

2005

ANNUAL REPORT OF THE

**COMMISSION FOR
RACIAL EQUALITY
IN SCOTLAND**

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FOREWORD

**By Kay Hampton,
CRE commissioner for Scotland**

Last year was one of exciting change for the Commission for Racial Equality (CRE) in Scotland. The arrival of five new staff members, including a new interim director, injected fresh energy and spirit into the organisation.

One of the high points was the publication of the report of the independent review of policing and race relations, which we commissioned. We were pleased to see Scotland's police forces making progress towards eradicating racial discrimination and promoting racial equality, and will continue to monitor their progress over the next few years.

We were equally pleased to welcome the results of the Scottish Executive's racial equality review. A national strategy and action plan, and increased support for integration throughout society, are crucial to the development of a fair and equal Scotland.

The importance of building an integrated society underpins everything we do. For us, integration is a process of negotiation based on equality of opportunity, participation and interaction for all, and it needs to be openly discussed if we are going to break down the barriers that may exist between people from different groups and communities. Last year, we promoted public debate on the subject of integration and equality, bringing together a wide range of participants from the public, private, voluntary and academic sectors. We hope that this constructive dialogue and civic participation will continue into the new equality organisation, the Commission for Equality and Human Rights (CEHR), which is set to come into existence in 2007.

During 2005, our work with the private and public sector continued to develop. However, too many public authorities still view racial equality as an appendage, rather than a central part of what they routinely do. We have given organisations considerable 'hands on' support since the amendments to the Race Relations Act came into force in 2001, but many are reluctant to provide the necessary sustained commitment and dedication to create real change.

Organisations cannot leave the promotion of racial equality to an isolated individual or group. At the same time, the continued focus on processes themselves, rather than the intended results of these processes, has resulted in increased administration, energy and resources, but little measurable change. Over the next few years, we will use our legal powers to ensure that Scotland's public authorities make real progress towards eradicating discrimination, and promoting equality of opportunity and good race relations.

The next three years will be crucial for CRE Scotland. They will also be exciting. The government has granted us the space to shape the racial equality agenda, and to leave a strong legacy for the CEHR to take on in 2009, when the CRE is expected to join. I look forward to the continuation of the joint work we do with our external partners. We will continue to use both persuasion and our powers under the law to give everyone an equal chance to live free from discrimination, prejudice and racism, but our mission for a just and integrated society can only be achieved through the joint efforts of all – policy-makers, organisations, business and individual members of civic society.

Kay Hampton

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LEGISLATING FOR EQUALITY

Throughout the year, we continued to work closely with the Scottish Executive, Scottish Parliament and Westminster to promote racial equality and integration through policy development and scrutiny of legislation.

RACIAL EQUALITY REVIEW

Despite some progress, racial inequality exists across all areas of Scottish life – in employment, in public services and in participation in our decision-making institutions. A survey released by the Scottish Executive in 2005 showed that 68 per cent of Scots want to keep immigration low, and that one in 10 Scots believes there is nothing racist about physically assaulting, or using violence towards, people from a different ethnic background.

To identify future priorities, the Scottish Executive conducted a review of racial equality in Scotland, which was carried out between June 2004 and February 2005. We greeted the review positively, because it went beyond the legal duties of the public sector, and addressed the tougher issue of cultural change. We particularly welcomed the commitments to:

- develop a national partnership for racial equality in Scotland;
- develop a national strategy and action plan;
- devote more funding to support cross-community integration, tackle racism and promote equality; and
- work with non-governmental public bodies, Communities Scotland, and community planning partnerships to improve performance, and to make sure that local authorities are complying with their duties under the Race Relations Act (RRA).

The national strategy and action plan, which will set out the basis and the direction for future work, were due to be released in June 2006.

Racial inequality exists across all areas of Scottish life – in employment, in public services and in participation in our decision-making institutions

COMMISSION FOR EQUALITY AND HUMAN RIGHTS

The Equality Bill continued its passage through Westminster during 2005. The bill will bring the Commission for Racial Equality (CRE), Equal Opportunities Commission (EOC) and Disability Rights Commission (DRC) together to form a new organisation, known as the Commission for Equality and Human Rights (CEHR). The CEHR will also cover discrimination on the grounds of age, religion or belief, and sexual orientation, and will have a remit for human rights.

