

***ADVISORY COMMITTEE ON THE  
FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES***

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 27 February 2017

GVT/COM/IV(2017)002

**Comments of the Government of the United Kingdom on the Fourth Opinion of the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities by the United Kingdom - received on 27 February 2017**

## **GOVERNMENT COMMENT ON Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities 4th Opinion on UK**

### **Introduction**

The United Kingdom Government thanks the Advisory Committee for their 4<sup>th</sup> Opinion on the UK under the Framework Convention for the Protection of National Minorities, and we welcome this opportunity to provide further information on our work in this area, including important developments since the Advisory Committee visited the UK in March 2016.

### **Building a fair society**

The UK Government is committed to creating a fair society in which all people, of whatever ethnic origin or background, are valued and able to participate fully and realise their own potential. The Prime Minister could not have been clearer about her determination on this issue, from the very moment she took office.

On 27 August 2016, the Prime Minister announced an audit to tackle racial disparities in public service outcomes. The audit will:

- Review Government data to identify racial inequalities in outcomes from contact with public services, and any gaps in data collection
- Publish all data in a single place so that the public can search the data to show inequalities in outcomes by geography, age or social-economic category;

The aim of the audit is to ensure a clearer focus on overall outcomes and experiences, exposing the multiple disadvantages faced by Black and Minority Ethnic groups across society, with transparency driving change. As Home Secretary, the Prime Minister published stop and search data that revealed people from black and ethnic minority communities were seven times more likely to be stopped and searched than their white counterparts. The publication helped hold police forces to account and the ratio has now reduced to four times more likely, with the aim for a continued fall.

The audit builds on the Government's goals to improve opportunity for Black and Minority Ethnic people by the end of the current Parliament in 2020. Under this 2020 Vision, the Government aims to see a 20% increase in black and minority ethnic people in employment; 20% of new apprenticeships to Black and Minority Ethnic young people; 20% more Black and Minority Ethnic people going to university; and increasing the proportion of Black and Minority Ethnic people entering our police forces and armed services.

In addition, the Government announced further initiatives to enhance race equality and tackle barriers faced by Black and Minority Ethnic communities. A senior parliamentarian, David Lammy MP, is leading a review of the Criminal Justice System in England and Wales to investigate evidence of possible bias against Black defendants and other ethnic minorities, reporting in 2017. With significant overrepresentation of Black, Asian and Minority Ethnic individuals in the criminal justice system, the review will consider their treatment and outcomes to identify and help tackle potential

bias or prejudice. Universities are being required to publish admissions and retention data by gender, ethnic background and socio-economic class. The intention is to enshrine the duty in legislation. Under the proposal, all universities will have a new 'transparency duty', part of a drive to highlight those institutions failing to improve access. Another parliamentarian, Baroness McGregor-Smith, is leading a review looking at the issues faced by businesses in developing Black and Minority Ethnic talent, from when they start work through to executive level.

### Scotland

The Scottish Government's Race Equality Framework, launched in March 2016, was developed to address the barriers that prevent people from minority ethnic communities from realising their potential and is based on the priorities, needs and experiences of Scotland's minority ethnic communities, with expertise contributed by the public and voluntary sector and academics to ensure that the Framework is practical and deliverable.

A pioneering participatory programme of engagement activities was used to ensure that a wide range of organisations and individuals, from grassroots community organisations, to practitioners working in the public and third sector, and academia, had an active role in the Framework. This enabled people with direct lived experience of racism and disadvantage, as well as a wide range of practitioners and academics, to have their voices heard in shaping the development of the Framework.

The Scottish Government's engagement has involved around 700 people from a wide variety of voluntary groups, charities, public sector organisations and citizens who took part in our strategic action forums and as part of the Community Ambassadors Programme. In summarising the information received, the Scottish Government identified core themes that reflect the views of those who engaged and from which they developed 6 themed visions with associated goals and actions.

Implementation of the Framework has been on-going within Scottish Government since March. At the launch of the Framework, the Scottish Government acknowledged the importance for the profile of the Framework and race equality to be raised and for a clear governance and accountability mechanism to be established, and the Scottish Government is committed to developing this with stakeholders.

With its key race equality partners, the Scottish Government is developing an overarching approach to implementation and monitoring in partnership with key stakeholders, including governance and review arrangements

- implementation planning mechanisms to cover the initial four year phase of work, with ongoing reviews and updates of the Framework built into longer-term planning over the 15 year period
- progress reporting mechanisms establishing a transparent, accountable approach to monitoring

The implementation plan establishes the required structures in which to progress, monitor and evaluate the implementation of the actions from the Race Equality Framework in a way which:

- Involves all relevant stakeholders from the statutory and third sectors and communities
- Makes links with wider governance and reporting structures, for example the Independent Poverty Adviser; Fair Work Commission; Fairer Scotland Action Plan
- Supports the identification and development of future goals and actions with the Race Equality Framework

The Scottish Government Equality Unit is providing over £2,800,000 for the period 2016-17 to tackle racial equality in Scotland. This includes funding of just under £500,000 to two race equality intermediary bodies (BEMIS and CEMVO) and to the Coalition for Racial Equality and Rights (CRER) to deliver against a range of actions within the Framework.

This work has included recent engagement activity with minority ethnic communities to gather views on the forthcoming changes to stop and search in Scotland and also on policing to feed into the Strategic Policing Priorities consultation. The Scottish Government announced funding of £54,000 for a multi-cultural events fund for the Year of Innovation, Architecture and Design/Winter Festivals that will take forward some actions and have been in dialogue with our key race equality strategic partners about the role and actions that they will take forward as part of our funding agreement with them.

We are also in the process of taking forward new work since the launch with key stakeholders around intersectionality to ensure a focus on this in the implementation of the Framework. We are scoping out a Youth Dialogue programme of engagement to make sure the voices of youth people are heard, and have approached youth organisations to help us with arranging these events.

