a number of people pointed out, trade unions have been trying to address the situation. Some third sector organisations, such as citizens advice bureaux, try to help, but the shortage of employed migrant workers across the board means that many people do not have anyone who understands their language or their cultural background. That makes it difficult to progress any of these issues. Moreover, when they deal with people from abroad, Government agencies frequently employ 20-year-old training methods that are simply outdated and are not relevant to the people who are coming to Scotland now.

Given that people are often on time limited visas and are trying to get by day to day, they really should not be expected to have to challenge failings in the system, so the authorities and the Government need to address that. It was also suggested that the Scottish Government needs to raise employers' awareness of their rights and responsibilities vis-à-vis migrant workers, and to express publicly and educate the public about the contribution that is made by migrants coming into the country.

Finally, there should be impact assessments of reports, such as the one that we will produce, to ensure that people are aware that we are getting an outcome from this work. We should not be simply ticking boxes and saying that we are listening and are going to do something if nothing is going to happen necessarily. Instead, we should ensure not only that we get outcomes that benefit the whole of society but that migrant workers are afforded the best possible opportunities to work equally with Scottish workers.

The Convener: Do you have anything to add, Marlyn?

Marlyn Glen (North East Scotland) (Lab): I felt that it was really helpful to hear individual illustrations of the evidence that we have taken and things that we have read about, especially

with regard to migrants' qualifications and experience not being recognised when they try to get jobs, and the importance of accessing the internet to find out information. I am sad to say that we also heard from one witness about a serious bullying at work incident that seemed to arise directly from racism. It was really useful to get that kind of information first-hand.

The Convener: The only other issue that we covered in group 1 was migrants' lack of political engagement: their lack of interest in politics, lack of knowledge about what they are entitled to do and the stage at which they are entitled to vote, and how to be more engaged with the political system. Did the other groups talk about that?

Christina McKelvie: We touched on it slightly. Malcolm Chisholm reminded the group of Estonian migrant workers that, although they cannot vote in Westminster elections, they can certainly vote in next year's Scottish Parliament elections. That was new information to them, and the fact that they did not realise that certainly rammed home the fact that we are not getting as much of this information out as we should be. Perhaps when we are holding our surgeries, putting out our leaflets and so on, we should take cognisance of the fact that there might well be certain communities that need information in a different format.

The Convener: Did you find the same in your group, Bill?

Bill Kidd: Very much so. If people know that they have the right to vote in this country, they should feel comfortable about taking that opportunity. Moreover, once they have done so, they should know that, whether or not they voted for them, the people who have been elected are there to represent them and make their case. One or two people who raised issues this morning could be represented, but they were not comfortable about how to go about that and in fact did not even know where they were supposed to go. Everyone should be able to avail themselves of the normal democratic process.

The Convener: Thank you very much. It was worth while reporting back from the groups, and I hope that the witnesses, too, found the experience worth while.

We move to the fourth evidence session for our inquiry into migration and trafficking. Focusing on migration, the committee will hear from two panels of witnesses, the first on housing and the second on policing. It is my pleasure to welcome the first panel: Suzie Scott, policy manager with Glasgow Housing Association; Anne Lear, director of Govanhill Housing Association; Seonad Forbes, project co-ordinator of the new migrants action project, Positive Action in Housing; and John Blackwood, director of the Scottish Association of Landlords.

I will begin with a general question. What particular difficulties do migrants face in accessing affordable accommodation? I am conscious that, in talking about migrants, we should not fall into the media trap and should remember that we are talking about a very diverse set of people.

13:45

Seonad Forbes (Positive Action in Housing): Our project works specifically with migrants from the central and eastern European countries. There is a lot of confusion about their rights of access to housing. The rights are quite complex and depend very much on the circumstances of the individual person—whether they are in work, whether they have registered with the Home Office to work and whether they are eligible to access public funds. The issue of access to public funds is relevant to applications for local authority housing and homelessness assessments by the local authority. Anybody is entitled to access a housing association property, regardless of their immigration status, as that is not classified as a public fund, so all migrants have the right to apply to a housing association and to have accommodation allocated in that way. However, the barrier for migrants is that they are often not aware even of what a housing association is because the situation in their home country is very different and there are no housing associations there. If they are aware of housing associations, they may not realise that they are eligible to apply to them or know how to apply to them. The issue with housing associations is more a lack of knowledge than a lack of entitlement, whereas the issue with local authority housing tends to be a lack of eligibility.

Suzie Scott (Glasgow Housing Association): I concur with that. Quite a large number of migrants from throughout the world have applied to Glasgow Housing Association and we have housed thousands of them. However, it is clear from the research that we have done and the work that has been undertaken with our migrant communities that they find out about us mainly through word of mouth. There is a snowball effect. The first person manages to find their way to us and gets housed, and the word then spreads among their friends and networks that people can get housed in that way. We have found it quite difficult to spread the word that we will house people, wherever they come from.

The Convener: Is there a better system of communication within certain sectors, such as the Polish community or the Roma community?

Suzie Scott: Of the groups from the A8 countries that apply to us, there are more Polish than anything else, with a smattering of Latvians and Lithuanians. Very few Czechs, Slovaks or Roma apply to us, although we know—I am sure that you will hear evidence about this later—that there are large numbers of those in the private rented sector. It may be that they have not been aware of how to access us. We also receive applications from quite a lot of Chinese and Nigerian tenants. They hear of us by word of mouth rather than by anything else.

Anne Lear (Govanhill Housing Association): The written submission that Govanhill Housing Association submitted along with Govanhill Law Centre makes it clear that many of the migrants who come to Govanhill come not independently but with some support from others who are not treating them particularly well.

I am not sure that what Seonad Forbes said is particularly accurate for Govanhill, which has been an area of migration for a long time—for a whole century, in fact. For the past 20 or 30 years, we have had a pretty good record of doing outreach work. That is particularly the case at the moment, given the number of organisations that are active in Govanhill—including Positive Action in Housing—the integration network in the area and the number of languages that are spoken by workers in the area. Access to social housing—particularly housing associations—is not necessarily always to do with language; it is probably to do with work permits and access to benefits, which are real issues.

I am not suggesting that housing associations are going out of their way to allow access or remove barriers to access, but most attempt to do that. Over the past quarter of the year, 25 per cent of the allocations that have been made to us have involved people from black and minority ethnic communities and migrants, and more than 25 per cent of our housing is allocated to the BME communities.

We have outreach workers and we are connected through the integration network to a number of other organisations in the area. At times, the problem is the general economic state and, as I said in my submission, that is particularly true in Govanhill where we deal with people whom both the Govan Law Centre and Crossroads are finding to be destitute with no access to any Government funding.

The Convener: Your submission is very full. We will refer to it in our questions to get its points on record because there is some excellent information in there. Would John Blackwood from the Scottish Association of Landlords like to add anything?

John Blackwood (Scottish Association of Landlords): We represent the private rented sector and are concerned that the most vulnerable in our society are at the mercy of the worst in our sector—the rogue landlords and those who offer poor accommodation. Private rented properties should become an accommodation option of choice as opposed to desperation, which is the case now. Perhaps that will happen through the provision of greater advice and information. A simple thing for our sector to do would be to say to migrants, "You should rent only from registered landlords," and make them aware of the system and how they go about using it. If they are unhappy with the service, they should be told what mechanisms they can use. It is largely about providing information at the point that it is sought, perhaps about social rented accommodation as well, so that choosing to rent in the private rented sector becomes an informed choice and not one of desperation.

Hugh O'Donnell: I have a brief question for Mr Blackwood. Are members of your association engaged in any contractual agreements with those who might bring groups or teams of migrant workers to this country? Is the accommodation choice of those migrants who come to this country restricted by the contractual agreements that any gangmaster might operate with a landlord?

John Blackwood: We are not aware of any of our members being involved in any such contractual agreements. In areas such as Govanhill, we are aware of many landlords who are completely frustrated with rogue landlords who operate literally next door to them and do not engage in common repairs or other social issues in their community. Our landlords offer accommodation to a range of people but are not involved in any contractual arrangements with gangmasters or whatever.

The Convener: We will probably come back to that subject in our later questions.

Malcolm Chisholm: Seonad Forbes has already touched on this, but we are interested in being clear about what the different rights are of different EU and non-EU migrants regarding access to social housing. You do not have council housing in Glasgow, so you might not be the best people to ask about that, but, equally, you might know what the legal situation is. Would anybody like to comment on the formal rights of the different groups to social housing in Scotland, as you understand them?

Seonad Forbes: For European nationals, it comes down to whether they are exercising their European treaty rights. They have the right to freedom of movement to come to the country but, once they are here, they need to exercise their right to reside, which can be as a worker or as a

self-employed person. Additional restrictions are placed on people from the A8 and A2 countries. If someone is from an A8 country and wants to be a worker, they need to register continuously with the Home Office for their first 12 months of work in order to have the right to reside. It is far more complex for people from the A2 countries because they are restricted to certain employment sectors and allowed to do only certain types of work. To do even those types of work, they need to be authorised by the Home Office. It is only if they are working and have been authorised to do so by the Home Office that they have the right to reside and can therefore access public funds. Local authority housing and homelessness assistance are classed as public funds.