We supported the introduction of the bill, and worked to make sure it provides the best possible basis for the CEHR to promote equality across Britain. Throughout 2005, we lobbied to make sure that the CEHR's legislative framework and operational planning takes into account Scotland's different political and geographic dynamics. To be effective in Scotland, appropriate powers on grant-giving and working with communities must be devolved, and the CEHR in Scotland needs adequate resourcing.

In April, we worked with the Cross Party Group on Human Rights and the EOC to organise a reception in the Scottish Parliament, which focused on the Equality Bill, the proposal for a Scottish human rights commission and the role of devolution in promoting human rights and equality. Patrick

Harvie MSP, convener of the cross-party group, and Cathy Peattie MSP, convener of the Scottish Parliament's Equal Opportunities Committee, hosted the reception. In September, we gave a written briefing on the Equality Bill to the EOC. As a member of the Equalities Coordinating Group (ECG, see p 17), we gave oral evidence to the EOC, held a meeting with Meg Munn, the deputy minister for women and equality, and organised a visit to Scotland for representatives from the Department of Trade and Industry, the sponsor department for the bill. We also organised a briefing for Scottish MPs on the bill. In December, the ECG held a governance summit, which brought together leaders working in the fields of equality and human rights, and other public opinion-formers, to inform participants about the CEHR's structure and functions, and to promote involvement in, and discussion about, it.



The Scottish Parliament building

SCOTTISH GYPSIES/TRAVELLERS

Scottish Gypsies/Travellers* are among the most marginalised members of society, routinely unable to access services that most of us take for granted. Discrimination and prejudice against Gypsies/Travellers in Scotland is widespread, and overt, fuelled by unbalanced and inaccurate media reporting. A 2005 survey carried out by young Scottish Gypsies/Travellers found that 70 per cent of Gypsy/Traveller children and young people say that their lives have not improved, or have got worse since 2001.

In 2005, we gave oral evidence to the Scottish Parliament's Equal Opportunities Committee's review of progress on the recommendations of its inquiry into Gypsies/Travellers and public sector policies. We raised concerns that progress towards dealing with the discrimination and inequalities that Gypsies/Travellers face has been slow and inconsistent. We welcomed the findings of the committee's interim report, published in October, which said that the Scottish Executive had made 'insufficient progress' in improving the quality of life for Gypsies/Travellers in Scotland.

We also helped the Scottish Gypsy/Traveller Law Reform Coalition (SGTLRC) in its bid to secure more equal accommodation rights; we gave advice and guidance about developing a draft bill for the Scottish Parliament, and about parliamentary meetings and lobbying MSPs. The bill sets out what needs to be done to provide suitable accommodation for Gypsies/Travellers; this includes more long-term and short stay or transit sites; the right to secure tenancies and to set up housing associations; and obligations on landlords to ensure that sites are kept in good repair, and include safe play areas for children and individual working spaces and facilities.

We welcomed the commitment from the deputy minister for communities to reduce the inequalities faced by Gypsies/Travellers, and the Scottish Executive's provision of funding to develop sites. We are represented on the Scottish Executive's Strategic Group on Gypsies/Travellers, which first met in October 2005.

* This report refers throughout to Gypsies/Travellers, which is the terminology recommended by the Scottish Executive.

FRESH TALENT INITIATIVE

The Scottish Executive's Fresh Talent initiative is intended to stem Scotland's population decline, by changing it from a country of emigration to one of immigration (see p 7). However, to be successful, the scheme must focus not only on attracting people to the country, but on making sure they want to stay. During 2005, we gave written and oral evidence to the Scottish Parliament's European and External Relations Committee, highlighting the challenges facing Fresh Talent. In the autumn we launched a report, *Broadening Our Horizons, Making Fresh Talent Work for Scotland*, in which we set out what needs to be done to make sure that everyone in Scotland is able to achieve their full potential in an integrated society (see p 7).