On 7 December 2016, the Cabinet Secretary for Communities, Social Security and Equalities, Angela Constance, announced the appointment of Ms Kaliani Lyle as an independent Race Equality Framework Adviser. In this innovative role Ms Lyle will champion race equality and help drive forward the implementation of the Race Equality Framework for Scotland. The appointment builds on the momentum and enthusiasm seen since the launch of the Framework in March 2016, and delivers on the commitment given in the Programme for Government to appoint an independent Race Equality Framework Adviser to help deliver its key actions.

Through the Race Equality Framework, the Scottish Government has committed to co-producing with equality stakeholders and communities a plan of action to increase diversity in elected office. To meet this commitment, the Scottish Government has commissioned a proposal from a coalition of equality organisations (including race equality stakeholders) setting out activity they would like to take forward to look at representation in politics with funding of £50,000 reserved for this to be spent in the current year by 30 June 2017.

Also through the Race Equality Framework, the Scottish Government has committed to continue to drive forward activity to improve the diversity of Scotland's boardrooms, including outreach activity with disabled people and minority ethnic communities through our Public Appointments Improvement Programme. To meet this commitment, the Scottish Government is undertaking a range of activity including: working with umbrella bodies and key partners, including the Council of Ethnic Minority Voluntary Organisations Scotland (CEMVO Scotland) and PATH Scotland, to deliver

events; engaging with existing ethnic minority board members to identify and address barriers to participation, and supporting a mentoring programme for potential Chairs from underrepresented groups.

### Police officer recruitment in Scotland

Only 1-2% of applications to join the police come from people from a minority ethnic background and it is recognised there is still work to do. Police Scotland is working to increase the amount of activity that carried out with communities.

In August 2015, Police Scotland set up the 'positive action team' to drive outreach, engagement and recruitment activity within minority ethnic communities and other under-represented groups. There have been positive changes to the recruitment procedures for Police Officers, including the introduction of a standard Hijab for female police officers and the removal of the requirement for recruits to have a driving license (as evidence showed that applicants from BME backgrounds were less likely to have a licence). Also, to ensure that competency based questions in the police officer application form are not a barrier, these have been removed and replaced with more generic questions on their awareness of the role of a police officer and what relevant skills and experience the applicant has.

Police Scotland has arranged and attended a wide number of events with Muslim, Sikh and Hindu communities, organised training centre open days with Roma Slovak, Afghani and African community groups and have held 'localised candidate briefing sessions' within mosques and temples providing presentations on police officer recruitment. They have also held stalls at recruitment events and fairs and cultural centres and celebrations including Eid, Dushera and Diwali and were present at the grand opening of the new Gurdwara in Glasgow. They aim to always have officers representative of the community at each event. The team have also attended the CEMVO minority ethnic awards and the African awards held in Glasgow City Centre. In addition to the active staff diversity associations, a 'buddy' scheme has been created for BME recruits to ensure on-going support.

### Wales

The Strategic Equality Plan 2016-2020 sets out the actions to take forward the Welsh Government's equality objectives over the next four years.

The Welsh Government published its equality objectives for 2016-20 in March 2016. The eight refreshed equality objectives are based on extensive consultation and engagement with protected groups. The engagement provided protected groups with the opportunity to influence the development of the equality objectives.

Two new objectives are included which have been developed which aim to strengthen community cohesion between communities in Wales, and reduce poverty and mitigate the impacts of poverty

for high risk protected groups. The remaining objectives cover areas which featured in our previous Strategic Equality Plan and are of continuing importance, such as advice and advocacy, addressing the causes of pay and employment differences, violence against women and hate crime, supporting disabled people to live independently and diversity in public life.

The Equality Objectives for 2016-2020 are:

**Objective 1**

Put the needs, rights and contributions of people with protected characteristics at the heart of the design and delivery of all public services, in particular: health and mental health services, education, housing, social services and transport. Specifically ensure support and tackle barriers to enable disabled people to enjoy their right to independent living and have voice, choice and control in their lives.

**Objective 2**

Ensure the adequate provision of high quality, accessible advice, information and advocacy services to enable people with protected characteristics to understand and exercise their rights and make informed choices.

**Objective 3**

Identify and reduce the causes of employment, skills and pay inequalities related to gender, ethnicity, age and disability including closing the attainment gaps in education and reducing the number of people not in education, employment or training (NEET).

**Objective 4**

Reduce the incidence of all forms of harassment and abuse, including (but not limited to) violence against women, hate crime, bullying, child abuse, domestic abuse, and abuse of older people.

**Objective 5**

Deliver a more diverse pool of decision-makers in public life and public appointments by identifying and addressing barriers to engagement and participation for people from diverse backgrounds.

**Objective 6**

Strengthen community cohesion by fostering good relations, inclusion, mutual respect and understanding within and between communities across Wales.

**Objective 7**

Reduce poverty, mitigate the impacts of poverty and improve living conditions for those groups most at risk of living in low income households, particularly disabled people, lone parents, certain ethnic minority groups, and families with disabled children.

## Objective 8

Welsh Government will aim to be an exemplar in the Equality, Diversity and Inclusion agenda by 2020.

### Northern Ireland

Legislation has an essential role to play in tackling racial inequalities, eradicating racism and promoting good race relations and social cohesion.

In its Racial Equality Strategy 2015-2025, the NI Executive's first proposed action is a commitment to undertaking a review of the current Race Relations (Northern Ireland) Order 1997. This will be benchmarked to ensure that it offers at least the same levels of protection as they would under Equality Act 2010. The Strategy also commits the Executive to act on the outcome of the review with a view to new legislation being in place by the 2017-2018 Assembly Session. Its review of relevant legislation will not end at the Race Relations (NI) Order – a specific example given in the strategy is Fair Employment Legislation. The Executive is currently scoping the review of the Order and its resource implications.

The Northern Ireland Racial Equality Strategy was approved and published on 10 December 2015. The Strategy establishes a framework for action by all local Government departments:

- to tackle racial inequalities;
- to eradicate racism and hate crime; and
- along with Together: Building a United Community policy, to promote good race relations and social cohesion.