Malcolm Chisholm: That was very helpful. Does any of that apply to Glasgow, where you do not have council housing? It would be interesting to hear from the housing associations whether there are any differences between the rights of migrants and those of the indigenous Scottish population.

Suzie Scott: There are several interlinking pieces of legislation. The housing legislation in Scotland says that social landlords should have open lists and can restrict them only on certain grounds. The grounds for inclusion cover people seeking employment in the area, so there should be nothing to stop people coming from outwith the area and wanting to be rehoused by a social landlord. Under the housing legislation, we are not allowed to take account of income or lack of it, so we should not take into account whether someone has a job or access to benefit.

Obviously, the equalities legislation says that we should treat everybody equally. The only restrictions under the immigration legislation are that asylum seekers have no rights to accommodation, other than that provided through Government agencies. Asylum seekers are the only group for which we exercise a restriction. We allow such people to apply for housing, but we do not house them until we have confirmation that they have received leave to remain. However, in Glasgow, which is the only Scottish authority that has an agreement on dispersal, we provide the temporary accommodation for asylum seekers for the council. When asylum seekers get their leave to remain, they then have an option. A large number of those who want to stay in Glasgow choose to stay in the tenancy that they are in, or they seek another tenancy from Glasgow Housing Association or another registered social landlord.

The issue for us in housing people from other countries is access to benefits. When somebody has been granted refugee status, they are entitled to housing benefit and all the associated benefits if they are not in work, so their rent will be paid for them. We have housed a large number of people from A8 countries but, if they lose their job, they are not entitled to housing benefit unless they can prove that they have been registered on the worker registration scheme and had work for at least a year. If they cannot do so, that means that they are destitute and unable to pay their rent, so they are living in the accommodation without any means of paying their rent.

Malcolm Chisholm: What happens if you have housed someone in that situation who was in employment but who then lost their job?

Suzie Scott: Our welfare and benefits advisers, with the assistance of other agencies, take the person through the benefits process and appeals. We go as far as we can with the process but, at the end of the day, if we cannot secure housing benefit for them because they are not eligible, we have no option but to proceed through the courts, because the person has not paid their rent.

Malcolm Chisholm: You might not be the appropriate people to answer my next question, given that you are all Glasgow based. We are interested in the extent to which local authorities deal with applications differently. We have heard anecdotally that there might be variation in the interpretation. Seonad Forbes suggested that people from the A8 countries have to work for a year before they are eligible.

14:00

Seonad Forbes: Sorry, but no. For their first year of work, they have to register with the worker registration scheme but, even during that first year, they are eligible for local authority housing and homelessness assistance, assuming that they are registered.

Malcolm Chisholm: That might be the issue. It appears that some local authorities follow that practice and some do not. I do not know whether the other witnesses can comment on that. We might have to explore the issue in other ways.

Seonad Forbes: We get phone calls from staff who work for local authorities throughout Scotland. There is a lot of confusion, and there is no straightforward guidance that people can follow. It should be borne in mind that people might get only one such case a year, so it is difficult for them to look at the different pieces of legislation and say whether a person is eligible or ineligible and why. It seems that local authorities are interpreting the legislation in different ways and there is a bit of a postcode lottery for migrants. Migrants who go to one area will get assistance, but they will not do so in another area although they are in exactly the same situation.

The Convener: You mentioned that A8 migrants have a restricted right to reside. Will that change in 2011?

Seonad Forbes: Yes. Each individual member state can impose temporary restrictions for up to seven years on the nationals of countries joining the EU. When the A8 countries joined the EU in May 2004, the UK Government decided to impose the worker registration scheme for A8 nationals. The seven years will be up in May 2011. The worker registration scheme should end then, and those people should have the same rights that people from the traditional EU countries, such as France and Germany, have. They will need to exercise a European treaty right. They will need to be a worker or a self-employed person, or they can retain the right to work if they lose their job through redundancy or ill-health. However, there will be no requirement for them to register with the Home Office, which will make it a bit easier for them to access benefits and local authority housing and homelessness assistance.

The Convener: And, on that basis, A2 workers will have those rights in 2014.

Seonad Forbes: That is correct.

Marlyn Glen: With changes in the pipeline next year for many people and perhaps trends, might there be increased demand over time for social housing as migrants become eligible for it—that is, people who have worked in the UK continuously for 12 months—and more demand from migrants for family-sized accommodation? That is an important point. Are you finding that already?

Seonad Forbes: There is already quite high demand for family-sized accommodation, which is one of the barriers that are preventing people from accessing housing associations. There is simply not the stock of accommodation of the right sizes for people.

It is difficult to say what will happen in the longer term, because when people gain their full rights in the UK, they will gain full rights in all the European Union countries. Therefore, they may choose to go and work in a different country rather than stay in the UK. It is difficult to judge what will happen.

Anne Lear: I think that there is an overall shortage of social housing at the moment, and I understand that the housing association grant has been reduced once again. That is a major issue for social housing providers. All housing associations in Scotland are struggling to develop new housing under the current regulations. We think that today's news is among the worst things that have happened to us recently. We will not be able to develop new-build housing or to improve the unimproved tenemental housing stock in the way that we did previously because we simply will not have the reserves or resources to do so. It is probably wrong to call us social housing providers while expecting us to use the amount of private finance that we are now expected to use. We are moving in a difficult direction. We already have a shortage of good-quality, affordable housing at the local level. I know that the Government is attempting to address that problem, but reducing housing association grant levels when we think that more units will be needed is completely wrong.

Suzie Scott: Like Seonad Forbes, I think that it is difficult to predict what will happen to migrant flows in the future. A lot depends on the UK economy and the economies of other countries in Europe. Over a number of years, the number of applications that we received from people from eastern Europe and the number of people from eastern Europe whom we housed increased quite dramatically, but those numbers have fallen off in the past year. Some of our tenants have left, although not in huge numbers. The number of new applicants is dropping and tenants are starting to leave rather than stay. That is very much related to the economic situation. People are losing their jobs and cannot get new jobs.

If it is true that we are moving out of recession, and there will be more jobs, we would expect that migrant workers will follow those jobs. However, that depends on what is happening elsewhere in Europe. More countries are seeking to join the European Union, and we would expect people from those countries, if they join, to move to other parts of Europe as well.

Marlyn Glen: Yes, it is a volatile situation, when you look at it like that.

What more can be done to raise awareness of migrants' housing rights by housing providers and landlords, and what can be done to dispel the myths around the provision of housing for migrants?

Suzie Scott: To ensure that people are aware of their basic rights and information, we have translated a lot of our core material into a range of other languages and have made that available on our website and in local offices and have given copies of those leaflets to other agencies.

Some time ago, we took part in a piece of work with Glasgow City Council and the community health and care partnerships to produce a leaflet for migrants that was available in other languages. It was a fairly basic leaflet, but it set out a good range of basic information.

I am not sure how well such leaflets are accessed by migrant communities. I am conscious that there is always more that one could do to get the information that one has spent time and effort producing into the hands of the people who need it. We are conscious of that issue, and are in the

process of employing our own migrant support adviser, who we hope will work not so much directly with migrants but with our staff and other agencies to ensure that staff and the migrants have a much better understanding of the rights and obligations in this area.

As Seonad Forbes said, the situation is so complex that it is difficult for staff to get a handle on it and give the right advice to the right person. We have certainly had examples of, for example, people from Portugal being told that they have to register with the worker registration scheme, even though they are part of the old EU and do not need to. The area is complicated, and it takes a while to get your head around it—it took me quite a long time to work through the complexities, and I still need to consult a little flowchart to ensure that I have made the right decisions about things. It would be incredibly difficult for someone who deals with these matters only occasionally to get their head around the processes.

Anne Lear: I think that that is a sort of Glasgow-wide overview. However, as I keep saying, the situation in Govanhill is very different, and is probably unique in the whole of Scotland.

There are 1,200 unimproved properties in the area, roughly 80 per cent of which are owned by private landlords. The situation of people who arrive in Govanhill is different from that of people who arrive elsewhere, and a number of important initiatives are in place in the area. The integration network is doing a good job, as is the Govanhill Law Centre, which is an essential facet of the area and has done a fantastic job—members have been invited to visit the centre, so that they can understand some of the issues with which it deals daily.

Translation is an important issue. At the moment, the centre employs someone who can speak various languages. The community health and care partnership employs two workers, who are here today, but funding for those posts is not yet mainstreamed.

We must get better at enabling organisations to create permanent posts for people. Although there is a churn of people in Govanhill, Govanhill Housing Association and Oxfam believe that it is slowing down. We are seeking to keep people in work and are encouraging employment initiatives for the whole community, as well as migrant workers. With the right encouragement, we will be able to continue to support in mainstream posts people who are required to have language skills. In our experience, it is important to have staff with language skills, who understand the cultural barriers that may exist, where people have come from and how they perceive their chances of accessing housing. We must have the right people working in organisations.

