Race Equality Framework for Scotland
Community Cohesion and Safety

Evidence Paper (Updated May 2016)

This paper is divided into four parts:

1.   Background

2.   Key terms

3.   Evidence and context

4.   Appendix: Key underpinning threads and questions

Part One: Background

The Scottish Government has renewed its approach to race equality, having worked in partnership to develop a Race Equality Framework for Scotland to promote equality and tackle racism. This Framework will be in place for 2016-2030.

The Scottish Government led on this work with involvement and input from key stakeholders and with support from the Coalition for Racial Equality and Rights (CRER).

In the lead up to the development of the Race Equality Framework for Scotland, an Interim Evidence Paper collating a range of evidence and information on community cohesion and safety in the context of race equality was provided to stakeholders to assist in engagement and help frame discussion and further research.

This Evidence Paper has now been updated following additional research. The information provided is accurate and up-to-date to the best of CRER's knowledge at the time of publication.

Please note, the information contained in these evidence papers has been gathered by CRER across a range of sources including the Scottish Government and its Agencies research publications and National or Official statistics, in order to inform the development phase of the Race Equality Framework for Scotland. Scottish Government and its staff are not responsible for any content in these papers outside its own publications.

Why take action on community cohesion and safety?

'Community cohesion and safety' was identified as one of the five priority areas[1] in the development of the new Race Equality Framework for Scotland due to the range of evidence demonstrating that minority ethnic groups are disadvantaged on a range of measures and indicators throughout these areas.

Community cohesion and community safety are closely linked policy areas, with issues in one area often being linked to issues in another.

The evidence gathered on these subjects can be found in Part Three of this evidence paper.

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[1] The other priority areas within the Framework are: participation and representation; education and lifelong learning; employability, employment and income; and health and home.

Key issues:

- Racism and prejudice are still significant issues in Scotland, and represent a disproportionate amount of the hate crime cases dealt with through the Scottish criminal justice system.

- Racism, prejudice and lack of access to criminal justice are still prevalent concerns for minority ethnic communities and individuals.

- There are significant issues surrounding community belonging and Scottish identity in relation to race equality.

- Although the Scottish Government, public bodies and civil society are undertaking approaches to reduce racism, prejudice and discrimination, not enough is known about the effectiveness of this work.

Part Two: Key terms

What do we mean by community cohesion and safety?

This section sets out the key terminology and context regarding community cohesion and safety used to develop the Race Equality Framework for Scotland.

Community cohesion

The first report to employ the term 'community cohesion' was the Cantle Report which followed the riots in a number of towns in northern England in 2001. The report considered the national and wider dimensions of community cohesion, building on the idea of 'parallel lives' and focusing on the problems between identifiable groups, based on ethnic, faith or cultural divisions and often involving a degree of racism or religious intolerance. [2]

In the UK, the most widely used definition of community cohesion, which built directly upon the Cantle report, states that a 'cohesive community' is one in which:[3]

- There is common vision and a sense of belonging for all communities;

- The diversity of people's different backgrounds and circumstances is appreciated and positively valued;

- Those from different backgrounds have similar life opportunities; and

- Strong and positive relationships are being developed between people from different backgrounds in the workplace, in schools and within neighbourhoods.

There is not a widely used Scottish-specific definition for community cohesion.

Community safety

In Scotland, a commonly used definition which was devised by the Convention of Scottish Local Authorities (COSLA) defines community safety as, "protecting people's rights to live in confidence and without fear for their own or other people's safety."[4]

In practice, community safety is about individuals feeling safe at home, at work, in a park, in the street, in a shop, in city centres, in rural areas and so on. The Scottish Community Safety Network writes:

> *"… each individual has a part to play in making communities safe regardless of circumstance such as age, how long they have lived in the community, ethnic background, gender or religious belief. It relates to quality of life and encourages*

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[3] Cantle,T. (2001). The Cantle Report: Community Cohesion: a report of the Independent Review Team
[3] Local Government Association, Office of the Deputy Prime Minister, Commission for Racial Equality, The Inter-Faith Network (2002) 'Guidance on Community Cohesion'
[4] Scottish Community Safety Network (2012) A History and Context of Community Safety in Scotland.

individuals to seek the most favourable opportunities available to them, to enable them to live their lives safely and without fear of crime and disorder."[5]

Community safety as a defined term has its origins in the late 1980s, which witnessed the beginning of political will to create safer and healthier communities where people had the opportunity to reach their potential. The UK Home Office's Morgan Report (1991) was the first to suggest that safer communities could be achieved through partnership working through bodies such as the police, the fire and rescue service, the National Health Service (NHS), local authorities and community groups.[6]

In the context of this work, community safety will be considered specifically as experienced by people from minority ethnic communities. This includes institutional issues around how the structures and practices in Scotland's criminal justice system impact on race equality.