The Strategy sets out key actions and does not attempt to list all the actions that government or others need to take or will take over the life of the Strategy. Rather, it establishes a mechanism – through the Racial Equality Subgroup – to continuously develop our implementation plan and agree a monitoring and reviewing progress on implementation. It does so by presenting clear outcomes to take action on and measure against at regular intervals. This is in line with the outcomes based draft Programme for Government.

The Northern Ireland Executive will not require departments or local authorities to draw up their own action plans, although they may wish to do so. The focus when it comes to implementation of this Strategy will be on a small number of actions that will make the biggest difference. The Strategy is backed by a robust set of indicators to ensure that we are making progress.

The NI Executive is aware of gaps in its existing knowledge base. A systemic approach is needed to address this issue which lies at the heart of achieving the shared aims of the Racial Equality Strategy.

Northern Ireland's monitoring frameworks need to be reviewed to ensure they have been developed and are fit for purpose. All public bodies including Government departments and agencies need robust information to monitor inequalities, develop evidence based policy and to

plan service delivery. The previous Racial Equality Strategy acknowledged that a proper system of ethnic monitoring will allow service providers to:

- highlight possible inequalities;
- investigate their underlying causes; and
- remove any unfairness or disadvantage.

A Shared Aim in the Racial Equality Strategy 2015-2025 is to introduce ethnic monitoring across government departments. In drawing up proposals for ethnic monitoring, Government departments and agencies will draw on the experience of Department of Health.

Beyond its commitment to ethnic monitoring, the Executive recognises the need for further research. The Executive Office has commissioned researchers to report on the experiences of the Roma community and the refugee & asylum seeking community. Steering groups and key stakeholders have found the research, which directly engages with some of societies most vulnerable members, to be effective and supportive. On publication it will be a valuable policy making tool.

In addition, the Northern Ireland Executive has established the Racial Equality Subgroup to be the voice of minority ethnic people and migrants at the heart of local government there. Its role is to support and drive forward work on racial equality and good race relations and to keep the actions of the Executive informed and relevant.

The Minority Ethnic Development Fund (MEDF) provides support for voluntary and community organisations working with minority ethnic people and groups. The aim of the Fund is to assist minority ethnic and local community organisations to promote good relations between people of different ethnic backgrounds.

The MEDF is a competitive process that is fair, open and transparent. It has become an increasingly competitive process and the Fund has attracted increasing numbers of applicants and variety of projects. In 2016-17 there were 99 applications of which 32 were successful this year for a Fund worth just under £1.1 million. In order to be eligible for funding, an organisation must have aims and objectives which are designed to take account of the needs of people from a minority ethnic background. Public information sessions are made available to ensure everyone understands the details required in an application.

## **Education**

The UK Government is committed to ensuring that every child, regardless of their background, has the opportunity to progress and succeed at school. There are a number of complex and interwoven factors that influence the educational outcomes and achievements of pupils belonging to national and ethnic minorities, including Gypsy, Roma and Traveller pupils. Schools have flexibility over how they meet the needs of their range of their pupils and are held to account for the quality of their provision through school inspections, which place a particular emphasis on provision for vulnerable groups – including those from minority ethnic groups. The Department also publishes data annually



showing the attainment of pupils from key ethnic backgrounds at the end of primary and secondary school. In light of this evidence the Department continues to explore the drivers for improving attainment.

Schools are free to include a full range of issues, ideas and materials in their syllabus to expose pupils to thoughts and ideas of all kinds. All state schools (including academies and free schools) must offer a curriculum which is balanced and broadly based and which:

- promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and
- prepares pupils at the school for the opportunities, responsibilities and experiences of later life.

However, under the Equality Act 2010, schools need to ensure that the way in which issues are taught in their schools does not subject individual pupils to discrimination. Furthermore, schools are required to publish information to demonstrate how they are complying with the Public Sector Equality Duty, and to prepare and publish equality objectives.

In England, English is the default language in which schools are expected to deliver the national curriculum. However, teachers and schools have the freedom and flexibility to develop a wider school curriculum that takes into account the particular needs of their pupils as the national curriculum is just one element of a pupil's education. There is space for schools to range beyond the national curriculum specifications, if they wish to deepen their support of minority languages.

### Scotland

The Scottish Government notes the calls to effectively monitor the measures adopted to guarantee equal access to, and enhance achievements of, pupils belonging to national and ethnic minorities with particular attention to Gypsies, Travellers and Roma children to ensure they are not left behind.

Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 all listed Scottish public authorities, including the Scottish Government, have a duty to set Equality Outcomes every four years and to report progress every 2 years. In April 2013 the Scottish Government set eight Equality Outcomes to focus on over the next four years, one of which is in education:

Within the longer-term outcome that all children and young people will be able to make the most of the education opportunities available to them to reach their full potential, there will be progress by 2017 in the experience of those with protected characteristics who are currently disadvantaged or underperforming. The Scottish Government reported on progress on all eight outcomes including this one, in April 2015. The final progress report is due in April 2017.

There are a number of policy frameworks in Scotland which promote and support equality and inclusion in education and have the child at the centre, such as Additional Support for Learning policy and Getting it Right for Every Child. The promotion of diversity and equality is also an

important aspiration of Curriculum for Excellence. The OECD report Improving Schools in Scotland: An OECD Perspective (Dec 2015) observed that: *“Scottish schools are inclusive. Scottish schools do very well on measures of inclusion and mix.....”*

In response to a limited number of recommendations in the OECD report, the National Improvement Framework for Scottish Education (Jan 2016) was introduced to provide a level of robust, consistent and transparent data across Scotland. This will build understanding and drive improvements across all parts of Scottish education to close the attainment gap. The education delivery plan: Delivering Excellence and Equity in Scottish Education, launched in June 2016, sets out how the Scottish Government will work with partners to deliver excellence and equity for every child in education in Scotland. The updated (2015) national self-evaluation tool and school inspection framework *‘How Good is our School?’* includes a specific quality indicator on ensuring wellbeing, equality and inclusion to further support improvements.