The important thing to understand about the change in service provision at local level is that having local authority staff, housing association staff and the voluntary sector work together can make a big difference. The change in how we provide services will benefit all newcomers and existing communities. In our opinion, there has not been enough joined-up thinking between service providers; that has begun to come to the fore only recently. The connection between health, housing, social work and the legal advice that people get is very important in ensuring that we give people what they need. A lot of positive work is being done in Govanhill at the moment to deal with issues that come to us because of the number of houses that are privately owned and things that happen to migrants when they enter the area. Joined-up service provision will support the kind of change that we need to make in times when we know that finances are tight.

Marlyn Glen: That is essential across the board.

Anne Lear: Yes.

Seonad Forbes: I echo the comments of Suzie Scott and Anne Lear. Partnership working is crucial. We must take an holistic approach and put housing needs together with access to benefits, employment rights and advice, all of which are interlinked. Provision of translated materials and having bilingual staff are important. Staff training is required, so that all staff are fully aware of people's rights and entitlements and how best to support them.

John Blackwood: I agree with my colleagues. We need strong strategic partnerships, even within the housing sector, so that we can identify the correct housing options for specific tenants. I will go a stage further. In the private sector, we need a complete cut-off of supply of poor accommodation to migrants. That is a radical step, and it takes a lot for a local authority to do it. However, legislation and measures are in place that empower local authorities to take the appropriate action. We need that to happen. Rogue landlords must be put out of business and moved out. From speaking to local authorities, I understand that they know who those landlords are, where they operate and, more to the point, what they are doing. The landlords concerned are accessible, so that supply of accommodation should be cut off.

I appreciate that, in some areas, such an approach can put greater pressure on social housing, but we could take out management control orders on properties and pass them over to social housing providers. The rental income from those properties could be used to improve the accommodation and to pay the management service for running it. That is a huge step that has

not been taken in Scotland, but the mechanisms to achieve it are in place.

14:15

Anne Lear: We would love to do that. We have taken legal advice, and those of you who met me before at the Public Petitions Committee will know that we hoped that there would be an appetite for compulsory purchase of property in the area using a different mechanism. Unfortunately, such actions have a cost, and our understanding is that the local authority is not prepared to move forward and use its powers because of the costs that are involved.

Marlyn Glen: The committee needs to follow that up with or alongside the Public Petitions Committee. Thank you—that is helpful.

The Convener: Do the media have a key role to play in outing the rogue landlords who indulge in some pretty despicable practices? Would you welcome media interest in highlighting such cases? Surely that would be a good way in which to alert the community and everyone else to practices that cannot be condoned in any way, shape or form.

Anne Lear: There is a real desire to start dealing with the issue jointly, with the local authority, at the local level. We have begun to do that. If the local authority starts to take action, there will be a change in the way in which things are done.

Much of the property is not in a poor condition internally. It is the common parts of the buildings that are in a poor condition. Seonad Forbes and John Blackwood are right to say that, if the local authority were to use some of its powers, that would help. However, it is a bit circular to say that to the local authority, because I understand that, this year, the private sector housing grant that is available to it for the use that we are discussing is about £3 million in our area. I do not know about the rest of Scotland, but in the city of Glasgow as a whole, it is about £10 million. There is no guarantee what the funding will be next year; it is not ring fenced and there are real issues about how the money will come in to the area. I am not even clear that the local authority has the staffing resources to tackle the issues.

All those things have been raised—by Glasgow, anyway—with the Scottish Government, and a discussion is on-going. The Government is saying that the local authority is not using its powers and the local authority is saying that it does not have the resources to use them.

The Convener: Given the resource issue, I return to my point about the media. Would not some tabloid interest be welcome in this case? We have complained about the negative stories, but here is an opportunity to highlight some really bad practices. John, what is your view on that?

John Blackwood: Everybody round the table agrees. Good landlords are equally frustrated by bad landlord practice. Good landlords feel victimised as a result of it, because they see no difference in their rents. Good landlords who operate in the areas get the same rent levels as the rogues, for want of a better expression. The rogue landlords are not registered and do not have HMO licences, if those apply. Good landlords feel that an unjust system is operating at the moment. Anything that is done to out the rogues and get rid of them would be welcome from our point of view.

Anne Lear: There is a real problem for local people. When the press has taken an extraordinary interest in slum housing and so on, that has had an impact on people who live in the area. That cannot be the mechanism by which we make improvements. There must be a more strategic approach. The media's involvement has caused a lot of upset to people who live in the area and a downward cycle is created through the process.

The Convener: Are you saying that the problems exist across the board and that, rather than only migrant workers being affected, many people are being charged exorbitant rates and are living in the appalling conditions that we heard about this morning? We heard that the problem is not just that common areas are not looked after, but that people are living in third-world conditions. Do we let that go or do we harness the influence of the media?

Anne Lear: We cannot let it go. Last week, we found eight people living in a one-bedroom flat at the back of a house. The windows were broken. There was a gas fire that had to be cut off because it had yellow flames and it was clearly poisoning everybody in the flat, and the flat was infested with cockroaches. There were children in the household as well. That is the kind of situation that we are facing, and I believe that we should deal with it in a co-ordinated way. We need joined-up thinking by the Government and the local authority about how we should deal with areas such as Govanhill. It is not a case of having one or the other; resources need to come into the area to support the local authority, which is struggling to deal with the situation.

At the end of the day, the whole community is directly affected, not only the migrant community, so a joint approach is needed. The media outing people is one facet, but the approach needs to be strategic and resources must be put into the area to deal with the issue. Until that happens, shocking living conditions will exist for individuals.

John Blackwood: We could take advantage of the publicity, so long as there is a strategic philosophy behind the approach to tackle the problem. If we, as sectors in the community, are prepared to take a strategic approach and work together to say, "This is what is happening in our communities" and, moreover, "This is what we need to do to address it," we could perhaps use the publicity to our advantage. It is about awareness raising.

We have heard evidence at some of the committee's previous evidence sessions that people are putting up with living in poor conditions, which is unacceptable. Is that because they are not aware that better accommodation could be available elsewhere, even in the social rented sector or the private rented sector? We want to empower people to take control of their housing options; we want them to say that their accommodation is not acceptable and to ask what we can do to improve it. That would rely largely on us working together in the communities, but I think that it is doable.

Stuart McMillan: I want to ask about the main barriers to access to housing for refugees and asylum seekers as a specific group. One example that has been given was the size of some the properties that are available. Do you have any other examples of main barriers?

Anne Lear: Supply and demand continues always to be in the background in relation to housing, in particular supply of the right type of housing.

Suzie Scott: Glasgow Housing Association provides housing to both Glasgow City Council and YMCA Scotland, which are the main two organisations contracted through the Home Office to provide accommodation for asylum seekers. A number of associations also provide a small number of units for asylum seekers.

Asylum seekers are specifically different because their only access to accommodation and public funds is via Home Office-supported accommodation; it would be illegal for anyone else to house them, as they would be breaking the immigration legislation by doing so. Once people have refugee status, they can seek housing from any landlord or, if they can get employment, they can also purchase housing.

There are issues about larger sizes of accommodation. Very few properties in the social rented sector in Glasgow have three or more bedrooms, whereas a number of migrant households require such accommodation. Some people are still living in temporary accommodation because we have been unable to house them in sufficiently large accommodation. That is an issue not only for migrants, but for indigenous Scottish households that happen to be of a very large size. However, the migrant population is proportionately more likely to have a need for larger houses, so the issue affects migrants proportionately more. It is an issue for Glasgow and, again, we have difficulty in addressing it because of the limited number of new-build units and the amount of money that we have available for conversion.

Seonad Forbes: I agree with Suzie Scott. The main thing that affects the refugees who access our services is lack of accommodation of the appropriate size. People tend to stay in temporary accommodation for quite a long time, because there is not the stock available of the right size for permanent accommodation to be offered.

When someone in our housing gets their refugee status, they are not given a local connection to Glasgow. The situation in Scotland is different from that in England. If someone has been dispersed by the Home Office to Liverpool, when they get their refugee status, they are given local connection to Liverpool and must present as homeless to the council there. However, in Scotland, the person with refugee status can present as homeless to any local authority, which must take on their case. Refugees therefore have a bit more choice in Scotland; they do not have to stay in Glasgow when they get their status and can go to another local authority area.

Stuart McMillan: I take you back to the first part of your answer. On a per head of population basis, is there a marked difference between rural and urban communities in terms of migrants and refugees?

Seonad Forbes: Asylum seekers can live only in Glasgow. The situation for them is therefore urban. What do you mean by rural or urban?

Stuart McMillan: People maybe go and stay in other parts of Scotland. I am thinking of the availability of housing in rural communities.