RACE EQUALITY CHAMPIONS FORUM

In November, we held our first Race Equality Champions Forum. We set up the forum to focus on race issues in the Scottish Parliament. As well as encouraging debate, one of the main aims is to identify steps that politicians and legislators can take to promote racial equality. Any member of the Scottish Parliament (MSP) can join the forum, which meets three times a year. We also invite other people with an interest in the topic being discussed to particular forum meetings. The first meeting discussed the effect that the London bombings had on race relations in Scotland; a number of action points were identified, including the need for politicians to interact with all communities in their constituency or region, and for greater scrutiny of how public authorities are fulfilling their statutory duty to promote race equality under the RRA.

During the year, we provided written briefings to MSPs on issues such as the anti-racism strategy, and the Equality Bill, and we held fringe events at the Scottish Labour, Scottish Liberal Democrats and Scottish National Party conferences.

**We held our first
Race Equality
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TOWARDS INTEGRATION

Race relations were tested in 2005 by the London bombings in July and, although Scotland did not see as much of a backlash as we feared it might, tensions were heightened. The events of the year demonstrated the need to make more rapid progress towards creating a truly integrated Scotland. Integrated societies do not emerge by themselves, nor can they be created without the joint efforts of all parts of society. We therefore continued to work with our partners to foster increased integration.

During the year, 'integration' was widely debated throughout the media and by the public. Integration is not about everyone being the same; it is about creating a country where each of us has a right to take advantage of every available opportunity, as well as a responsibility to make every contribution of which we are capable. It is what binds together a successful and diverse society to the benefit of all its members and the limitation of none. During 2005, we outlined the three prerequisites for an integrated society: equality of opportunity for all; participation in decision-making structures; and interaction, so that people live and work together, rather than side by side.

MAKING THE MOST OF FRESH TALENT

Following the success of the Fresh Talent initiative, Scotland now has one of the fastest growing immigrant populations in the UK. However, while policy makers have focused on encouraging people to come to Scotland, little attention has been paid to the wider implications of immigration.

In the summer of 2005, we held a Fresh Talent summit, which brought together members of the Scottish Executive, opposition parties, community organisations, academics, public service providers, and business representatives from across Scotland, to discuss the consequences of increasing immigration. Delegates agreed that increasing immigration can bring enormous economic, social and cultural benefits, but they also highlighted issues that policy-makers need to consider to make the most of Fresh Talent. These include:

- practical steps to foster integration and good race relations between all sections of Scottish society;
- sound planning, if public services are to accommodate the numbers that Scotland needs in order to stem population decline;
- improving employers' capacity to attract and retain newcomers; and
- a greater focus on tackling the inequalities and discrimination faced by settled ethnic minority groups.

In November, we launched a report of the summit's findings, *Broadening our Horizons, Making Fresh Talent Work for Scotland*, which set out 26 recommendations for action, including the following:

- dedicating the same amount of attention to tackling racism as is given to attracting people to Scotland;
- providing a one-stop shop to help migrants and employers find out if migrants' skills and qualifications are recognised in the UK;
- specific recognition of ethnicity and diversity in economic or enterprise programmes of work by agencies such as Scottish Enterprise, and Highlands and Islands Enterprise; and



Ali Jarvis, interim director of CRE Scotland, speaking at the summit on the Fresh Talent initiative.

CRE

■ clearer leadership in communicating the business case for racial equality, by creating a campaign to encourage business to take the lead in promoting racial equality in Scotland, on the Race for Opportunity model.

A GUIDE TO GOOD RACE RELATIONS

In the aftermath of the London bombings, we monitored the race relations climate in Scotland. Although some racially motivated incidents were recorded, we were encouraged that, for every instance of racial abuse or attack, there was also an instance of a non-Muslim reaching out to a Muslim with a message or gesture of friendship and support. The terrorists did not succeed in dividing our communities. However, the longer-term effects of the bombings remain to be seen, and renewed efforts to promote good race relations are vital.