It is noted that community cohesion should not be over-identified with public order. However we have linked community cohesion with 'safety' in the development process of the Framework, in part to reflect the Scottish Government's commitment to delivering two national outcomes of particular relevance in building safer and stronger communities, namely:[7]

- Crime – *we live our lives free from crime, disorder and danger.*
- Communities – *we have stronger resilient and supportive communities where people take responsibility for their own actions and the way they affect others.*

Other key terms

The following are some terms and ideas that were useful in framing discussion about community cohesion and safety in Scotland.

Integration

Integration is the action or process of combining separate parts into a whole, or intermixing groups that were previously divided. This term is often used in relation to minority groups and established majority populations, such as racial groups or religious groups.

In the Scottish Government's "New Scots: Integrating Refugees in to Scotland's Communities," integration is defined as, "a two way process that involves positive change in both the individuals and the host communities and which leads to cohesive, multi-cultural communities."[8]

At times, community cohesion and integration are used interchangeably.

However the Commission on Integration and Cohesion's "Our Shared Future" report states:

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[5] Scottish Community Safety Network (2012) A History and Context of Community Safety in Scotland.
[6] Ibid.
[7] The Scottish Government. National Outcomes.
[8] The Scottish Government, COSLA and the Scottish Refugee Council (2013). New Scots: Integrating Refugees in Scotland's Communities.

> *"…cohesion is principally the process that must happen in all communities to ensure different groups of people get on well together; while integration is principally the process that ensures new residents and existing residents adapt to one another."[9]*

It offers a new definition of an integrated and cohesive community as one where: [10]

- There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country.
- There is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them and what they can expect in turn.
- Those from different backgrounds have similar life opportunities, such as access to services and treatment.
- There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny.
- There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common.
- There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

Good Relations

The term 'good relations' can be traced back to the Race Relations Act 1968 which introduced measures to improve community relations through the establishment of the Community Relations Commission to 'promote good race relations.'

The subsequent Race Relations Act 1976, which as amended by the Race Relations (Amendment) Act 2000, featured the concept as part of its race equality duty for public bodies. This was carried on into the current general equality duty under the Equality Act 2010. This includes the requirement for public bodies to have due regard to the need to, "foster good relations between persons who share a relevant protected characteristic and persons who do not share it." In other words, the Equality Act 2010 extended good relations to all protected characteristics, rather than only race.

A Good Relations Measurement Framework (GRMF) was developed by the Equality and Human Rights Commission (EHRC) in 2010 following a report by the Institute for Community Cohesion (ICOCO) which outlined four areas of good relations: [11]

- Attitudes,
- Personal security,
- Interaction with others and,
- Participation and influence.

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[9] Commission on Integration and Cohesion (2007). Our Shared Future.
[10] Commission on Integration and Cohesion (2007). Our Shared Future.
[11] Cantle,T. (2001). The Cantle Report: Community Cohesion: a report of the Independent Review Team

In November 2012, the EHRC also published a report of good relations in Scotland in order to help improve the implementation and impact of the public sector duty at local level. From a 'long-list' of potential case studies, four were selected to illustrate good practice. One of the key learning points was that, "levels of understanding around good relations vary widely." [12]

Racial discrimination

Racial discrimination occurs when someone is treated unfairly or less favourably because of his or her race; this can occur in all spheres of public life. Racial discrimination does not need to be deliberate to be discrimination, and can take direct and indirect forms. [13] Treating someone less favourably than another person due to their actual or perceived race, or the race of someone with whom they are associated, is direct racial discrimination. Indirect racial discrimination occurs when there is a condition, rule, policy or practice in an organisation that particularly disadvantages people who share the protected characteristic of race. [14]

Institutional racism

The report following the Stephen Lawrence Inquiry, also known as the Macpherson Report, which scrutinised the Metropolitan Police's mishandling of their investigation into the 1993 murder of Black British teenager Stephen Lawrence, defined institutional racism as: [15]

> "… *the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.*"

In Scotland, research from CRER has shown that institutional racism is present throughout society, including in the criminal justice system, the NHS, housing, and education sectors. [16]

