



Northern Ireland
**Council for
Racial Equality**

**A SUBMISSION TO THE
NORTHERN IRELAND HOUSING EXECUTIVE
ON
THE REVIEW OF THE RACE RELATIONS POLICY
CONSULTATION**

MAY 2019

1. Introduction

1.1 The Northern Ireland Council for Racial Equality (NICRE) was officially set up on 27 February 2017 when the previous NICEM, the Northern Ireland Council for Ethnic Minorities was under voluntary administration on 7 November 2017 due to cash-flow crisis. Ethnic minority groups strongly feel that the loss of NICEM is a setback on the policy work gained over the last two decades. After reflections and meetings, they are determined to continue the policy work previously by NICEM.

1.2 NICRE welcomes the publication of the Review Race Relations Policy 2019 Consultation as it is long overdue. We have been supported and worked with the Housing Executive over the last 15 years from the previous NICEM and now the NICRE. Your achievements have been highlighted the fact that in 2017 there were 1200 BME waiting list applicants. We are sadly to hear that from this financial year, NIHE no longer to provide accommodation for asylum seekers which was the major support on racial equality in Northern Ireland, particularly the commitment and dedicated work by the late Joe who headed up the work for NIHE. Its sill provides accommodation arrangement and support for the vulnerable Syrian Refugees under the Syrian Vulnerable Person's Relocation Scheme.

1.3 During 12 years of work NIHE through the following policy made a huge achievement internally and externally. These are:

- Mainstreaming BME issues in Policy Development
- Racial Harassment and Intimidation
- Promoting BME Social Inclusion
- Community Participation and Development
- Migrant Worker Issues

These areas of work over the last 12 years portrait the commitment of the NIHE in the field of racial equality and using funding programme of Support People to promote positive action whether it was related with asylum seekers, refugees, migrants or BME in general on your programme objectives under Social Inclusion policy above. It is a comprehensive report of the past 12 years of work of the NIHE.

1.4 Since this Review is a formal process within the meaning of Section 75 of the Northern Ireland Act 1998, I could not see the NIHE follows the robust requirements under Section 75 on both screening this policy nor have any impact assessment report on this review. WE urge the NIHE follows the requirements and/or ask the support and help from the Equality Commission of Northern Ireland.

1.5 There is lack of details on how it consults the BME community and their representative groups nor any deadline on this process. After meeting the

Head of Equality, Tony Steed, last month, I was told by my colleague in Derry/Londonderry that there will be a consultation meeting organized in May, but we do not receive any invitation as the key representative group on the BME sector.

1.6 Moreover, it is a 12 years old policy in which the circumstances change dramatically in Northern Ireland whether it is political, economic and social over that period. At least, the current Brexit uncertainty could change our life forever whether you are EU or non-EU migrants, settled BME people, asylum seekers or refugees or the ordinary local people. We do hope that through this review, the NIHE could develop a new set of policy either to affirm the existing set of policy and/or have additional priority for our future. We would like to support the NIHE in order to sing the same hymn sheet in promoting racial equality and good relations for everyone in Northern Ireland.

2. Our Comment on the Review Paper

2.1 WE support the proposed direction to link the current NIHE policy into the 1.1 Racial Equality Strategy for Northern Ireland 2015-2025 (RES) as the first start, particularly the shard aims. We will comment in turn and look at how the NIHE contribute their experiences to assist the Executive Office (TEO) on ethnic monitoring, positive action programme and evidence-based research in order to promote inclusion, participation and development on the wider racial equality and good relations between communities. The current RES did not anticipate Brexit nor have any evidence base research on its impacts towards BME people. We had raised this issue to the TEO in our first meeting with the Head of Good Relations Division and her team in March 2017 but today, in our view, there have been little movement to the implementation of the RES and its Action Plan nor link Brexit into their working mechanism. **Therefore, any policy review in viewing the uncertainty of Brexit and related cross-border and other issues, we request the NIHE delay the Review process until everything is clear at least by the end of this year. WE encourage the NIHE takes the lead to develop a better set of policy for the future racial equality and good relations.**