In 2005, we published *Promoting Good Race Relations: A guide for public authorities*, to help public authorities meet the statutory duty to promote race equality and good race relations, under the Race Relations Act (RRA). Speaking at the launch, our chair, Trevor Philips, identified two goals for public authorities. The first is to ensure that all groups are able to participate equally in both public and civic life, and the second is to encourage full, healthy interaction between all social groups. The guide, which is also useful for private organisations, and the voluntary and community sectors, offers advice on how best to achieve integration, and suggests activities to promote good race relations.

Achieving an integrated society is the CRE's ultimate aim, and the whole of this report should be read with this in mind. The following sections outline the actions we took during 2005 to promote integration.

EQUALITY

One of our priorities is to tackle the discrimination and isolation that Gypsies/Travellers face. As well as our work with the Scottish Executive, Parliament and the Scottish Gypsy/Traveller Law Reform Coalition (see p 5), we began developing our own Gypsy/Traveller strategy for Scotland, which we planned to finalise and put into practice in 2006. We continued to oppose the unbalanced media reporting of Gypsy/Traveller issues. In 2005, we complained to three separate newspapers about their coverage of Gypsies/Travellers, one of which we took to the Press Complaints Commission. Although this led to some improvement, we remained concerned at the effects of inaccurate and unbalanced reporting by some sections of the media.

PARTICIPATION

Only one per cent of local councillors are from an ethnic minority group, and during the lifetime of the Scottish Parliament there has not been a single MSP from a non-white group. We began to work more closely with Scotland's political parties, to tackle the under-representation of ethnic minorities in the Scottish parliament and in local councils, and to consider possible solutions. We met two of the parties in 2005, and planned to continue this work in 2006.

A guide to help public authorities meet the general duty to promote good race relations was launched on the CRE website, and as a CD-ROM.



INTERACTION

We launched a series of policy receptions, to bring key figures in Scottish society together to debate race relations in Scotland today. The first reception - 'Does Scotland need a more ethnically diverse workforce?' - was held in May. It was chaired by Alex Neil MSP, convenor of the Scottish Parliament's Enterprise Committee, and the speakers were Elish Angiolini, solicitor general, Crown Office and Procurator Fiscal Service; Professor Richard Harrison, University of Edinburgh; William Roe, chairman of Highlands and Islands Enterprise; and Andy Willox, from the Federation of Small Businesses.



An audience member asks questions at CRE Scotland's reception, 'Does Scotland need a more ethnically diverse workforce?'

CRE

REGULATING FOR EQUALITY

We envisage a Scotland where everyone can participate fully and be treated equally and fairly without experiencing any disadvantage due to their sex, disability, race or any other personal characteristic. Many different indicators show us that we haven't reached this goal, and that there is considerable work to be done to achieve it. Our policy team worked with businesses, employers and public services, to help them make sure their actions promote racial equality.

WORK

Recent studies have shown that ethnic minorities in Scotland face an 'ethnic penalty' at work; a person from an ethnic minority group with the same skills, education and qualifications as a white person, and who lives in the same area, is more likely to be unemployed, to earn less, or to be in a more junior position than their white counterpart.

We were represented on the steering group for the Scottish Executive's national scoping study, *Minority Ethnic Enterprise in Scotland*, published in 2005. For the first time, the study demonstrated the substantial contribution that ethnic minority businesses make to Scotland's economy. While Scotland's ethnic minority population is about two per cent, ethnic minorities account for 3.6 per cent of small employers. The report also makes clear that the Scottish Executive and its business support agencies need to maximise the potential of ethnic minority businesses to contribute to Scotland's economy.

We pressed the Scottish Executive to set up a strategic group on ethnic minority employment, to tackle the problems faced by ethnic minority businesses, as well as the wider issue of racial inequality in the labour market. We worked with the Scottish Executive's equality unit to clarify the remit of the strategic group, and its short-term and long-term goals. We recommended that these should include eliminating the 'ethnic penalty'; reducing the employment gap; reducing occupational segregation; increasing access to finance and business support services; integrating new migrants into the economy; and making sure public and private sector leaders clearly communicate the need for change.