Intersectionality

Intersectionality considers the interaction of various aspects of identity that might be associated with a risk of inequality, such as race and ethnicity, sex, gender identity, age, religion, disability and sexual orientation. Additionally, economic class, skills, qualifications, being born in the UK and experience can change the meaning or impact that some demographic characteristics have. [17] Issues of poor equality monitoring, viewing minority ethnic groups and individuals as one group, and additional marginalisation and discrimination continue to affect minority ethnic communities. [18]

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[12] EHRC Scotland (2012): Good Relations in Scotland. Key findings from case study research
[13] Citizens Advice. Discrimination because of race.
[14] Equality Law. Types of discrimination: definitions.
[15] The UK Government. The Stephen Lawrence Inquiry.
[16] Coalition for Racial Equality and Rights. Institutional Racism: Scotland Still Has Far to Go.
[17] Joseph Rowntree Foundation. Poverty and Ethnicity: A review of evidence.
[18] Centred. Intersectionality Literature Review.

Part Three: Evidence and Context

This section sets out the context, key evidence and data available on community cohesion and safety for minority ethnic communities in Scotland. The focus is on the collation of statistical data, although the quality of the information gathered and its impact on practice is beyond the scope of this paper. It should be noted that evidence is lacking in several areas, or is not made publicly available or collected centrally.

With regard to ethnicity terminology, this paper reflects the research methods of its sources. There are differing definitions of the term 'minority ethnic'; some include only non-white groups, others encompass all groups who do not identify themselves as white British. In rare instances, all except for white Scottish are included. Where possible, we have stated that research is exploring differences between, for example, white and non-white ethnicity categories. However, many sources do not use clear definitions – for example using only 'minority ethnic', 'BME' or 'BAME,' without defining who exactly is included in these categories. In these cases we have used the terminology employed by the original authors (without judgement as to the suitability, appropriateness or validity of the terminology used).

It should be noted that this is not just an issue for research collation, but also for policy – broad headline categories fail to capture the intricacies of outcome and experience for specific minority ethnic groups.

Census Figures

The 2011 Scottish Census revealed that Scotland became more ethnically diverse from 2001 to 2011, with the non-white minority ethnic population doubling from 2% to 4% of the total population, or 210,996 people. [19] Furthermore, 221,620 individuals identified as being non-British white (including white Irish, white Gypsy/Traveller, white Polish and 'other' white) accounting for approximately 4% of the population. Non-white minority ethnic groups also had a much younger age profile than most 'white' ethnic groups. [20]

Glasgow City and the City of Edinburgh are the largest Scottish local authorities, with approximately 20% of Scotland's population. Collectively, research shows that they house 51% of the minority ethnic population, with Glasgow having a minority ethnic population of 12% and Edinburgh having 8% minority ethnic population. Aberdeen City (8%) and Dundee (6%) also have a higher percentage of minority ethnic communities than other areas of Scotland.[21] [22]

Furthermore, according to the 2011 Scottish Census, minority ethnic households overall are more likely to be in urban areas in Scotland, with 85% of African households, 78% of Pakistani households and 77% of Chinese households living in large urban areas compared to 40% of all households. The 2010 Annual Population Survey reported that 0.8% of the population in rural areas was from a minority ethnic background compared with 4% of the population in urban areas.[23]

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[19] Scotland's Census 2011. Ethnicity.
[20] Ibid.
[21] Scotland's Census 2011.
[22] Joseph Rowntree Foundation. How has ethnicity changed in Scotland?
[23] Scottish Government. Ethnicity and Rural and Environment.

It is important to note an increase in the numbers of minority ethnic individuals who were born in the UK, rather than being recent migrants. The effects and impact of some aspects of race inequality for this group will differ in ways to that of recent migrants. According to the Scottish Government's analysis of the 2011 Scottish Census, half of Pakistani and Caribbean or Black groups were born inside the UK and over a quarter of Chinese, Indian and Bangladeshi individuals were born inside the UK.[24]

Only the white Polish group indicated that less than 80% (71%) spoke, read, and wrote English well. All other ethnic groups reported above 80% speaking, reading and writing English well.[25]

Community Belonging

The Scottish Household Survey 2014 reported that those from a white ethnic background were more likely to feel very strongly that they belong to their immediate neighbourhood compared to those from a non-white minority ethnic group (37% compared to 19%).[26] This is a decrease from the 2013 survey, in which 23% of non-white minority ethnic individuals reported that they felt very strongly that they belonged to their immediate neighbourhood (the white ethnic figure was unchanged at 37%). [27]

