



UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

29th March 2018

Introduction

This paper has been written to inform the visit of the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on her visit to Scotland in May 2018. It sets out the key issues raised by Together's membership in relation to children and young people's rights, drawing from the annual *State of Children's Rights* report and other relevant research.

About Together (Scottish Alliance for Children's Rights)

Together (Scottish Alliance for Children's Rights) is an alliance of children's charities that works to improve the awareness, understanding and implementation of the UN Convention on the Rights of the Child (UNCRC) in Scotland. We have over 380 members ranging from large international and national non-governmental organisations (NGOs) through to small volunteer-led after school clubs. Our activities include collating an annual *State of Children's Rights* report to set out the progress made to implement the UNCRC in Scotland. The views expressed in this submission are based on the UNCRC and other international human rights treaties and do not necessarily reflect the specific views of every one of our member organisations.

Issues raised through the State of Children's Rights report

Together's *State of Children's Rights* report 2016 collated evidence gathered from desk research and from Together's members on key child's rights issues in Scotland to map against the Concluding Observations made by the UN Committee on the Rights of the Child in 2016. Specific issues affecting black and minority ethnic (BME) children and young people that were highlighted by the evidence include:

- **Housing:** Lack of social housing can make it difficult for a family experiencing hate crime to find safe accommodation and local authority housing policy can result in certain ethnic groups being housed in 'clusters.'¹ Some members of the BME community have raised concerns regarding discrimination in welfare and housing allocation policy which can lead to social isolation and a poor quality of life, having a particularly negative impact on children and young people who will then lack social and recreational space, resulting in poor health outcomes. Further, a child born into a BME household in 2016 was four times more likely to live in an overcrowded household.²
- **Poverty:** a child born into a BME family in Scotland in 2016 was twice as likely to be living in poverty.³
- **Domestic abuse:** particular issues facing women and children from BME communities experiencing domestic abuse includes the lack of appropriate refuge spaces for people from these communities.

¹ Together (2016). *State of Children's Rights* report, p.112. <http://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf> [Date accessed: 28.3.18].

² Ibid, p.31.

³ Ibid.

Other key issues

Data collection

There are significant gaps in Scotland concerning data collection of BME communities. Areas in which data on ethnicity is not routinely collected in Scotland, but is collected in England and Wales, include health indicators such as morbidity, patient access and experience, and prevalence.⁴

Together members have also raised concerns over the inconsistency of hate crime reporting between local authorities in Scotland. The overall number of local authorities with available data has also decreased in recent years. The Coalition for Racial Equality and Rights (CRER) reported to Together that in 2012, all 32 local authorities were able to provide them with data on hate crime. However, only 22 of 32 authorities responded to recent requests for the same statistics. There is also a lack of disaggregated data available in the reporting of hate crime in schools.

Data collection is an issue that is addressed in Scotland's Race Equality Framework. The Framework contains a range of commitments from the Scottish Government to improve data collection including to 'identify opportunities to improve the range and scope of the disaggregated ethnicity data available.'⁵

Prejudice-based bullying report

The Scottish Parliament's Equalities and Human Rights Committee undertook an extensive inquiry into prejudice-based bullying in schools in 2017. The report produced from the inquiry details the evidence that was taken on the discrimination of BME children and young people in schools and makes recommendations to Scottish Government on how bullying can be tackled in schools.⁶

Gypsy/Traveller children and young people

In Scotland, Gypsy/Traveller children and young people experience high levels of discrimination which can lead to poorer outcomes in health and education. Gypsy/Traveller children often do not complete mainstream education owing to a variety of reasons, including a lack of authorised sites, which makes long-term access to education difficult, and the abuse and discrimination experienced in school.⁷

Gypsy/Traveller children have the lowest attainment and attendance rates of any ethnic group in Scotland. Lack of adequate sites can also restrict access to healthcare, clean drinking water, and electricity. Young Gypsy/Travellers report experiencing abuse and discrimination on their sites:

"We used to have bricks thrown at us and called names every day at one site ... "

" On one site when we were shifting [moving on] last week, there were men who came to where we were camped and were throwing metal poles at our trailers."⁸

⁴ Equality and Human Rights Commission (2016). Healing a divided Britain: the need for a comprehensive race equality strategy. https://www.equalityhumanrights.com/sites/default/files/healing_a_divided_britain_-_the_need_for_a_comprehensive_race_equality_strategy_final.pdf [Date accessed: 28.3.18].

⁵ Scottish Government (2016). Race Equality Framework for Scotland, p.25. <http://www.gov.scot/Resource/0049/00497601.pdf> [Date accessed: 28.3.18].

⁶ Scottish Parliament Equalities and Human Rights Committee (2017). It's not Cool to be Cruel: Prejudice-based bullying and harassment of children and young people in schools. http://www.parliament.scot/S5_Equal_Opps/Inquiries/EHRiC_5th_Report_2017_SP_Paper_185.pdf [Date accessed: 28.3.18].

⁷ Together (2016). State of Children's Rights report, p.148. <http://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf> [Date accessed: 28.3.18].

⁸ Together (2016). State of Children's Rights report, p.92. <http://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf> [Date accessed: 28.3.18].

Prevent strategy

In 2015, the Vice Chair of the UN Committee on the Rights of the Child, Amal Aldoseri, visited Scotland in preparation for the Committee's review of the UK. She spoke to organisations working with BME children and young people, who highlighted the negative impact of the Prevent strategy on the children they work with. There is significant concern that Prevent has the potential to alienate children from different cultural backgrounds and directly infringe children's right to privacy and freedom of belief.⁹

Race Equality Framework for Scotland & the Fairer Future Panel

In 2016, the Scottish Government published the 'Race Equality Framework' which sets out how the Government will work towards equality from 2016-2030. Although the Framework provides a comprehensive overview of the Scottish Government's plans to tackle discrimination and promote racial equality, the rights of children and young people are addressed only in the section on education.

In order to involve the voices of children and young people in the implementation of the framework, the Scottish Government worked with YoungScot to establish the Fairer Futures Panel. The panel consisted of 16 young people, most from BME backgrounds with lived experience of racial discrimination in Scotland. A report was produced following the panel's research and consultations with various stakeholders over a number of months.¹⁰

Together recommends that the recommendations and ideas for change produced by the Fairer Futures Panel and included in their report are fully considered by the Scottish Government and that consultation and involvement with children and young people is fully embedded throughout the implementation of the Race Equality Framework.

Relevant civil society organisations, communities & individuals

In order to discuss these issues in more detail, Together recommends that the Special Rapporteur meets with the following organisations in Scotland. This will enable the Special Rapporteur to gain a comprehensive understanding of the issues facing children and young people who are from a BME background:

- Those that work directly with BME children and young people. For example, [Shakti Women's Aid](#), [Amina](#), and [Rape Crisis Scotland](#).
- Those that undertake research and engage in policy work on issues concerning race and racial prejudice in Scotland. For example, the [Coalition for Racial Equality and Rights](#).
- Those that work with and for Gypsy/Traveller children and young people such as [Article 12](#).
- Those that work with refugee and asylum seeking children and families, such as the [Scottish Refugee Council](#) and the [British Red Cross](#).

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⁹ Together (2016). State of Children's Rights report, p.30. <http://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf> [Date accessed: 28.3.18].

¹⁰ Fairer Future Panel (2017). Creating a Fairer Future: Young people's ideas for race equality in Scotland. https://www.youngscot.net/wp-content/uploads/2017/11/YS_Fairer_Future_Report.pdf [Date accessed: 28.3.18].