In December, we held a forum to share knowledge and get feedback on our work on ethnic minority employment, and to explore options for future work. The main topic of discussion was the Scottish Executive's strategic group, the challenges it faces, and the need for all organisations involved to work together to meet these challenges.

RACE EQUALITY IMPACT ASSESSMENT

Under section 71 of the Race Relations Act (RRA), most public authorities must set out in their race equality scheme their arrangements for assessing and consulting on the likely effects that proposed policies will have on racial equality. During 2005, we monitored certain sectors to ensure that race equality impact assessments (REIAs) were carried out properly.

In January, we advised the Executive that, although their race equality scheme had areas of strength, there were also significant weaknesses. In

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particular, we advised that they had to make arrangements for carrying out REIAs, and that commitments to publish the results of assessments, consultations and monitoring must be met.

During 2005, we focused on REIAs for the Scottish Executive's strategies on enterprise and employability. As a result of our work in 2004, the enterprise department had pledged to carry out a full impact assessment of its Smart Successful Scotland enterprise strategy in 2005. We provided a one-day training course in March for representatives from the department and the enterprise networks. We also met the head of the enterprise department, to express our concerns that the strategy had been published without completing an REIA. The assessment had still not been completed by the end of 2005.

We believe that the Scottish Executive's proposed employability policy is highly relevant to racial equality, and we therefore requested that the enterprise and development departments confirm to us that an REIA would be part of the development of this policy. We were advised that a full REIA would be completed in December 2005. However, in December, ministers were still considering the draft framework, and officials advised us that they were therefore still working on the assessment.

EMPLOYMENT CODE

In November, we published our new *Statutory Code of Practice on Racial Equality in Employment*. The purpose of the code is to enable employers to prevent unlawful racial discrimination and harassment in the workplace, and to create equality of opportunity in employment. The code sets out employers' legal obligations under the RRA, and provides guidance on how to meet them. The code is also aimed at workers, trade unions, lawyers, employers' associations, professional and trade associations, and employment and recruitment agencies.

GUIDE FOR SMALLER BUSINESSES

In 2004, we launched a CD-ROM guide to help smaller businesses recruit and retain staff. During 2005, we continued to promote the guide to employers, by attending events and exhibitions, such as the Scottish Enterprise 'Talent in Diversity' conference. Business Gateway also helped to distribute the guide at the 'NewStartScotland' exhibition, which was attended by over 7,000 visitors.

PROMOTING RACIAL EQUALITY IN THE PUBLIC SECTOR

Under the RRA, most public authorities must publish race equality schemes or policies setting out their arrangements for meeting the general duty to promote equality of opportunity and good race relations, and to tackle racial discrimination. During the early part of 2005, our policy and legal officers worked together to ensure that public authorities whose race equality schemes or policies we believed to be unsatisfactory took action to improve them (see p 13).

By March, we felt satisfied that health boards, police forces, local authorities and education authorities were all making initial progress towards meeting the statutory duties. However, while adequate schemes and



The new Statutory Code of Practice on Racial Equality in Employment was published in November, and was due to come in to effect in April 2006

policies were in place, we remained concerned that these were not, as yet, helping to reduce inequalities. Public authorities had to review their arrangements for promoting race equality by November 2005 and, between March and November, we ran training courses to help them understand what they needed to do. During this period, we also made it clear to authorities that it was not sufficient to have a competent scheme or policy on paper; it needed to lead to clear results in practice.

By 2006, public authorities will also be subject to duties to promote disability equality and gender equality. We are working closely with staff at the Disability Rights Commission and the Equal Opportunities Commission, to make sure that Scottish authorities can meet all requirements in a sustained and coordinated way. In November, we held a conference with the other two commissions, 'Public Sector Duties: Achieving Full Equality', during which we launched a joint statement setting out our expectations of the public sector.

POLICING

Our independent review of policing and race relations reported in July 2005. It was undertaken by Law at Work, and chaired by Doris Littlejohn. We welcomed the review's findings, which showed an 'encouraging picture' of the progress that Scottish police forces were making towards racial equality. However, the report also identified some weaknesses, including lack of ethnic diversity in forces, and poor communication with ethnic minority communities, and we called on forces to pick up the pace of progress. The report made 67 recommendations for further action by the police, and we set up a steering group to ensure that these are put into practice in every police force in Scotland.