In Scotland most children and young people from minority ethnic groups achieve high rates of attainment and positive leaver destinations. On the other hand, white Scottish pupils and those whose ethnicity is Not Known/Not Disclosed have the lowest rates for attainment and positive leaver destinations. A significant challenge is therefore to raise the attainment of the largest ethnic group which is white Scottish pupils.

In terms of minority ethnic groups, Gypsy/Traveller children and young people continue to experience barriers to learning and currently underperform quite significantly compared to other ethnic groups. The Scottish Government and stakeholders have developed guidance for schools and local authorities about how they can support children and young people from mobile cultures, and their families, to engage in school education. The guidance will undergo public consultation during winter 2016/17. The Scottish Government also continues to fund and support the Scottish Traveller Education Programme.

The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) requires education authorities to identify, meet and keep under review the additional support needs of pupils for whose education they are responsible and to tailor provision to their individual needs. The term ‘additional support for learning’ is deliberately inclusive - children or young people may require additional support for a variety of reasons and may include those who: have English as an additional language; are interrupted learners; or are being bullied.

The Scottish Government launched the Scottish Attainment Challenge to help deliver equity in educational outcomes, with a particular focus on closing the poverty-related attainment gap. It is supported by the £750 million Attainment Scotland Fund. The challenges that some children face are rooted outside the school gates and support for children and families in the early years is critical. The SG is committed to working together with everyone involved in children’s learning and development, including parents, communities and partner organisations, to address these challenges. In addition to improving literacy and numeracy, the Challenge will support the health and wellbeing of children in school, at home and in the community.

The Scottish Government is refreshing the National Approach to Anti-Bullying for Scotland's Children and Young People for publication in 2017 to ensure a holistic approach to anti-bullying in Scotland. It seeks to ensure that bullying of all types, including bullying experienced by minority groups, is recorded accurately and monitored effectively.

The Scottish Government continues to fund and support *respectme*, Scotland's anti-bullying service. *Respectme* work with all those engaged with children and young people to build confidence and capacity to tackle bullying effectively.

Curriculum for Excellence is designed to achieve a transformation in education in Scotland by providing a coherent, more flexible and enriched curriculum from 3 to 18 years. The curriculum includes the totality of experiences which are planned for children and young people through their education, wherever they are being educated.

The purpose of the curriculum is to develop young people as successful learners, confident individuals, responsible citizens and effective contributors.

There are a number of safeguards in place that are designed to ensure young people receive a balanced education. These include; a robust and independent school inspection regime, the positive influence on school life of Parent Councils, education authority and school management team oversight of what is being taught and presented within the school as a whole, a robust complaints process that is set out in statute, and an independent body established to set the professional standards expected of all teachers – the General Teaching Council of Scotland.

All programmes of Initial Teacher Education (ITE) in Scotland are accredited and approved by the General Teaching Council for Scotland (GTCS) as the independent, regulatory body for the teaching profession. Accreditation of ITE programmes by the Council ensures that student teachers meet the requirements of the Standard for Provisional Registration which is the first in the suite of Professional Standards of the GTCS.

At the core of the Professional Standards are four statements of professional values that are expected of all teachers and one of these statements is Social Justice. This statement expects that at the core to being a teacher is: *“Valuing as well as respecting social, cultural and ecological diversity and promoting the principles and practices of local and global citizenship for all learners.”*

The GTCS also has a Code of Professionalism and Conduct which sits alongside their Standards. The Code sets out the standards of conduct and competence expected of all registered teachers both by the Council and the public. Part 5 of the Code covers the expectations on all teachers about equality and diversity and it says at 5.1 that a teacher should: *“Engage and work positively with pupils, colleagues, parents and carers in an open, inclusive and respectful way, in line with the law and a non-judgemental approach whatever their background, personal circumstances, cultural differences, values and beliefs.”*

## Wales

Education reform is the Welsh Government's national mission and working together we will ensure that all of our young people have an equal opportunity to reach the highest standards. The national mission involves learners of all ages, a united teaching profession committed to excellence, and world-leading universities and colleges forging the strongest bonds with employers, international partners and communities at home.

The Welsh Government's new Programme for Government sets out a commitment to close the attainment gap alongside a reduction in class sizes, raise the standing of the teaching profession, delivering a sustainable higher education finance system that widens access, supports students and promote innovation and entrepreneurship in our universities and colleges. Underpinning all of this work is a belief that someone's ability to benefit from education should not be determined by their personal circumstances and a drive to reduce inequalities and remove barriers to education.

The Welsh Government continues to support ethnic minority and Gypsy, Roma and Traveller learners through grant funding within an Education Improvement Grant (EIG) provided to regional education consortia, which supports all learners. The Minority Ethnic Achievement Grant and the dedicated grant for the education of Gypsy and Traveller children became part of the EIG in 2015.

Our previous investment through dedicated grant schemes has supported the establishment of Ethnic Minority Achievement Services (EMAS) in all 22 authorities and Traveller Education Services (TES) in 19 authorities. It has enabled authorities to develop an infrastructure, and the necessary skills and expertise, to support ethnic minority and Gypsy and Traveller learners in schools. EMAS and TES provide advice and support and are a link between schools and communities.

Under the structures in place for school improvement through the National Model for Regional Working and the EIG, the lines of accountability and reporting go via local authorities and consortia. Local authorities and consortia are held to account by Estyn and the Wales Audit Office and through established mechanisms with the Welsh Government, including the Challenge and Review processes, performance data and work with the Association of Directors of Education Wales which represents the Ethnic Minority Achievement and Traveller Education Services.

The Welsh Government has developed a number of programmes of work in recent years to help support the education of Gypsy and Traveller learners, including:

- The publication of Gypsy and Traveller Education: Engaging Gypsy and Traveller Families - A Research Report in November 2014 to support effective engagement between education services and the Gypsy and Traveller community.
- Travelling Together, published in 2014 to promote Gypsy and Traveller culture and heritage within the national curriculum. It provides in-depth guidance for schools by drawing together resources produced by the Traveller Education Services across Wales and

specialised websites for the Gypsy and Traveller community. The resource was developed to support achievement, provide a culturally affirming curriculum, encourage transition and reduce the marginalisation of Gypsy and Traveller pupils.