Strength of feeling of belonging to a community by ethnicity, 2014

Adults	White	Minority Ethnic
Very strongly	37%	19%
Fairly strongly	41%	40%
Not very strongly	16%	20%
Not at all strongly	5%	17%
Don't Know	1%	4%

Source: Scottish Household Survey 2014

The Scottish Social Attitudes Survey 2010 found that 19% of those in Scotland do not know anyone who is from a different racial or ethnic background, and only 36% have a friend from a different racial or ethnic background.[28]

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[24] Scottish Government. Analysis of Equality Results from the 2011 Census.
[25] Scottish Government. Analysis of Equality Results from the 2011 Census.
[26] The Scottish Government. Scotland's People Annual Report: Results from the 2014 Scottish Household Survey.
[27] Ibid
[28] The Scottish Government (2011). Scottish Social Attitudes Survey 2010: attitudes to discrimination and positive action.

Contact with different groups of people: Anyone who is from a different racial or ethnic background, 2010

	Anyone who is from a different racial or ethnic background
No, does not know anyone with this characteristic	19%
Yes – a family member	8%
Yes – a friend	36%
Yes – someone they know very well	19%
Yes – someone at work	18%
Yes – someone else	15%
Not sure	4%

Source: Scottish Social Attitudes Survey 2010

The survey also questioned individuals about their feelings about different groups marrying or forming long-term relationships with a family member. 37% of respondents reported that they would be unhappy or very unhappy if a family member married or formed a long-term relationship with someone who was a Gypsy/Traveller, with 9% unhappy or very unhappy if the person was Black or Asian.[29]

Furthermore, 34% of those surveyed felt that it was a bad or very bad use of government money to provide information about public services in other languages for those who do not speak English very well. 42% believed it was a bad or very bad use of government money to support organisations that help Gypsy/Travellers find work, and 28% felt the same for organisations that help Black and Asian people.[30]

The Scottish Government's strategy "New Scots: Integrating Refugees in Scotland's Communities" details, among other things, an action plan to improve communities and social connections for refugees and asylum seekers. Research associated with the strategy found that people living in Scottish communities report that having good relationships with people in their local neighbourhood is important to them. The attitudes of the local population have a significant impact on how refugees view their lives and whether they feel safe and connected to the neighbourhood and wider community. As a majority of refugees and asylum seekers have no family living in Scotland, and just under at third meet their friends only once every fortnight or less, social isolation is a concern, as a range of social connections are needed to integrate and form a cohesive society.[31]

Scottish Identity and Heritage

The Scottish Social Attitudes Survey 2010 found that 46% of people agreed that Scotland would begin to lose its identity if more people from Eastern Europe came to live in Scotland, while 45% believed this would happen if more Black and Asian people came to live in Scotland.[32]

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[29] The Scottish Government (2011). Scottish Social Attitudes Survey 2010: attitudes to discrimination and positive action.
[30] Ibid.
[31] The Scottish Government. New Scots: Integrating Refugees in Scotland's Communities.
[32] The Scottish Government (2011). Scottish Social Attitudes Survey 2010: attitudes to discrimination and positive action.

Response to questions about immigration and Scotland's identity, 2010

|	Agree / strongly agree	Neither agree nor disagree	Disagree / disagree strongly
Scotland would begin to lose its identity if more Muslims came to live in Scotland.	49%	20%	30%
Scotland would begin to lose its identity if more people from Eastern Europe came to live in Scotland.	46%	20%	33%
Scotland would begin to lose its identity if more Black and Asian people came to live in Scotland.	45%	22%	31%
People from outside Britain who come to live in Scotland make the country a better place.	32%	41%	26%

Source: The Scottish Social Attitudes Survey 2010

The Centre on Dynamics of Ethnicity conducted a study on the reporting of a Scottish national identity in the 2011 Scottish Census. The study found that: [33]