HOUSING

In May, we published a consultation draft of our new statutory codes of practice on racial equality in housing. Three separate codes have been produced, for England, Scotland and Wales, bringing the two original codes (on rented and non-rented housing) together. Since the first codes were published, there have been important changes to existing legislation, the way that housing is provided and managed, and the wider context of racial equality. The new code was drawn up to reflect these changes. It makes recommendations about the practical steps that housing organisations (planning bodies, house builders, local authorities, housing associations, estate and letting agencies, tenants' and residents' associations, housing advice services and private vendors) need to take to prevent unlawful racial discrimination or harassment, and to ensure equality of opportunity and good race relations in housing. It also provides legal advice for tenants. The code ensures that people who are considering taking legal action, or who have concerns over the way decisions have been made, understand the legislation, their rights and what constitutes good practice in housing.

We put the code out for a three-month consultation period, during which we held a consultation event in Edinburgh. We received a wide range of responses, which will be considered and used to revise the code accordingly. It was due to be published in 2006.



Our chair, Trevor Philips, at the launch of our independent review of policing and race relations, with the review's chair, Doris Littlejohn.

USING OUR LEGAL POWERS

In 2005, the number of legal enquiries we received rose, as did the number of racial incidents recorded in Scotland. These increases indicated that racial discrimination and harassment remained widespread, and that more needed to be done to foster good relations between people from different racial groups. In the autumn, we appointed a new head of legal affairs for CRE Scotland, which will help us to make greater use of our enforcement powers in 2006. At the end of the year, we reviewed the criteria we use to give legal support to individuals; as a result, we planned to change the criteria to enable us to fund more cases in 2006.

ENFORCING THE DUTY TO PROMOTE RACE EQUALITY

By the end of 2004, five public authorities had 'minded letters' outstanding against them. These letters warned that they needed to take immediate action to publish a race equality scheme or policy, setting out their arrangements for meeting the duty to promote race equality under the Race Relations Act (RRA). Following receipt of the minded letter, all five authorities submitted a revised scheme or policy to us within the set deadline. However, we needed further information from them in order to make sure their schemes or policies were adequate. Our legal and policy officers worked together to make sure this information was provided, and to reassess the schemes and policies. In March, our Legal Affairs Committee agreed to rescind the minded letters to all five authorities. While this means that we were satisfied that their schemes or policies for 2002-05 were adequate, this will not prevent us from taking legal action against these authorities at any future date.

COMBATING DISCRIMINATION

Setting a legal precedent

In December, the Court of Session gave judgments in two appeals from the Employment Appeals Tribunal (EAT), both of which focused on the issue of when employment tribunals are entitled to find that direct racial discrimination has occurred. Proving that an individual has been treated less favourably on racial grounds and has therefore suffered from direct racial discrimination is always difficult, because employers and other respondents are unlikely to admit to direct discrimination. One of the cases was *Bvunzai v Glasgow City Council*, which we supported in its early stages. It was decided under rules, which, in some cases, allow employment tribunals to conclude that direct discrimination has occurred, if there is evidence that the complainant has been treated less favourably than someone else in the same situation, who is from a different racial group. The court ruled that the employment tribunal was entitled to find that direct discrimination had occurred, based on the way in which applicants had been scored in selection for the post, the fact that the council had departed from its own code of practice on recruitment and selection, and the fact that it had not provided a convincing or obviously non-racial explanation for what had taken place. Clearly, every case is determined on its own facts, but the court's judgment, as well as the

The increase in the number of legal enquiries we received this year indicated that racial discrimination and harassment remained widespread, and that more needed to be done to foster good relations between people from different racial groups

ruling in *Dhesi v Glasgow City Council*, which was decided under new rules on the burden of proof, sent a powerful message that there is ample scope for employment tribunals to uphold racial discrimination claims on the basis of an employer's unreasonable and unexplained less favourable treatment, if there is a difference in race between the claimant and another person in the same situation.