1.2 WE draw your attention of the first aim of the RES – Elimination of racial inequality as result our race law was outdated since the GB amended the law under the Race Relations (Amendment) Act 2000 as result of the Stephen Lawrence Inquiry Report. WE almost copied and pasted the Race Relations Act 1976 into our current law under the Race Relations (NI) Order 1997 and the subsequent amended Orders. **The 1976 Act did not apply to any public authority if there was no equivalent service provided by the private sector (judgment of Amin in the House of Lords). Moreover, the planning law is also outside the current race law which will have impacts on the Travellers. Under the Immigration law, landlord has a duty to report to the Home Office if someone has no rights to live in this country which will create a blanket discrimination. Most of the migrant workers are private rented sector tenants which constituted a substantial BME population in**

Northern Ireland. In viewing your key policy on Mainstreaming BME issues in Policy Development, the NIHE should advocate the formal review of the current race law which is under the priority of the RES.

- 1.3 WE also suggest the NIHE should use your role as the key player on the provision of public housing to benchmark the housing conditions and living standard for the private sector. Although NIHE no longer to provide accommodation for the asylum seekers under the National Asylum Support Service, you still have the Syrian Refugee Scheme which provide accommodation through private rented sector. There are two outstanding issues regarding the housing conditions and living standard. The first one is the basic facility and the level of heating and damp under the current social housing provision. As the largest landlord in Northern Ireland, your standard is required under the current law, policy and practice. The other related issue is about the level of intimidation/harassment which we will discuss in the next paragraph. **Therefore, the benchmark of the private rented sector standard could use the current social housing one for the benefits of the majority migrants who are living in private rented sector, not as politicians or local community leaders said local house for the local people.**
- 1.4 In your Racial Harassment and Intimidation policy which is also mirror to the aim 2 of the RES – Combating Racism and the Hate Crime. This policy, in our view, is the most difficult one in balance the two duties under Section 75 (1) and (2). Every time when social housing tenant from BME background experienced racial harassment and intimidation, it is the victims being removed, not the perpetrator(s). This reflects the popular politics in Northern Ireland.
- 1.5 Currently the Department of Justice has decided to appoint a Judge led Review of the Hate Crime Law in Northern Ireland. If you look at the current figures, we are talking about 1081 hate incidents and 664 hate crime between January to December 2018 (PSNI latest statistics on Hate Motivated Crime, Feb 2019). It is a downward trend. But if we put the figures on 100K population, by proportion we are the highest in United Kingdom and Northern Ireland. Monitoring data is powerful, but it could also be misinterpreted by public servants, politicians as well as community leaders. Therefore, a firm commitment to racial equality and good relations is so important in terms of policy development and social inclusion through funding programme to redress this balance.
- 1.6 Your policy on Promoting Social Inclusion through positive action programme of Support People's Fund is a good example of success. Over this long period of time, you collect and capture a lot of statistics, outcomes and impacts. It is a good time to research more in details how these projects contribute to social inclusion and promote community participation and local development. These outstanding works of the NIHE could benchmark the standard for departments and their next step agencies. It also forms part of the equality impact assessment under Section 75. This policy also links directly to aim 3 and 4 as well as indirectly to aim 5 of the RES.
- 1.7 Evidence-based research is so crucial to benchmark the standards on racial equality. Your research department have been done a lot of works to bring these

issues into public domain, particularly migrant workers' issues. Might be it is the about time to evaluate how far these research reports could get change of government policy in Northern Ireland? This could form part of the equality impact assessment report for the future.

Conclusion: NICRE will support the NIHE to on hold this review process by preparing the key documents on impact assessment on the current policies as well as clear about the Brexit on its impacts to our local economy and impacts on any ground of the Section 75 groups. This will not only fulfil section 75(1) and (2) requirements but put policy into the forefront of mainstreaming human rights and equality.

If you have any query about this submission, you could contact Patrick Yu, Secretary of NICRE at patrick@nicre.org or write to us at 7 Rugby Road, Belfast BT7 1PS.