Seonad Forbes: I think that there are difficulties in many areas of Scotland. There is not necessarily an urban/rural divide in this regard. It is difficult for people to get appropriate housing in many rural areas, as it is in urban areas.

Christina McKelvie: We talked earlier about GHA and the YMCA having contracts to house asylum seekers. I refer to UK Border Agency-supported accommodation. Hugh O'Donnell and I are on the cross-party group in the Scottish Parliament on asylum seekers and refugees. Over the past few months, we have seen a hardening of attitudes towards asylum seekers, particularly at the point when, having not been granted leave to remain and being unable to return home—I am thinking of those from Zimbabwe, or other countries to which people just cannot return—people are left destitute and, in effect, stateless.

Over the past few weeks, I have had several e-mails about the Angel housing association's policy of evicting people as soon as they are refused leave to remain, in contrast to GHA and the YMCA, which take a more welfare-based approach. As a fellow member of the cross-party group, I suspect that Hugh O'Donnell has also heard those concerns. What is your experience of the issue?

Seonad Forbes: Angel is not a housing association but a private company—the Angel Group—that has been contracted by the Home Office to provide accommodation. We know of difficulties that arise from people being evicted quickly. That is not my specialist area—I will need to check with colleagues—but my understanding is that there are also problems with the YMCA. Our organisation highlighted a recent case of a man whose property was taken from him; he was told to leave immediately. It is not only the Angel Group that causes such problems. I can provide the committee with more detail later, once I have checked the situation with my colleagues.

Christina McKelvie: That would be helpful. One theme that we will come on to in our questioning is destitution. We have heard of an increase in the number of people who are destitute and we want to look into ways of supporting them, including through the work of organisations such as PAIH and charitable church organisations. We want to bring the issue to the fore. Any information that you can give to the committee would be extremely helpful.

14:30

Hugh O'Donnell: My line of questioning was going to be about the quality of housing, but we have talked about that and I think that many of my foxes have been shot. I am disturbed by what I have heard, as I am sure that other committee members are. I never thought that I would hear the name Rachman resurface, in connection with Glasgow. Much of the evidence that the committee has taken suggests that in some areas we have not progressed in the 40 years since "Cathy Come Home" was shown—I am on my hobby horse.

What is Glasgow Housing Association's situation in relation to voids? What capitalisation would be required to refurbish your voids?

Suzie Scott: I cannot give you exact figures off the top of my head. The number of empty properties has reduced radically during the past few years. We have become much more efficient at letting properties quickly.

GHA is involved in regeneration and we have a number of properties that are empty because the blocks are being cleared for demolition. When we have cleared tenants in those circumstances we do not normally relet the property. We keep the matter under constant review, particularly when we are considering temporary housing options, so that we can ascertain whether we should find another use—such as refurbishment for asylum seeker housing—for blocks that were earmarked for demolition.

To refurbish a block that might be demolished is quite an expensive thing to do. We would need to be sure that the block would have a life for a certain number of years. The current asylum contracts that the city and the YMCA have with the UK Government are due to expire next year, with a one-year extension option, and a procurement process is in train for the next tranche of asylum seeker housing. We understand that Glasgow wants to remain a dispersed settlement community, but we do not know whether it will get a contract or what the scale of the contract might be. The new UK Government is of a different political persuasion from the previous Government, and we suspect that it will want to restrict the number of asylum seekers who come to the UK, at source if possible.

That was a long answer to your question. The short answer is that we do not have a great deal of spare properties lying around that we could easily bring back into use, and those that we have are scheduled for demolition and would require extensive refurbishment if we were to make use of them in the shorter term. There has to be a business case for that—because if there is not, our tenants must pay for it.

Hugh O'Donnell: Is it easier for smaller housing associations, such as Govanhill Housing Association, to address challenges in relation to voids?

Anne Lear: Associations tend to have low void rates. Many of us are involved with GHA in demolition projects, through the second-stage transfer process, whereby properties are being transferred to community-controlled organisations in the city. That will present opportunities. However, our void rates are very low and we have high demand for the kind of high-quality affordable housing that we let out.

The Convener: I want to raise something that was mentioned in the written evidence from the Govanhill Law Centre, regarding the employment letting agent who advertises jobs and accommodation on the internet and in the Czech Republic. Of course, no jobs materialise, and when people get here they find that the accommodation is horrific and very expensive. Do you have any comments on how we can address that?

Anne Lear: I am sorry—I did not pick up that question. I am quite hard of hearing, and there is no loop system in this room.

The Convener: An employment and letting agency that advertises jobs and accommodation on the internet and in the Czech Republic was apparently claiming that no English was required for the jobs that it was advertising. When people come here, they find that there is no job, and that the accommodation is pretty horrific. Are you aware of that? Apparently, there are at least 20 cases of that happening here in Glasgow.

Anne Lear: Govanhill Law Centre has given you information on that, and it is happy to provide further evidence.

Seonad Forbes: Those are not isolated incidents—it is happening in other parts of Scotland, too. A lot of agencies recruit people in their home countries. People pay a set fee and the agent tells them that, once they arrive here, they will have a job and accommodation. Either people arrive and absolutely nothing is provided, or they arrive and housing is provided, but no work—or there are not enough hours of work to pay what they need to pay for the accommodation. It is a big issue across the country, which is difficult to address.

Work needs to be done in people's countries of origin, before they even come here, so that they have more of an awareness of the reality in Scotland. People should not trust in an agency to bring them here—they do not need an agency to bring them here, as they have freedom of movement. If people want to come off their own bat, they may do so, but they should be prepared for the situation being as it is, in the recession—looking for work before they come is a better idea. Unscrupulous agencies are a big problem.

The Convener: Apparently, the Czech consulate has said that, if people are here voluntarily, no repatriation money is available to take them back—so they really are stuck here, to a large extent. We would wish to follow up on that issue.

Let me turn to the private landlord's point of view. Mr Blackwood said that landlords are very much aware of the rogue elements. Can you give me a profile? Are these people indigenous Scots? Who are the landlords who we are talking about?

John Blackwood: It depends on the area of Scotland. We saw a pattern a few years ago in England, in the north in particular. A group of landlords, who could in effect have been families, would move into certain areas and run them down in order to depress the property values and buy up more stock. That is not common in Scotland, but it is happening. That is one way of building portfolios. However, that is not normal landlord practice, as you can imagine—there is something else behind it and the landlord activity is very much secondary. It offers a way of using money from the proceeds of crime and putting it somewhere. Such people are involved in other criminal activities, which is a concern for us. There are many ways of tackling those individuals, yet nothing seems to get done. We hear about their poor landlord practice, but they are also organised criminals.

The Convener: They sometimes change their names, which makes it difficult to keep track of them. It had occurred to me that there must be a money trail somewhere. Perhaps more forensic accounting is required.

John Blackwood: Yes, I would assume so.

The Convener: You mentioned families—might they be antisocial families? Which families were you referring to?

John Blackwood: It could be families who actually own the property. It can be almost a syndicate. It can be a family or a small group of landlords who have come together with the simple aim of depressing the local community to buy up more properties in the area. Sometimes, they can move in antisocial families.

The Convener: Do you have information that you could supply to the committee on specific instances?

John Blackwood: I am afraid that it is anecdotal. Obviously, it goes beyond our membership—it is what we hear, anecdotally, from local authorities throughout Scotland. We know that it happens.

The Convener: There is an issue around data collection and getting accurate information to tackle the problem.

John Blackwood: We hear about it from our members—they talk about landlords who are letting properties next door and whose tenants will not stay because of the tenants who are moving in and out of the property next door literally by the week. That contributes to depressing the area.

Bill Kidd: A somewhat connected issue is the large number of migrants who are provided with tied accommodation through their employment. That happens most frequently in rural areas, but it can also happen in urban areas, including in Glasgow. Such accommodation is often of poor quality and overcrowded. In the countryside, it can sometimes consist of just caravans or outhouses and, in the cities, the accommodation can just be too small. Are there any advantages to tied accommodation? What are the disadvantages? We have heard about some of the disadvantages, but has anyone witnessed any advantages of tied accommodation?

What attitude do housing associations take towards migrants who have been in tied housing that, for whatever reason, has not proved to be successful? Especially if there is no easy way home for such people, what attitude do housing associations take?

Suzie Scott: We had an arrangement with First Bus to provide accommodation, but not explicitly tied accommodation, when First Bus was recruiting in Poland for bus drivers to come across to Scotland because of a shortage of bus drivers here. The arrangement was that, if First Bus brought across drivers who wanted rented accommodation, the drivers could be referred to us for furnished accommodation. That housing was not explicitly tied to the employment, as any flat that was rented to them by Glasgow Housing Association was made available under the same form of tenancy as would apply to anyone else. However, the accommodation was provided via an introduction from the employer. I do not know whether First Bus is still recruiting by that method, but that initiative of ours no longer applies. However, Polish people can apply to us directly.