- Work with Show Racism the Red Card to develop a bi-lingual toolkit which provides information and activities to help settle Gypsy, Roma and Traveller learners in school. It was developed in consultation with members of the Gypsy, Roma and Traveller communities and is available via the Welsh Government education platform - Hwb. The resource is designed to help remove barriers, promote understanding, and create a welcoming, inclusive school experience. The toolkit complements Travelling Together.

## **Gypsies and Travellers**

### England

The Government's aim is to ensure fair and equal treatment for travelling communities (whatever their race or origin) in a way that takes account of their traditional and nomadic way of life while respecting the interests of the settled community.

Local authorities are responsible for the provision of an adequate number of Gypsy and Traveller sites provided through the planning system. In much the same way as we expect councils to plan to meet the needs of their settled community, our Planning Policy for Traveller Sites sets out that local authorities should objectively assess their traveller needs and identify a suitable five-year supply of sites to meet their needs, taking account of national planning policy in doing so. Local authorities are making progress and in July 2016, 84% of traveller caravans were on authorised sites, significantly greater than in July 2007 when 77% of caravans were on authorised sites.

In November 2016, the Government announced an expansion of the Shared Ownership and Affordable Homes Programme 2016-21 by an additional £1.4bn for a further 40,000 housing starts by 2021, increasing the overall Affordable Homes Programme capital budget to £7.1bn up to 2021. The expanded programme now also allows a wider range of products, including Shared Ownership, Rent to Buy and Affordable Rent. Traveller pitches can be funded through the Affordable Rent element of the Programme.

### Wales

The Welsh Government welcomes the recognition of the Advisory Committee for the Housing (Wales) Act 2014 in relation to meeting the accommodation needs of Gypsy and Traveller communities. In 2011, the Welsh Government published its Gypsy and Traveller integration strategy entitled '*Travelling to a Better Future*'. Significant progress has been made towards improving social inclusion in Wales, as evidenced by the Delivery Plan update published in March 2016.

The Welsh Government welcomes the recognition of the progress achieved in a number of areas, such as housing, education, health and participation but we acknowledge that challenges remain for

the needs of Roma communities. The Welsh Government recently undertook a consultation on whether specific proposals are required to support the inclusion of migrant Roma. The responses to this consultation are currently being analysed with a view to consulting widely on a revised 'Travelling to a Better Future' in 2017.

### Scotland

The Scottish Government is continuing with work in a range of areas such as education, housing and health to achieve better outcomes for Gypsy/Travellers and are providing funding to organisations working with the community.

The problems faced by Gypsy/Travellers in Scotland are longstanding, and we recognise that progress towards better outcomes for Gypsy/Travellers has been slow. Substantial progress is likely to take time, but the Scottish Government will consult directly with members of the community on its strategic programme of work and plans to set out its progress and future plans in 2017.

The work of the Gypsy/Traveller Strategy Development Group progressed during 2014-15. A key part of the strategy was the development of an action plan to help drive the change necessary to secure improvement in outcomes. A draft action plan was considered by the Group in August 2015. The Group raised a number of issues, which were important in terms of the developing action plan and required further consideration. The Scottish Government is re-considering its overarching approach whilst continuing work to secure improved outcomes for Gypsy/Travellers in Scotland. The Scottish Government will consult directly with members of the Gypsy/Traveller community on a strategic programme of work and plan to set out its progress and future plans in 2017.

The Scottish Government does not plan to introduce a specific statutory duty for local authorities to provide Gypsy/Traveller sites and would also clarify that there has never been a specific statutory duty to do so in Scotland. Decisions about the provision of Gypsy/Traveller sites are best made at the local level, by those with local knowledge and local accountability.

The Housing (Scotland) Act 2001 already places a statutory duty on local authorities to prepare a Local Housing Strategy supported by an assessment of housing provision and related services, including for Gypsy/ Travellers. This assessment, known as a Housing Need and Demand Assessment (HNDA) uses data from a wide range of sources to estimate the current and future need and demand for housing and housing related services. The HNDA also provides evidence on the current provision and likely future requirement of sites for Gypsy/ Travellers.

Revised guidance for undertaking HNDAs was published in 2014. All HNDAs are reviewed by the Scottish Government to ensure that they achieve 'Robust and Credible' status. Having achieved this status, HNDAs are used by local authorities to develop Local Housing Strategies and Development Plans. Revised guidance on preparing Local Housing Strategies was published in 2014 and sets out clearly what should be considered by each local authority in determining what its strategy for addressing the needs of Gypsy/Travellers will be. The revised guidance can be accessed at the attached link: <http://www.gov.scot/Publications/2014/08/3070>

### Northern Ireland

The Racial Equality Strategy 2015-25 recognises that there may need to be specific programmes of work to address particular challenges and vulnerabilities facing particular groups such as Irish Travellers and the Roma.

A Thematic Group on Travellers and Roma, consisting of representatives for and those who work with the Traveller and Roma communities, will meet on these unique issues and report to the larger Racial Equality Subgroup. The Executive recognises that Roma, Gypsies and Travellers are distinct cultural groups. In addition these groups are not homogenous and have diverse traditions and members. This was considered throughout our research on Roma and will be considered when creating the Thematic Group.

### Tackling hate crime

The United Kingdom has long been a country of inward and outward migration, and we are now a very diverse society. Some 13 per cent of our population identify as belonging to an ethnic minority and members of our ethnic minority communities have made an enormous contribution to the United Kingdom's social, economic, political and cultural life.

Our surveys tell us that the vast majority of people in the United Kingdom believe that people from different backgrounds get along well with each other in their local area, and this is consistent across all major ethnic groups. In recent years, members of African, Caribbean and Asian communities have made their way to the top in many different areas: in business, in sport, in the arts, in Government, and in Parliament.

In July 2016, the UK Government published *Action Against Hate: the UK Government's plan for tackling hate crime*.