- 83% of Scotland's residents feel Scottish.
- 61% of Scotland's residents identify as being white Scottish and feel that Scottish is their only national identity.
- 22% are from other ethnic groups (besides white Scottish) who feel they have a Scottish national identity, or are white Scottish individuals whose Scottishness is combined with British or other national identities.
- Being born in Scotland makes people feel Scottish, with 94% of the Scotland-born choosing Scottish as their national identity, but less than half born outside Scotland doing so.
- Groups with longer-established populations in Scotland are more likely to choose Scottish as their national identity, such as the Pakistani population.
- Groups with more recent migrations to Scotland are more likely to choose a non-UK national identity, rising to 80% with the Polish population in Scotland.
- About 25% of Scotland's residents born outside of Scotland feel Scottish, regardless of where they were born.
- For some ethnic groups such as Pakistanis, Bangladeshis, Africans, Indians and Chinese, a British only ethnicity was chosen as frequently as a Scottish only ethnicity, perhaps reflecting the emphasis on British citizenship regulations.
- Almost all non-white minority ethnic groups are more likely to claim a Scottish identity in Scotland than an English identity in England.
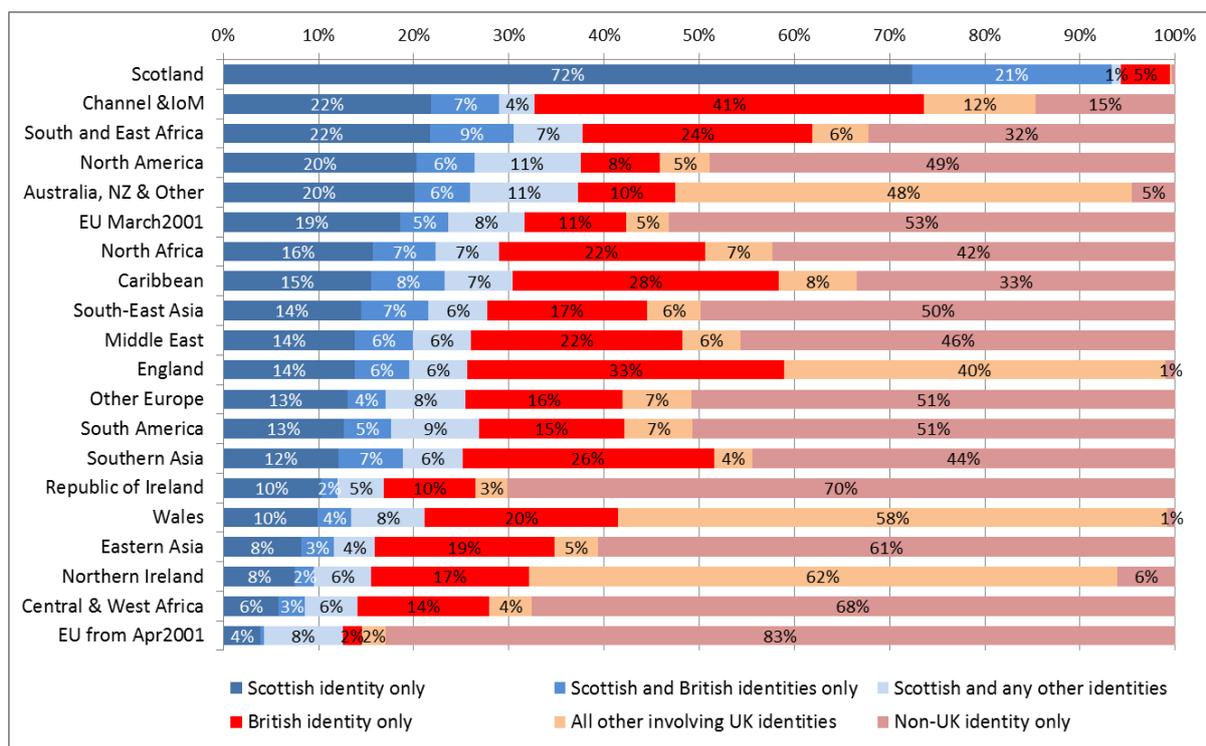
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[33] Simpson, L. and Smith, A. Centre on Dynamics of Ethnicity (2014). Who feels Scottish? National identities and ethnicity in Scotland.