I can see some advantages in an arrangement between a largish employer who wants to recruit migrant workers and a landlord, whether that be a private landlord or a social landlord. Anyone going to live in another country to take up a job there—say, for example, that someone here was offered a job in Prague—would be comforted to know that accommodation would be provided and there would be no need to find accommodation of one's own. Therefore, I think that responsible employers can, for the welfare of their workers, try to make some arrangement for accommodation.

Obviously, accommodation that is closely tied to the employment has its disadvantages. This did not happen in our case but, for example, if the bus drivers had been given tied accommodation and then lost their job with First Bus, they would also lose the accommodation. However, that was not so in our case.

On how housing associations deal with people who have been brought into the country in that kind of situation, we in Glasgow Housing Association look at the person's housing circumstances as they are when the person applies to us. Obviously, if the person's circumstances change, we can reassess the situation. If a person is living in tied accommodation in the private rented sector or in overcrowded accommodation or in poor accommodation—or a combination of all three—we take all that into account in considering what priority the person should be given for housing.

Anne Lear: We are currently developing an employment scheme for migrants living in the area to allow them to access accommodation through us. We are conscious of the issue that Bill Kidd has raised, as are other organisations.

Bill Kidd: That is useful. Thank you very much.

14:45

Christina McKelvie: We touched on data collection earlier. One of the issues that emerged in our sessions this morning was the absence of accurate data—something as simple as counting people in and out—in relation to the ability to plan services. Is that a particular problem for the housing sector?

Suzie Scott: Yes. We have been engaged in an exercise with the council over several years to look at the number of foreign nationals living in the city. It is difficult to get an accurate fix on the numbers. The most accurate data are in the 2001 census, although there were issues about the holes that there might have been in that information. However, the census is dramatically out of date now, and the migrant situation in the city has changed hugely since then. We are using a mishmash of data: people who have registered on the worker registration scheme; the registrar general's estimates; and school rolls. We also have data on the ethnic origin and nationality of people who apply to us for housing or who are housed by us, although that information is supplied voluntarily—people do not have to supply it, so there are holes in those data, too. We cannot be absolutely certain that any information that we have is 100 per cent accurate. The best we can do is use a variety of those data sources to see whether there are emerging trends. We cannot know for certain whether the numbers are increasing or decreasing, or whether populations are starting to come from different areas. We can only see that some time after the fact rather than when it is happening.

The Convener: We are running out of time, so succinct replies would be much appreciated.

Anne Lear: If you are collecting data at a local level, you get an accurate picture and people want to speak to you. Through a Scottish Government-funded survey of 1,200 unimproved properties, we discovered that 53 languages were spoken in one street block. We also discovered who was living in those properties, how many people had been there for only one or two years and what people's intentions were. It was clear from that exercise that there was massive overcrowding, and more demand for good affordable housing than there was supply. It was also clear that people's health was poor and that their human rights were being affected by living in those conditions.

Data collection at a local level can be done in small pieces, such as in that exercise, and can result in a pretty accurate picture of what is going

on. Accurate forecasting at a Glasgow level is much more complex than considering the situation in a small area. We have a pretty good idea of what the key issues are in terms of population stability and what would help the churn in our area. It can be done; a community approach will always produce interesting information.

Christina McKelvie: I have a quick question about homelessness among migrants. The numbers are relatively small. Do you have an understanding of the extent of the problem? Is there a need to raise more awareness so that people know their rights?

Seonad Forbes: Homelessness and destitution are certainly an issue among central and eastern European migrants. Destitution among asylum seekers was mentioned earlier but that also applies to central and eastern European migrants. If people do not register with the Home Office, they do not have recourse to public funds, they cannot access homelessness assistance, and they can end up completely destitute.

We have a number of clients who are sleeping rough because they do not have anywhere else to go. Once someone is sleeping rough, it becomes much harder for them to get work. We also have people who have become homeless and have not been able to get local authority support, so they go and stay with family members or friends, which can cause overcrowding and further housing problems.

Homelessness is certainly an issue, but it is difficult to get data on it. We made a freedom of information request to Scottish local authorities last year to try to get a handle on the issue, but they are collecting data in slightly different ways, so even that information is not conclusive. From it, I found out that there were 1,059 homeless presentations from A8 nationals between August 2008 and December 2009, which is quite a considerable number of people. The majority of them were eligible for assistance, but a number were not, and they probably ended up destitute. We cannot really get any clear conclusions from the figures that I gathered. A larger-scale study needs to be done with local authorities, and they need to improve the way in which they gather the data to make the situation clearer.

Christina McKelvie: If they were gathering those data, they could be sharing them with us.

Seonad Forbes: Yes.

Suzie Scott: Again, there are probably issues for local authority staff around the complexities of those rights and responsibilities, who they should give homelessness assistance to and who should not get that assistance. There is a need for Scottish Government guidance on the issue to clarify the situation for local authorities, what the requirements are and what they should be doing. There is anecdotal evidence that people are being turned away who perhaps should not be turned away. There is a moral argument about whether people should be turned away when they are destitute and homeless.

That said, I know that Glasgow City Council has worked to help people who are destitute. Failed asylum seekers are staying on in temporary accommodation and being supported by the local authority. That is also true of the YMCA, which allows failed asylum seekers to stay in its accommodation even though they receive no funding to pay for it. Seonad Forbes mentioned a particular case, and I know that the YMCA insists that that was either a mistake or an aberration, and is not typical of its normal policy.

The Convener: I ask the witnesses to be quite brief now, thank you.

Suzie Scott: Social work is also involved in giving basic assistance to our own tenants who are destitute. While there is a mismatch between people's rights to come here and their access to funds if something goes wrong, we will always face cases of destitution. That is what really needs to be tackled, so that we no longer lack an institutional safety net for people when things go wrong for them.

The Convener: Thank you. Stuart McMillan has a point; he will need to be very brief.

Stuart McMillan: Yes, I just have a point for the record. Earlier Anne Lear mentioned today's announcement about the housing association grant being reduced. I know that that grant is being increased for rural communities.

The Convener: Okay. That is on the record.

I thank all the witnesses very much. If anything occurs to you that you wanted to say but did not get the opportunity, please follow it up by submitting written evidence to the clerks. We would be delighted to receive it. In the meantime, thank you all for giving evidence today. It is very much appreciated and is worth while.

I suspend the meeting to allow for a change of witnesses.

14:55

Meeting suspended.

14:58

On resuming—

The Convener: The second panel of witnesses will focus on policing. I welcome Assistant Chief Constable Ruaraidh Nicolson, the chair of the race and asylum portfolio at the Association of Chief

Police Officers in Scotland; Inspector Brian Gibson, from the Strathclyde Police diversity unit; Detective Superintendent Roddy Ross, Tayside Police's diversity adviser; and Ian Japp, the head of enforcement for Scotland at the Gangmasters Licensing Authority.

Our first line of questioning is about the difficulties that exist with official statistics providing a picture of inward migration into Scotland. What steps have police forces and the Gangmasters Licensing Authority taken to obtain a more accurate picture of migration trends in each of the policing areas?

Ruaraidh Nicolson (Association of Chief Police Officers in Scotland): We must acknowledge the positive contribution that migrants make to Scottish society. It is important to say that at the outset. It is also important to point out that we have very little evidence of criminality involving the migrant communities as either offenders or victims, so we have little contact with the migrant communities.

In the main, the problems relate to language, culture and having people apply to join the police service so that it reflects migrant communities. It is very difficult to understand migrant communities because of their transient nature, which makes it all the more difficult to understand exactly who is in the local community and who we have to deal with. Having such data and understanding would, no doubt, be helpful.

We understand who is in our communities when we have a serious incident. That is probably the first time that we come across people. However, that gives us a better understanding of the communities that we have locally and nationally.

15:00

Detective Superintendent Roddy Ross (Tayside Police): We rely quite heavily on partners to establish the figures. I agree completely with Mr Nicolson: it is almost impossible to get a grip on numbers. We focused on that initially when we were first surprised by the influx of new, international or migrant workers—whatever you want to call them; the three local authorities in our area use those three terms. Once we got past the difficulty of focusing on how many there were, we found that it did not really matter, because it is about having in place proper strategies for communicating with a new community. In about 2004, we identified migrant workers as a new community and after that we did not worry quite so much about the numbers.

A useful piece of work was done in 2005-06 by Scottish Economic Research, which tried to focus on migrant numbers in Tayside—Angus, Perth and Kinross, and Dundee city. It set the number at around 4,000, with a turnover of about 10,000 at that stage, and predicted a rise. Our most recent estimate is of 10,000-ish in Tayside, with a churn that is probably in excess of that.