Tackling discrimination against Gypsies/Travellers

At present, in Scotland there is no case law or legal precedent which explicitly recognises that Scottish Gypsies/Travellers are a distinct racial group and should be protected under the RRA. In this respect, Scottish Gypsies/Travellers are distinct from Irish Travellers, and Gypsies, where case law has explicitly recognised both populations as being distinct racial groups, and protected as such by law. Although there are strong arguments that Scottish Gypsies/Travellers should be a distinct racial group for the purposes of the RRA, the lack of explicit legal recognition gives cause for concern. The Scottish Executive has recommended that Scottish Gypsies/Travellers should be treated as a recognised racial group when it comes to drawing up and applying legislation and public sector policies. However, this is only a recommendation, so cannot amount to more than guidance for the public sector. It does not extend to the private or voluntary sectors, where there is evidence that discrimination may be taking place.

We believe that case law recognising Scottish Gypsies/Travellers as a distinct racial group that is protected under the RRA would help to challenge discriminatory legislation and policies, and to tackle discrimination in the private and voluntary sectors. Supporting or bringing an appropriate test case to establish a legal precedent that Scottish Gypsies/Travellers are protected under the RRA is a priority for us, and we worked closely with Scottish Gypsies/Travellers during 2005, to identify areas for effective enforcement action. We planned to continue this work in 2006.

Casework

During 2005, we received 470 enquiries about potential acts of racial discrimination from individuals. This was a significant and worrying increase over 2004, when we received 334 enquiries. The ethnic group from which we received the most enquiries was Scottish Gypsies/Travellers (see Table 2). While this may partly be as a result of the work we have done with Scottish Gypsies/Travellers, it is also indicative of the level of discrimination they face. We also received an increased number of formal applications for assistance (see Table 1).

Racial equality organisations

A vital part of our legal work is to make sure that local organisations in Scotland are able to provide legal advice and assistance to individuals who claim to have suffered from racial discrimination. During 2005, we continued to refer enquiries to a number of external organisations, most of

TABLE 1: APPLICATIONS RECEIVED BY CRE SCOTLAND, 2005

	2004	2005
Employment	21	21
Non-employment	24	39
Out of scope	3	0
Total	48	60

Note: Some figures differ from those published in the 2004 Annual Report, due to classification errors.

TABLE 2: APPLICATIONS RECEIVED, BY ETHNIC GROUP, 2005

	2004	2005
White	6	5
Mixed	0	1
Asian	17	19
Black	14	8
Chinese	2	2
Other	9	25
Total	48	60

Note: The category 'Other' includes Gypsies/Travellers; we received two applications from Gypsies/Travellers in 2004, and 15 in 2005.

TABLE 3: CASES HANDLED BY ORGANISATIONS WITH CRE FUNDING, 2005

Organisation	Number of enquiries	Number of racial harassment cases handled	Number of racial discrimination cases handled
Central Scotland REC	36	33	24
Edinburgh and Lothians REC	41	23	24
Citizens Advice and Rights, Fife	9	1	15
Grampian REC	14	92	24
West of Scotland REC	90	10	26
Total	190	159	113

which we fund either completely or partly (see p 16). As the funding for some racial equality organisations began during 2005, in some cases the figures given in Table 3 do not represent a full year's work.

Transferring expertise

During 2005, our legal team revised their programme for transferring expertise to others. We re-started our quarterly complainant-aid forums, through which we provide training and support for external organisations. In October, we held a training workshop, which explained how casework fits into our legal strategy, and our plans to support other organisations to develop their ability to carry out legal work. The workshop also included an update on the legal developments resulting from the *Bvunzai vs Glasgow City Council* and the *Dhesi vs Glasgow City Council* cases, which may affect claims under the RRA (see p 13).

A vital part of our legal work is to make sure that local organisations across Scotland are able to provide legal advice and assistance to individuals who claim to have suffered from racial discrimination

WORKING IN PARTNERSHIP

Establishing and maintaining links with partners across Scotland's economic and civic sectors is a crucial part of our work. Only by working together can we make significant advances towards an equal and integrated Scotland. During 2005, we continued to work with established partners as well as forging bonds with new ones.