The Hate Crime Action Plan has three main themes:

- Preventing hate crime before it happens
- Increasing reporting
- Improving the service to victims

The plan includes action to tackle hate crime and incidents on-line, on public transport and in schools. The Plan includes support for True Vision an on-line reporting facility; the Anne Frank Trust, which works with young people to help them challenge prejudice and hatred; Streetwise, which tackles so-called 'casual' anti-Muslim and antisemitism in school playgrounds; and Tell MAMA which monitors and support victims of anti-Muslim hate crime. The plan was discussed and endorsed by key community stakeholders including, the Cross Government Working Group on Antisemitism, the Anti-Muslim Hatred Working Group, the Gypsy, Traveller and Roma Liaison Group and the Independent Advisory Group on Hate Crime.

In November 2016 the Home Office announced a further £300,000 for community demonstration projects that prevent and tackle hate crime, which has been supplemented by the Department for Communities and Local Government with a further £375,000 new funding for hate crime community projects.

In December 2016, the UK became the first European Union country to formally adopt the International Holocaust Remembrance Alliance working definition of anti-Semitism. The Government believes that the definition, although legally non-binding, is an important tool for criminal justice agencies, and other public bodies to understand how anti-Semitism manifests itself in the 21st century, as it gives examples of the kind of behaviours which depending on the circumstances could constitute anti-Semitism. It will be for public bodies and agencies to implement the definition and embed it within operational guidance as relevant.

In 2015-16, the Crown Prosecution Service (CPS) completed 15,442 hate crime prosecutions – the highest number since recording was introduced. The increase was seen across all monitored strands and largely due to the following three reasons:

- General improvements in crime recording practices
- Better identification of offences as hate crimes by the police, especially following significant incidents i.e. the attacks in Paris in 2015
- An increase in the number of victims coming forward to report hate crime offences.

In December 2016, the CPS held a National Scrutiny Panel on hate crimes targeting the Gypsy, Traveller and Roma communities. The panel consisted of community representatives with experience and expertise of hate crime as well as representation from the Police and Ministry of Justice. Following the panel an action plan is being developed to address how barriers to reporting can be overcome, so that we can increase public confidence within these communities to report.

On 10 October 2016, following a 10 week consultation period in which responses were received from individuals, community groups, academics and the APPG on anti-Semitism, the CPS published its revised Guidelines on Prosecuting Cases Involving Communications Sent via Social Media. The guidelines now contain a section on hate crime. The guidelines advise prosecutors that the presence of motivation or demonstration of hostility on the grounds of a protected characteristic, will mean that prosecution is more likely.

The guidelines highlight that hate crime messages may sometimes use language that prosecutors are not yet familiar with but that may cause gross offence to those to whom it relates. Prosecutors are encouraged to ensure that they fully understand the meaning and context of particular language, so that they can properly assess its impact. The Guidelines also helpfully advise prosecutors to seek further information from complainants or relevant community groups where necessary to understand hate speech and the specific terms used by offenders.

The CPS has a role to play in preventing hate crime and has committed to refreshing its schools packs in 2017 as part of the cross Government hate crime action plan called 'Action Against Hate'.



The schools packs are designed to help teachers explore issues around hate crime and bullying with young people.

In January 2015, a robust quality assurance scheme was introduced in the CPS to assess file quality and data accuracy, which has contributed to improvements in CPS hate crime performance.

The CPS Hate Crime Report was published in July 2016, covering 2014-15 and 2015-16. The report showed that in 2015-6 there were 13,032 prosecutions for racially and religiously aggravated hate crime with a conviction rate of 83.8%.

As part of this work to increase awareness and reporting, in October 2016, the CPS published two guides on recognising and reporting hate crime, one for individuals and one aimed at agencies who may be the first to hear about a hate incident.

The CPS works closely with community organisations and, in October 2016, launched three consultations on its public policy statements on prosecuting cases under each monitored strand of hate crime. These statements have been developed with the input of National Scrutiny Panels which consist of community partners with experience and expertise on hate crime.

The CPS has developed mandatory, face to face training for prosecutors on racially and religiously aggravated hate crime with input from Tell MAMA and CST. The CPS intends that the training will raise prosecutor awareness and support them in presenting evidence of hostility.

### Scotland

The Scottish Government has not seen any evidence of Scotland of an increasing climate of inter-ethnic prejudice and hate speech. The Scottish Government is clear that any form of hate crime is totally unacceptable and will not be tolerated in 21st century Scotland. Scotland has a long history of welcoming people of all nationalities and faiths, and is committed to supporting their integration into our communities. That has assumed even more importance in the aftermath of the EU referendum, when it is vital that we send a message that Scotland remains a welcoming place for all those who have chosen to make this country their home. The Scottish Government will continue to celebrate the fullness of Scotland's diversity - everyone in Scotland must be empowered to achieve their potential irrespective of gender, race, faith, sexual orientation, gender reassignment or disability.

Scotland's vision is to have strong, resilient, supportive and safe communities and to take pride in an inclusive national identity. The Scottish Government has worked hard to build close relationships and partnerships with Scotland's diverse communities and to create an inclusive and cohesive Scotland. The Scottish Government values diverse communities for themselves and for their wider societal and economic contributions.

The Scottish Government is developing proposals to work with the media and communities in partnership to further promote responsible reporting, including a more nuanced understanding of the effect that some types of reporting can have on minority communities.

The Scottish Government will continue to work with partner agencies and communities to implement a balanced and proportionate approach to safeguard vulnerable individuals from radicalising influences. Scottish Prevent continues to consider the broad spectrum of terrorist and violent extremist threat and is reflective of the particular challenges and circumstances faced within Scotland. This asset based approach prevents particular sections of the community feeling stigmatised or isolated and sits alongside wider efforts to build resilient and inclusive communities.

At the forefront of our concerns is the safety and wellbeing of vulnerable children and young people, working alongside key partner agencies including Education Scotland and Local Authorities, the Scottish Government has agreed the strategic approach to deliver Prevent in schools, which has the best interest of our young people as its primary focus.