Ian Japp (Gangmasters Licensing Authority): There are 1,200 licensed gangmasters in the United Kingdom, any of whom can supply labour to the Scottish market. Those gangmasters range from a man with a van and five people to businesses with upwards of 3,000 employees. That means that there is a huge transient population going around the UK, including Northern Ireland. I would go as far as to say that 99 per cent of people employed by gangmasters are migrants. I echo what Roddy Ross said: in certain areas, particularly Angus, Fife and Perthshire, throughout the summer—or what used to be the summer for the fruit picking, which now lasts from as early as January to November—at least 10,000 might come in under the seasonal agricultural workers scheme alone. On top of that, people go into direct employment on farms. That is the only way we can gauge the number of people involved. Our authority does not control everything outwith the farming community. People often move from a job in farming to a job in recycling or the care industry. It would be very hard to determine the figures.

Brian Gibson (Strathclyde Police): In Strathclyde, we recognise that the migrant community, like all our communities, does not tend to interact with the police unless there is a problem, so it is difficult to identify it. To provide a trend, rather than specific numbers, our interpretation and translation service is monitored monthly. If a certain part of the community appears to be moving into Strathclyde, we can certainly pick up quickly not only that information but which area it is operating in, through our divisional returns.

The Convener: Roddy Ross said that the issue is not so much about numbers and more about the strategy that is put in place. However, surely one influences the other. I ask you all for suggestions on how to improve the data, on the basis that good data are generally a good thing, because the more we know, the more we can address the problems.

Ruaraidh Nicolson: I suppose that the best way to find out exactly who we have is a census. We have not had a census for some time. That would provide information on the communities. As Roddy Ross said, the issue is absolutely about engagement and partnership working. From our perspective, it is about getting a real understanding. Some of the key things that have been done throughout the country perhaps underlie that. More than numbers, the issue is about the various cultures, languages and dialects that we need to know and understand to engage

with the communities. That is important from our perspective.

The previous panel spoke about Govanhill. About 51 languages are spoken in the Govanhill area, which makes it difficult to engage with everybody in the way that we would want to. We need to know and understand not only the types of communities, but the dialects and languages and a whole gamut of issues, so that we can engage with the communities appropriately and provide them with the service that they deserve and expect and which we want to give them.

Ian Japp: We try to base the figures on the worker registration scheme, which the committee heard about from the previous panel. The number in the scheme is up near 1 million. However, to be honest, when we examine employers' premises, we find that roughly only a third of the workers are registered with the scheme. That leaves a huge black hole and a lot of people who have not come to the notice of anybody. Given that, how can we calculate the figures?

The Convener: Ruaraidh Nicolson talked about partnership working. I suspect that the voluntary sector has a lot of intelligence on the issue. Citizens advice bureaux keep fairly accurate data. Should local authorities use the resource in the voluntary sector to get information and, in turn, supply it to you?

Ruaraidh Nicolson: They absolutely should. The more information and intelligence that we gather about the communities and their composition, the better we will be able to police. The hub in Govanhill is a good example of that, as it involves several agencies working together closely to provide the level of service that the community there requires. The voluntary sector should be involved from a number of perspectives, including on information sharing, which is key to everything that we do.

The Convener: Another aspect is about those who are charged with or convicted of an offence, or even questioned. I understand that whether information about the country of origin of such people is recorded varies between police forces.

Detective Superintendent Ross: It is difficult to record that information, as our systems are not designed to extract information about migrant workers, because they come from such a breadth of backgrounds. We record ethnicity and the language spoken. That is for future reference, so that we know what translation service we need. We could look in our systems for a white European who speaks Polish, but they are designed to retrieve information about crimes—I am sure that it is the same in Strathclyde—so such a search would retrieve information about all the people who were linked to a crime, although we would not be able to tell whether they were a victim, a suspect or a witness. It is difficult to use our systems for that purpose.

We have requested a change to the system so that we can start to do better analysis but, of course, that has a high cost. We have not done such searches previously because, largely, the systems are crime recording systems—they are designed to record crimes against specific victims. We can examine hate and race crimes and other specific issues that have been designed into the system. However, it is challenging to get the new data that we are looking for.

Hugh O'Donnell: On the issue of data being transferred from voluntary sector or third-party organisations to you, such transfers would have to comply with the Data Protection Act 1998. However, people from central European countries, who have a history of a different relationship with the police, might perceive there to be some risk in such transfers, particularly if they are refugees. What are your views on that issue?

Detective Superintendent Ross: The transfer of numbers from those organisations should not be an issue, but the transfer of personal data would involve a considerable difficulty. However, the aim is not to identify every person who is in our area—regardless of whether that would be desirable, it would be extremely difficult to keep track of that information.

Ruaraidh Nicolson: The only reason why we would be able to retain such information would be in connection with a criminal matter and, as I said, 99.9 per cent of the people with whom we are concerned have no criminal background, so the issue would not arise.

Marlyn Glen: This is interesting evidence already. I take it that the impact of inward migration on policing services in Scotland has been small, but that it has had a massive impact on the Gangmasters Licensing Authority, so perhaps we should deal with the matters separately. Has there been any assessment of the impact of migration on policing?

Ruaraidh Nicolson: For the purposes of today's meeting, we conducted a review that has shown that the impact of inward migration on police forces has been relatively small, as I said. The biggest issues are those around language difficulties, interpretation services, cultural issues within a community and so on. There is limited evidence of migrant communities coming here and becoming involved in criminal activities. Certainly, the numbers are very small, compared with the general level of criminality in the country.

Marlyn Glen: What is the view of the Gangmasters Licensing Authority?

Ian Japp: We do not deal with people who commit crimes, unless they are gangmasters.

We have good relationships with the police, the UK Border Agency and HM Revenue and Customs, which we use to gather information that we need. We seldom have a problem with the workers themselves. We are concerned with looking after them and dealing with what has happened to them.

Marlyn Glen: Is the problem increasing or decreasing?

Ian Japp: With the current economic climate, the problem is increasing, as everyone is trying to maximise their profits and take labour from areas from which they should perhaps not take labour, such as the A2 countries, unless they have the correct permission. People who are in the country illegally are a natural target for exploitation, because who are they going to complain to if, for example, they are not getting the national minimum wage?

Marlyn Glen: That is a massive problem.

Why is there little evidence of criminality among migrant workers? Are they more naturally law-abiding than people in Scotland generally, or is it that there is an unwillingness among members of that community to report crimes that have been committed against them by other migrant workers?

Brian Gibson: We are quite clear about the fact that criminality is low in that community, based on what we identify and what is reported to us. However, we have concerns about the level of the reporting of crimes against members of that community, especially with regard to hate crimes or race-related offences that involve people being subject to abuse in the workplace or where they live. We are working on that through the development of third-party reporting systems, using our community links and partnerships with organisations such as Positive Action in Housing, which can raise with us concerns that are expressed by people in those communities and can tell us about issues relating to where they live, what they understand of the law in Scotland and the perceptions that they might have of the police, based on their experiences in their own countries. We are trying to provide a wider base that will allow migrant workers to report crime, to ensure that we are picking up on all of it.

We are not saying that there is a vast amount of crime being committed against migrant workers—there is nothing to indicate that there is—but we want to ensure that we are providing the appropriate mechanisms by which crimes can be reported.

Marlyn Glen: It is worrying that there might be hidden crimes in the community that are not being reported.

15:15

Detective Superintendent Ross: Inward migration has had a small impact, rather than no impact. It would be possible to overstate the lack of impact. We spend a not inconsiderable sum of money on translation services, and there have been some high-profile cases concerning migrant workers, either as victims or as the accused.

However, the effect is not disproportionate. There are of course vulnerable people in the migrant community. As Ian Japp said, when people are here and away from their families, their vulnerability naturally increases. If they are vulnerable, there is a risk of exploitation. All that can happen. However, although we come across many migrants in day-to-day policing, they do not have a disproportionate effect on our service.

Marlyn Glen: That is a positive message that we would be keen to convey.

Detective Superintendent Ross: Yes. Migrants are just the same as anybody else—we would rather not have elements of the migrant community living next door, just as with elements of any Scottish community.

A great proportion of migrants are young people. The useful report from 2005 that I talked about said that only 10 per cent of migrants in Tayside were over 35. That could be a significant issue. Of those migrants, 90 per cent felt that they were not excluded or isolated, which is a positive message. I can provide that report to the committee—it is slightly out of date, but there is no reason to suggest that the message has changed.

Bill Kidd: Lothian and Borders Police is not represented today, but one group member this morning said that she was aware of only one community engagement officer in Edinburgh whom the local migrant community knew of and trusted to approach. I do not know the numbers in other police areas, but that suggests that a lot might be going on—although we do not want to read too much into matters on which we have no evidence—that we do not know about because people do not approach the police. As Hugh O'Donnell said, that applies especially to people who come from countries where people do not go to the police to report criminality. Are trained officers available in sufficient numbers to pick up such information?

Brian Gibson: In our areas, we have community beat officers who are given local diversity training. That goes back to gathering information to identify the presence of

communities. One of our key tasks in working with our partners is to identify as quickly as possible individuals who represent communities. We bring them on board as community advisers or lay advisers to the police, to act as a link as necessary and to encourage surgeries with local community police officers, with the advisers or with partner agencies.