PROMOTING RACIAL EQUALITY AND INTEGRATION LOCALLY

We increased the funding given to those carrying out local racial equality work in Scotland through the Getting Results funding framework. Seven organisations received funding, amounting to over £226,000, to support people who believed they had experienced racial discrimination, and to promote good race relations and integration. Funding was given to some organisations to strengthen their performance in areas such as business and financial planning, which can in turn equip them to secure more funding.

TABLE 4: Organisations funded by CRE Scotland in 2005/06

Organisation	Funding
Central Scotland Racial Equality Council	£53,952
Citizens Advice and Rights Fife	£26,000
Edinburgh and Lothians Racial Equality Council	£26,000
Grampian Racial Equality Council	£41,000
Gorbals Initiative	£25,000
Prince's Trust (Scotland)	£19,000
West of Scotland Racial Equality Council	£13,000

The organisations we funded in 2005/6 to promote integration, and community capacity-building in particular, were the Prince's Trust (Scotland) and the Gorbals Initiative. The Prince's Trust (Scotland) received funding to bring together young refugees and asylum seekers and the local white and ethnic minority populations, through joint participation in music, sport and drama. The Gorbals Initiative received funding to increase the functional and operational capacity and sustainability of 30 ethnic minority and refugee community organisations, in order to help them to promote good race relations and integration, and to tackle discrimination in Glasgow.

During 2004, we raised concerns with the Scottish Executive about the lack of local advice and assistance for complainants of racial discrimination in some areas of Scotland. We therefore welcomed their announcement in 2005 of £2 million in funding for local projects to support integration, and to help organisations and communities to tackle racism and promote equality. The Executive also made a commitment in 2005 to provide more funding, worth £2.3 million, to strengthen the work of the ethnic minority voluntary sector, and to support public authorities in meeting their legal responsibilities under the Race Relations Act and delivering best value. To encourage a wider range of organisations to apply for our Getting Results funding programme in 2006/7, and to explain the application criteria and process, we held a half-day workshop in October.

Only by working together with partners across Scotland's economic and civic sectors can we make significant advances towards an equal and integrated Scotland

SCOTLAND ADVISORY BOARD

The board is not a decision-making body, but is intended to encourage influential stakeholders to get involved in our work, and to give us strategic direction. We were pleased to welcome new members to the board in 2005, who bring expertise in asylum and refugee issues, and in the experiences of Scotland's Jewish community. We also invited racial equality councils to join the board as observers, to link our work more closely with local organisations.

EQUALITIES COORDINATING GROUP

The Equalities Coordinating Group (ECG) brings together representatives from organisations working in the area of equality in Scotland, in order to become more effective by jointly influencing policy and legislative developments. As well as working on how to make sure that the forthcoming Commission for Equality and Human Rights (CEHR) works effectively (see p 4), the ECG gave an informal briefing to the Scottish Parliament's Equal Opportunities Committee, met the Minister for Communities, Malcolm Chisholm, and developed a response to the bill to create a Scottish commissioner for human rights. In September, the CRE became the convenor for the ECG. Our interim director is the Scottish representative on the Reference Group, which provides information to the equalities review and the discrimination law review, covering the whole of Great Britain. The two reviews were launched in February 2005 as part of the government's decision to set up a single equality commission.

BULLETIN

In July, we launched an electronic newsletter, *Bulletin*, to provide news of our events, publications, policy, parliamentary and legal work. Approximately 700 people subscribe to *Bulletin*, which is issued bi-monthly, and which can also be seen at our website (www.cre.gov.uk/scotland/bulletin.html).

SCOTLAND ADVISORY BOARD

CRE Scotland Commissioner

Kay Hampton

External members

Ephraim Borowski

Alice Brown

Sally Daghlian

Graham Donaldson

John Downie

Archie Graham

Anil Gupta

Jatin Haria

Tim Hopkins

Ravinder Kaur Nijjar

Ingrid McClements

Nicola Munro

Kalim Uddin