The approach taken in Scotland aligns the strategy to existing safeguarding processes and procedures and to the Curriculum for Excellence, which defines and supports the delivery of learning and teaches the golden thread of values, tolerance and respect, children and young people will need to become responsible citizens.

To further inform our approach going forward Education Scotland are hosting a series of regional conversation events throughout 2016-17 which provide teachers and practitioners with a forum for discussion around Prevent, with the aim of:

- exploring positive examples of the approach taken by schools to support children and young people, encouraging the sharing of best practice and innovative ideas.
- identifying what further support and guidance is required by schools and practitioners in order to deliver an appropriate response to safeguard vulnerable individuals.

The Scottish Government established an Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion, which made recommendations to Ministers in September on how to make progress in tackling these issues. We are engaging with Police Scotland and the Crown Office and Procurator Fiscal Services on the issues raised within this recommendation, and will bring forward a response to the recommendations later this year. Police Scotland have developed a new e-learning module for hate crime, and both organisations are actively engaging with communities to hear their concerns and understand their issues.

### Wales

Following the EU referendum, the First Minister of Wales publically condemned any form of racism across Wales. The Welsh Government wrote to key stakeholders about the increase in hate crime following the referendum to provide further reassurances and to encourage victims to come forwards to report. This included all Police and Crime Commissioners across Wales. The First

Minister visited the Polish Welsh Association in Llanelli and the Ethnic Youth Support Team in Swansea on 30 June to discuss concerns and issues with migrants and ethnic minorities following the outcome of the EU Referendum.

In addition, for Hate crime Awareness Week 2016 the Welsh Government allocated funding to the Police and Crime Commissioners to increase awareness and community engagement across Wales with a focus on challenging underlying attitudes and behaviours. The Welsh Government also worked with Cardiff University to produce a guide on online hate crime/hate speech for young people, the general public and practitioners.

### Northern Ireland

The Racial Equality Strategy 2015-2025 was submitted to the Northern Ireland Executive in late 2015, where it received cross-party support and approval.

The strategy is supported by the First and deputy First Minister and managed by the Executive Office, who also manages Together: Building a United Community, the Executive's measure to bring all communities closer together and tackle division.

In the experience of the Northern Ireland Executive, good relations programmes do not stand in conflict with another. Promoting an attitude of conclusion and understanding does not have to be at the expense of another group. Together: Building a United Community and the race Equality Strategy intend to interact with each other, and this is a shared aim of the Racial Equality Strategy 2015-2025.

### Languages

#### Cornish language

The Government recognises the importance to people in Cornwall of their proud history and their distinct culture and heritage, including the language.

The Government has provided substantial funding of over £650,000 since 2010 to support the development of the Cornish language and is keen to work with Cornwall Council and its partners to encourage the further development of Cornish culture and heritage, complementing the devolution deal already reached with local partners.

On 2 February 2017, the Government announced the launch of a Cornish Culture Fund of £100,000 to be paid to Cornwall Council which will encourage the further development of Cornwall's distinct culture and heritage, including the language. This latest funding is in addition to Cornwall Council's core spending power of £1.7 billion over four years, from which they can allocate resources to their local priorities, including the Cornish language.

Gaelic and Scots languages

The Scottish Government's manifesto commitments provide a clear and supportive framework to support national and ethnic minorities and recognise the value that these activities have culturally, economically and socially for the whole of Scotland. That is why our funding is for a wide variety of cultural resources across Scotland. These recognise that the Gaelic and Scots languages are in use across the country and funding streams offer the bodies working through the language of their choice an opportunity to access funds to the betterment of communities.

Cultural activities are supported by local authorities and also by Scotland's principal arts body, Creative Scotland. There is also some support from Highlands and Islands Enterprise and from Bòrd na Gàidhlig in relation to Gaelic activities. Bòrd na Gàidhlig and Creative Scotland share a post for Gaelic arts and culture and work closely in relation to literature and the arts. Creative Scotland distributes funding to a wide range of organisations and projects and Bòrd na Gàidhlig does the same for Gaelic culture. Organisations that receive core funding from Bòrd na Gàidhlig align their objectives to the National Gaelic Language Plan. Objectives are co-operatively agreed.

An example of how Bòrd na Gàidhlig engage others in decision making is the National Gaelic Drama Strategy that they are currently developing. As with most of its strategies, organisations that are able to deliver on them receive a mix of core funding and additional costs for projects. These additional funds are sometimes utilised by the organisation itself to deliver an initiative and sometimes further allocated to other groups or organisations who can deliver initiatives for them. Organisations make these decisions themselves. The organisation that will deliver National Gaelic Drama Strategy will have autonomy to decide where to allocate a set amount of funding.

Communities can also apply directly to Bòrd na Gàidhlig for community funding. Taic Freumhan Coimhearsnachd (the community support fund) is designed for small groups to apply to for small community projects up to the value of £5000. Taic Freumhan Coimhearsnachd is specifically designed to be as accessible as possible to as wide a range of organisations as possible, in order to encourage and increase the day to day use of Gaelic in communities. Voluntary community organisations, social enterprises, small businesses, sporting, religious, arts and school groups have previously received assistance through this avenue of funding.

The Scottish Government has increased its spend on supporting the Gaelic and Scots languages since 2007 and has maintained these through the current difficult financial climate. This position is in recognition of the importance that the Scottish Government places on both languages and the communities who use them.

The Scottish Government has a particular aim is to create a secure future for Gaelic in Scotland. This will only be achieved by an increase in the numbers of those learning, speaking and using the language. SG support for Gaelic education, Gaelic broadcasting and Gaelic arts contributes to this aim. We will continue to build on the developments above and monitor their progress as we work towards reversing the long term decline of Gaelic speakers. Our aim is to return the number of Gaelic speakers to the 2001 Census numbers by 2021.

There have been a number of new developments over the last few years in relation to both Gaelic and Scots language.