Above that, we have the Scottish migrants network. It has a website and is geared to picking up on and developing information that agencies feed in. Throughout the country, workshops have been held with police officers and mentors from migrant communities to consider how we can improve such work. In Glasgow, the integration networks are very much involved in working with local community beat officers, identifying issues as necessary and providing support. That all goes back to identifying that a community is present and that issues exist.

Detective Superintendent Ross: I concur from the east coast experience. The issue might be terminology. The community officer, the community engagement officer and the community crime officer are all largely responsible for community engagement, which is a key part of Tayside Police's vision and values.

In 2004, migrants were identified as a new community in Tayside. We proactively visited camps to speak to them and we held roadshows in all three of our council areas on subjects such as driving regulations, which were a big issue for a while, because cars that did not comply with the road traffic legislation were being brought in from central and eastern Europe. All sorts of outreach programmes were undertaken.

That work goes on today, although it happens less in camps, where the activity started. We wanted the police to be visible at the big camps on farms so that, if people were vulnerable and open to exploitation, there would be somebody they could identify with and report their concerns to, although we did not find huge numbers of concerns.

I think that the experience in the Lothians relates to terminology rather than how migrant workers are dealt with, because I am sure that one community engagement officer would be insufficient for Edinburgh and the Lothians.

Bill Kidd: I think that you listened to some of the earlier evidence on housing, so you probably heard the convener say that people come over from the Czech Republic who have been told that they have a job and a house, but when they arrive, one or the other does not exist or is not of a tolerable standard. Basically, they are being skinned back home—they are the victims of a criminal activity. Do they report such crimes over here or do they wait until they go back home? Is there co-operation between the Czech police and the Scottish police on such cases, which, apparently, are not isolated—there are numerous examples of them.

Detective Superintendent Ross: You have hit the nail on the head. Operationally, we face significant difficulties with communications between here and eastern Europe, in particular. In 2004, those lines of communication were extremely difficult. They are an awful lot better now, but it can still be difficult to exchange information. The activity that the convener described this morning would be a crime if it was perpetrated here. I think that it was John Blackwood who said that such cases involved nationals of the countries concerned bringing over their own people. If such a crime was reported to us, we would certainly get involved in investigating it. It would be difficult to establish whether the crime had been committed here or overseas, but we would still consider the people who had been affected by it to be the victims of crime and would support them accordingly.

Ian Japp: Along with Govanhill Law Centre, I have been involved in work on such cases. Such activity was reported to me at an early stage. It was feared that people were being given jobs in the area that is covered by the licensing regime that I control in Scotland, but it was discovered that of the 18 statements that were made, only one related to a case involving a person who had got a job working for a business that was in the area of gangmaster licensing. All the others related to other areas.

We have since had meetings at the Scottish Crime and Drug Enforcement Agency intelligence unit with representatives of the police and HM Revenue and Customs, and work in connection with that is continuing. I would not like to say any more about what is being done, other than to reassure you that we are adopting a multi-agency approach to tackling the problem.

The Convener: It is reassuring that the issue of laundering and tracking back is being actively pursued.

Your submission refers to serious organised crime groups and their involvement in a number of trafficking incidents. How good is communication on people who have a criminal record and who go from this country to another country or who come into this country from elsewhere? What needs to be done to improve it?

Ruaraidh Nicolson: We need to develop information sharing, but there are caveats—which have already been mentioned—to do with people's safety and security and whatever else goes along with that. We are doing a lot of work to establish a

proper understanding of organised crime groups. Work has been done, along with the SCDEA, to look at the activities that organised criminals are involved in, and if they are involved in trafficking to find out what facets of trafficking they are involved in.

Brian Gibson: A group called the Scottish migrants network meets consular staff. The Polish consul attends those meetings on a regular basis. We have good information sharing, which usually relates to specific individuals who are coming into or going out of the country. We report that information through our usual intelligence methods. The consular offices are aware of that process and are open to assisting us.

The Convener: Does the recording of information in the court service—for example, if someone comes to light for another offence—lead you on trails that help you to identify bigger crimes? Is there a problem with the recording of information by the courts? Is sufficient information recorded when people appear in court?

Brian Gibson: The criminal records system adequately identifies and reports anything that the courts have found someone guilty of. Regardless of whether the person in question comes from an eastern European country or elsewhere, a record with their details is automatically created in the database.

Ruaraidh Nicolson: At the moment, we are in the process of signing a protocol on sharing records on convictions and criminal histories.

The Convener: I do not know whether any of you saw the article in yesterday's *Sunday Post* that Stuart McMillan was very keen to bring up, but it seems not only that a relatively small proportion of people are involved in crime but that there can be a different perception when crimes are committed by people who come under the migrant community heading. Anecdotally, there might seem to be more crimes involving the Roma community, but the data show that, proportionately, that is not necessarily the case. Obviously, we need more data and information at all stages. Do you agree?

Detective Superintendent Ross: Although there have been a number of high-profile cases in which the accused has been a member of the migrant community, I do not think that the numbers are disproportionate. However, because such cases come up regularly, there is a feeling that they might be disproportionate. It would be useful to have more data, but the number of high-level and high-profile crimes reported in the press is so small that it would be difficult to determine any trends from them; in fact, you would probably get a better feel for the situation by looking at lower-level offences such as drink driving and other road traffic offences. I do not think that there is anything to suggest that the migrant community is more likely than anyone else to be involved in serious crime.

The Convener: That is the message that we have been getting.

Malcolm Chisholm: People have referred to the proactive work that the police, in particular, carry out. Indeed, as an Edinburgh MSP, I pay tribute to them, because in my experience officers already do a lot of that work, and over the years there have been great improvements in that area. However, as we look to the future, we are already exercised about the state of future budgets—and will soon be even more so. Do you have any particular fears about the effect of tighter and declining budgets on your ability to respond to issues or do you simply share the general fear that everyone in the public sector has about the overall effect on budgets?

Ruaraidh Nicolson: I do not think that there will be an impact on one particular area of policing, such as the one that we are discussing, or on other areas, such as human trafficking. We will remain focused on all those areas, but we certainly have a general fear about the downturn in budgets.

Detective Superintendent Ross: I agree, although I think that we might start to see an impact on the kind of study that I referred to earlier. Will there be funding for such studies, data collection and research? In fairness, I should say that the police have not funded such work in the past, but we have certainly taken advantage of it through the partnerships, and having access to that information and data is useful for our analysis and strategic planning. It will be interesting to see how that will be affected.

Brian Gibson: We are actively working in partnership with other forces and public service providers to find out how we can cut the cost of interpretation and translation, which represents one of our main physical costs, but only because we need to cut our costs overall.

15:30

Ian Japp: On a smaller scale, I had hoped that, by this time, the Gangmasters Licensing Authority's powers would have been extended to cover issues outwith the agricultural arena. Indeed, I believe that one party's manifesto said that it would look at the construction sector, care homes and the hospitality industry in that respect. The regulation in the one area that we look at could be extended, but the question is whether there is any money or will to do so.

The Convener: Are you content with that, Malcolm?

Malcolm Chisholm: Yes.

Christina McKelvie: Ian Japp mentioned some of the agencies that the Gangmasters Licensing Authority works with to gather evidence and information and to support people. What do other agencies do to determine the specific needs of migrants? What difficulties do the police and the Gangmasters Licensing Authority face, and what are you doing to address them?

Ian Japp: The Gangmasters (Licensing) Act 2004 is unique in that section 19 allows the free flow of information. Notwithstanding that, we have signed memorandums of understanding on sharing information with all of the organisations that we consider to be major partners. On top of that, we have a strategy of trying to engage with all of the organisations that we consider to be help agencies and any other bodies, especially in Scotland, that migrants are more willing to come forward to, anonymously or not, to report matters. Help agencies such as the Scottish migrants network, citizens advice bureaux and agencies within local authorities—even local authority officers themselves—can refer matters to us. If the matter involves a crime, I take it to the police immediately; if it is connected to other agencies, I take it to them. I am really heartened by the support that I get, especially from the police, whenever I have to seek assistance.

Detective Superintendent Ross: The bulk of our work in relation to community engagement is done through community planning partnerships. I have with me three examples—from Perth and Kinross, Angus and Dundee—of material that the agencies that are involved in the partnerships produced, which I can leave with the committee. The three areas came together more or less independently, and learned from one another. Angus was the first to produce such material. There is some really good information about the rights and responsibilities of migrant workers, which is available online, in different languages and to all of the partners who may come into contact with different migrant communities. That information is backed up by material in multiple languages on driving, from the safer Scotland campaign. There is a great deal of information that we can distribute.

To gather information on what is needed, we have strategic community advisory groups, which include Polish members—two ladies from the Dundee international women's group. We are also supported by the Scottish migrants network and local community advisory groups in the three local authority areas. We receive inputs not from migrant groups, as it is in the nature of such communities to turn over quickly, but from individual representatives of the Polish community, the Bulgarian community and so on. Wherever possible, we access their expertise and their information about their communities, which is helpful.

We have been involved in various child protection initiatives, with a view to issuing child protection information to migrant communities in appropriate languages. We are also trying to provide information on domestic abuse. There is no reason to suppose that hidden harms such as domestic abuse and child abuse are not as prevalent in migrant communities as they are in our communities, although no more so. We are always active on those issues, through the partnerships. That is the right place for such activity.

Brian Gibson: Our work in Strathclyde is similar. I add only that, in line with our equality and diversity strategy, there is a need for us to reflect our communities, including the migrant community, in our workforce. Through our diversity recruitment team, we are actively and regularly involved in events such as migrant fairs and information days for migrant workers across Strathclyde. At those events, we present what Strathclyde Police has to offer as an employer. The slight drawback is that there is a residency requirement of three years. We recognise that and have been successful in using our community adviser programme to bring on board a number of individuals from migrant communities who have worked successfully for us as community advisers. In the past couple of weeks, one of them has gone on to join Strathclyde Police as an officer. The approach has been successful and is important to us.

We also have officers taking part in ESOL classes as part of their day-to-day business. They join the classes when they are out on patrol and build that into their beat. They have the opportunity to supplement their training and enable the community to meet the police so that we can explain what we do as a police force by engaging in policing by consent. As far as we are concerned, that has been successful as well.

The Convener: Bill, have all of your questions been answered?

Bill Kidd: Yes, just about all of them. The witnesses talked about training and co-operation between the police forces and migrant communities. Do you have specific departments for that within police forces, or do all police officers get a degree of training in that? Is everyone who is involved a generalist or are there any specialists in the police forces to deal with migrants?

Ruaraidh Nicolson: That depends very much on the individual police force. Strathclyde Police

has a diversity unit, of which Brian Gibson is in charge. All the way to Dumfries and Galloway, there will be somebody who is trained in and focused on that area of business. Whether a range of specialists is available depends on the force area.

Detective Superintendent Ross: It is much the same for us. Everybody is expected to engage with the community, whatever community they happen to have on their patch, and is encouraged to ensure that nobody in minority communities is being overlooked. They are not specialists; there is diversity training throughout the forces at an operational level. Every operational member of staff—be it a police officer or a member of support staff—must attend a diversity course. Then, as they rise through the ranks, they attend courses at different levels right up to the strategic diversity course, which is intended to show how to weave diversity through policies and strategies at the higher level. There is a fair commitment to that on the part of the forces. In each police officer's personal development report, diversity is a specific issue and they are assessed annually on how they have performed in promoting it. That demonstrates the importance that the forces attach to it.

Hugh O'Donnell: A bit like Bill Kidd, I find not only that you are all—historically, at least—good at asking questions, but that you have anticipated a lot of the questions that we were going to ask, which is a challenge.

I will start with a question for Ian Japp. I think that you were present for the evidence that was given in the previous session on some of the major challenges that we face in relation to housing and accommodation. The mission statement on your website is:

"To safeguard the welfare and interests of workers whilst ensuring Labour Providers operate within the law."

The third bullet point below that describes how you will achieve that while

"imposing the least possible burden on Labour Providers and Labour Users".

That seems to be a dichotomy in your mission statement, but that is by the by. Do you have any enforcement powers over the quality of property that is provided for workers to stay in? If so, how frequently is that power applied?

Ian Japp: I listened intently to the previous session, a lot of which concerned Glasgow, where there are unique properties and various other things. We cover the whole spectrum and we have tried to engage all the local authorities in Scotland on the issue of properties.

Angus Council has taken the lead on licensing caravan sites for agricultural workers and on enforcing houses in multiple occupancy status on the likes of bunkhouses where workers are asked to sleep, and we fully support its approach. I would much rather see six workers living in a large caravan than six workers living in a building site portakabin. On a lot of farms, eight people sleep in bunk beds in a portakabin. There is no provision whatever for cooking or washing, there are no toilet facilities and there is not even a wardrobe in which people can hang up their clothes. People have to live in those conditions for six months. It is a shocking situation and we are trying to encourage it to change.

You asked about enforcement. We recently worked closely with Tayside Fire and Rescue in connection with putting up prohibition notices where accommodation was unsatisfactory. There is currently a case in the Angus Council area involving 13 people who were put up in a bunkhouse that had no HMO licence. We are very much trying to ensure that there is enforcement.

In relation to cities, since the Gangmasters Licensing Authority was set up in 2006, we have tried to liaise with councils, in particular in relation to housing of the type that is found in Govanhill. We must be careful, though, because often the migrant workers themselves try to reduce their accommodation costs by bringing in their colleagues. We have to be sure about what is going on.

One of the most difficult issues is that if the gangmaster or labour provider provides the accommodation, they are supposed to charge no more than £31.57 per week. Where in Scotland can we get accommodation at that price? It is a huge difficulty. The issue more or less stems from the old-fashioned tradition in agriculture of supplying tied cottages. The issue needs to be looked at. A more realistic figure might help the workers more than anything else would do. We have tried to be fair and to consider what is reasonable, but the provision is that if someone is on the national minimum wage, which is £5.80 per hour, the maximum that they can be charged is £31.57 per week.

We are talking about a difficult arena. We have tried to engage with everyone and we very much support local authorities that want to take action.

Hugh O'Donnell: Does the Gangmasters Licensing Authority have the power to take direct action, for instance if the local authority is sitting on its hands? Can you circumvent the local authority or must you go through it?

Ian Japp: If the property is supplied by a gangmaster, we have powers under the Gangmasters (Licensing) Act 2004 to enter the property and ask questions. We certainly have done that. In the case in the Angus Council area,

we secured for the council evidence that it could not get itself.

Under the 2004 act, there is a power of arrest only for the offence of acting as an unlicensed gangmaster, and that does not apply to Scotland—that is another abnormality. If I go south of the border, I can use my power to arrest an unlicensed gangmaster, but there is no such power of arrest in Scotland. It would be a big help—more than anything else—if the power were extended to Scotland.

Hugh O'Donnell: I wanted you to put on the record that you have no power of arrest in Scotland.

Ian Japp: I got there in the end.

Hugh O'Donnell: When the police come across something that poses a threat to a family, I assume that they pass on the information. For example, if the police are called to a domestic and children are present or there are issues to do with the quality of the housing, how do you pass the information to the appropriate agencies?

Brian Gibson: The Govanhill hub is an example of the successful application of the approach. All the agencies that are involved in the community meet daily. They understand each other's roles and the need to solve problems, and anything that needs to be passed on is passed on. Of course, if anything comes up that involves children and requires the urgent involvement of social work, for example, we do what the police do in any family situation.

15:45

Malcolm Chisholm: Our last question, which is in two parts, is on the employment of migrant workers within the police force. First, what benefits have such workers brought? Secondly, are there any barriers to the employment of migrants within the police force? Could anything be done to facilitate the employment of more migrant workers within the police?

Brian Gibson: I have already detailed some of what we do in Strathclyde Police. We have certainly received a massive benefit from such migrants, not just from their work but from their ability to act as community advisers. Their knowledge of the police service is then passed on to the community.

In some situations, we can get round the requirement for applicants to have been resident in the United Kingdom provided that they pass the required security level. It is not as if we cannot get round the three-year residency requirement if ultimately necessary, but it is sometimes difficult to gather the necessary level of information, especially for people from eastern European countries. That is perhaps one barrier.

The language barrier can be an issue in the standard entrance examination. In Strathclyde Police, we offer standard entrance examination training for our BME and migrant communities free of charge through our diversity recruitment team. That 11-week programme, which is usually run about twice a year, gives individuals the capacity to develop themselves so that they can pass the entrance exam with a better level of understanding of what is required from them. That is some of what Strathclyde Police is doing.

Detective Superintendent Ross: Similarly, we in Tayside Police—like, I suspect, all the other forces, through the ACPOS diversity group—are aware of the need to be representative of our communities, of which migrants are a new part. As Brian Gibson has described, the language barrier can be a difficulty because, whatever way we look at it, police officers need to be very capable in spoken and written English. The other issue is vetting, given the importance of ensuring that police officers are properly and effectively vetted. We need to strike a balance between having a force that is representative of the community and not employing people whose backgrounds are unknown to us. Obviously, it would be of tremendous advantage to the serious and organised crime groups that we spoke about if they could place someone in the police. We try to strike that balance by requiring, as Brian Gibson mentioned, applicants to have been resident in the country for three years. We are all looking at that rule at the moment.

The Convener: Malcolm, are you content with that?

Malcolm Chisholm: Yes.

The Convener: Then that concludes our lines of questioning. We very much appreciate the time that everyone has taken to give evidence to the committee today, on what has been a very worthwhile day for us here in Glasgow.

I also thank those people in the public gallery who have stayed behind to listen to this afternoon's session.

Meeting closed at 15:48.

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