The Scots language activities have included:

- The inclusion of a question on Scots language within the 2011 Census. The results of this showed that there are over 1.5 million people living in Scotland who are able to speak the language, or some form of dialect.
- The appointment of 4 Scots language co-ordinators to Education Scotland in 2014 to take forward the Scottish Government's priorities for Scots within education. This includes, developing resources and providing teacher training.
- The development of a Scottish Studies Award and a Scots Language Award for secondary schools (ages 12-18).
- The production of a Scots language policy by Creative Scotland in 2015.
- The appointment of a Scriever to the National Library of Scotland in partnership with Creative Scotland in 2015.
- The publication of the Scottish Government's Scots language policy in 2015.

The Scottish Government's ambition is for the Scots language to be recognised, valued and used in Scottish public and community life. The above initiatives underline our commitment to the Scots language. We will continue to build on these and monitor their progress.

The Gaelic language activities have included:

- Ensuring that Bòrd na Gàidhlig are a statutory consultee under the Schools Consultation (Scotland) Act 2010
- Passing of the Education (Scotland) Act 2016 with significant Gaelic education provisions.
- The opening of 2 new standalone Gaelic schools in Glasgow and Fort William in 2015 with another planned to open in Portree in 2017.
- Funding for MG ALBA studios and the development of the original Gaelic drama series, Bannan, which is now being distributed internationally.
- A fully funded post-graduate course to help teachers develop their Gaelic skills and transition to Gaelic Medium Education (GME).
- A national framework and teacher training course, entitled Go!Gaelic, for teaching Gaelic as a second language in primary schools.
- Ceitidh, text to speech software for children in GME with additional support needs.

Additionally, the Scottish Government is currently undertaking a number of initiatives that will support Gaelic language throughout Scotland during the next monitoring cycle. This includes the development of Statutory Guidance on Gaelic Education in line with the Education (Scotland) Act 2016 and the development of a new National Gaelic Language Plan 2017 -2022 by Bòrd na Gàidhlig.

### Welsh language

The passing of the Welsh Language [Wales] Measure 2011 confirmed the official status of the Welsh language in Wales and created a new legislative framework for the language in the form of Welsh language standards. Standards are gradually replacing Welsh Language Schemes across several sectors according to a prioritising system set by the Welsh Language Commissioner. This process of replacing Welsh Language Schemes began in March 2015, when the National Assembly for Wales approved the making of the first set of Regulations (The Welsh Language Standards (No.1) Regulations 2015) applicable to Welsh Ministers, Local Government and the National Parks. These standards formally superseded the Welsh Language Schemes of the above bodies in March 2016.

Other public sector bodies have since been introduced to the standards system. These include large national bodies and corporations; tribunals; and police, fire and rescue services. Regulations for these bodies came into force in March 2016 bringing the total of bodies under the Welsh Language Standards system up to eighty. Regulations to make standards applicable to further sectors are in the process of being made. These include the health and education sectors as well as providers of water, sewerage and social housing.

Each of the regulations drafted by the Welsh Government has the aim of:

- Improving the Welsh-language services people (of all ages) can expect to receive from organisations.
- Increasing the use people make of Welsh-language services.
- Making it clear to organisations what they need to do in terms of the Welsh language.
- Ensuring that there is an appropriate degree of consistency in terms of the duties placed on organisations in the same sector.

The Regulations made by Welsh Ministers set the range of standards which could be imposed on an organisation but it is the Welsh Language Commissioner who chooses which standards to impose on each organisation by way of a Compliance Notice. Initial draft Compliance Notices are issued to individual bodies followed by a period of consultation between the Commissioner and the individual bodies. Once final Compliance Notices are agreed and published, bodies are given a minimum of 6 months lead-in time to prepare for the formal transition from Welsh language schemes to Welsh language standards.

It is the Welsh language Commissioner's duty to monitor the bodies' compliance with the Welsh language standards. Although it is too early to say exactly how this will be carried out by the Commissioner, it may include spot-checks and investigations as well as the need for bodies to

provide annual reports. Similarly, the Welsh language Commissioner is required to provide the Welsh Government with her own annual report detailing progress made with regard to the implementation and monitoring of Welsh language standards.

The Welsh Government recently consulted on its draft Welsh Language Strategy, which outlines the vision for one million Welsh speakers by 2050. The Welsh Government recognise that the education system is the main way for ensuring that children are able to develop their Welsh skills, and for creating new speakers and that long-term planning is required to achieve this aim. The key focus at present is to strengthen planning mechanisms across all phases, and to provide support through practitioner training, the commissioning of teaching and learning resources and grants to support specific interventions, for example, increasing children and young people's informal use of the language.

The important work of strengthening the infrastructure for developing Welsh-medium provision has moved forward, however, the challenge now is to ensure that all stakeholders play their part. The Welsh in Education Strategic Plans have established a sound basis for local authorities to plan Welsh-medium education across Wales as well as bilingual and Welsh language education. The intention is therefore to build on this good work and embed any lessons learnt from the 2014-17 plans. Local authorities will be required to submit their plans for 2017-2020 to the Welsh Government by 20 December 2016 for approval, and we expect to see ambitious yet realistic targets for increasing Welsh medium provision.

### Broadcasting

In December 2016 the UK Government completed its BBC Charter review process with the publication of a new Charter for the BBC to run from the beginning of 2017, setting out the details of how the BBC will operate in the new Charter period. A White Paper, *A BBC for the Future: a Broadcaster of Distinction*, containing the Government's specific proposals for the future of the BBC was published in May 2016 following consultation with the public and industry (including 192,000 consultation responses). The Government has made a number of changes to the reforms since then to reflect the further discussions with the BBC, Ofcom and BBC Trust, as well as recommendations from the House of Commons Culture, Media and Sport Select Committee.

The new Charter commits the BBC to continued support for the minority languages of the UK with a clearer commitment to each language included in the Framework Agreement. This sets out the need for the BBC to continue to deliver output in Welsh, Gaelic, the Irish language and Ulster-Scots. There is a new commitment for the BBC to continuing their partnership with MG Alba for the next 11 years and arrangements for the continued partnership with S4C are also in place.