National identity and ethnic group, Scotland, 2011[34]
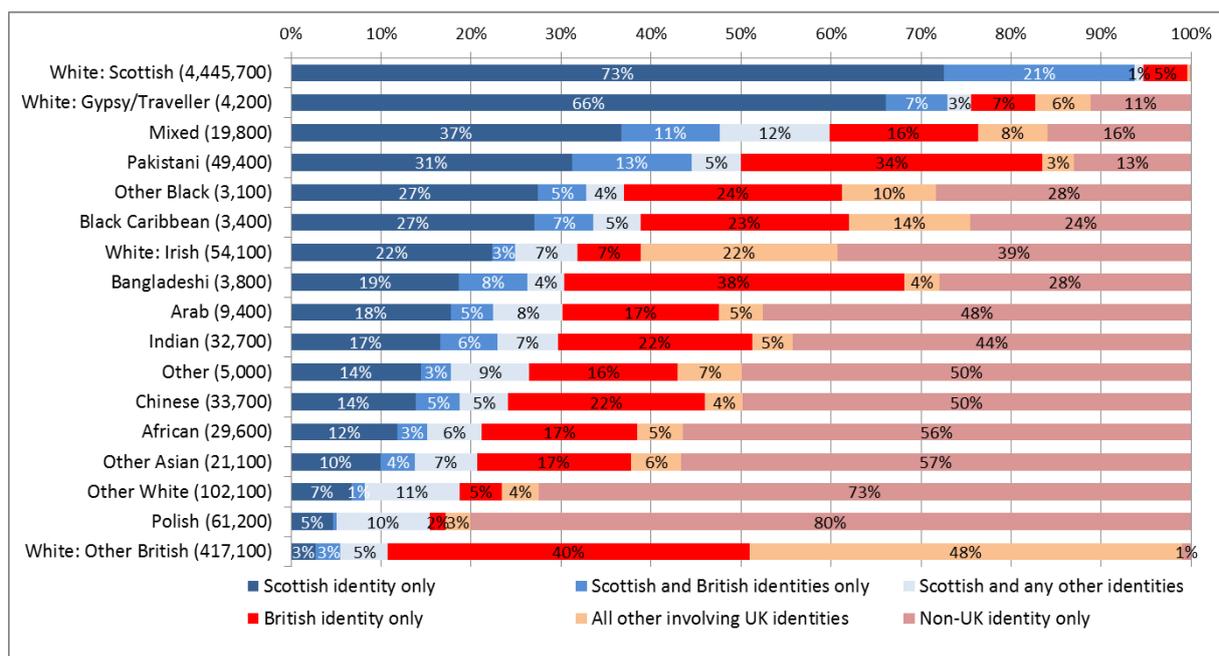
Source: Who feels Scottish? National identifies and ethnicity in Scotland

National identity and country of birth, Scotland, 2011[35]

Source: Who feels Scottish? National identifies and ethnicity in Scotland

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[34] Simpson, L. and Smith, A. Centre on Dynamics of Ethnicity (2014). Who feels Scottish? National identities and ethnicity in Scotland.

[35] Ibid.

A UK-wide study by the Commission for Racial Equality found that Britishness was represented in eight distinct dimensions including: geography, national symbols, cultural habits and behaviours, citizenship, people, values and attitudes, language and achievements. The study also noted that in Scotland, there was a stronger identification with being Scottish than with being British.[36]

For many participants, Britishness was particularly associated with ethnic diversity. However, the emotional significance of this was different for white participants (for most of whom ethnic diversity has negative connotations) and non-white minority ethnic participants (for whom ethnic diversity was more positive).[37]

Just as white Scottish, English and Welsh participants identified strongly with own country, many non-white minority ethnic participants saw their place of origin (or that of their parents) as important to who they were. In particular, Asian participants were more likely to feel both British and Asian, whereas African participants were more likely to feel exclusively African. This may be due to histories relating to migration and colonialism.[38]

For a majority of participants, identity was fluid, and most became aware of their identity when faced with difference (such as in relation to internal conflict), international competition, travel, migration, self-presentation (such as when completing an ethnic monitoring form) or racism and discrimination.[39]

Community Relations

Research from the EHRC found that, although participants generally talked about good relations on a community level and in terms of neighbourliness, people struggled with the term and did not use it in everyday life. The ideas of fairness and equality were more likely to resonate with participants and there was agreement that good relations were key to bringing about fairness and equality. [40]

In relation to race specifically, participants felt that people were sometimes treated unfairly because they were different; race was one of the main characteristics mentioned by participants when commenting on the need to avoid making judgements on people based on personal characteristics. However, participants also felt that there was too much emphasis on the rights of minority ethnic individuals.

Racial Discrimination and Racial Prejudice

The Scottish Household Survey 2014 reported that the most common reason individuals gave for why they thought they had experienced discrimination was their actual or perceived

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[36] Commission for Racial Equality (2005). Citizenship and Belonging: What is Britishness?
[37] Ibid.
[38] Ibid.
[39] Commission for Racial Equality (2005). Citizenship and Belonging: What is Britishness?
[40] Dobbie, F., Arthur, S., and Jones, N. ScotCen and Nat Cen. Equality and Human Rights Commission (2010). Research Report 54: Building understanding of fairness, equality and good relations in Scotland.

ethnic group (32%).[41] The survey also found that 21% of those from a non-white minority ethnic group had experienced discrimination, compared with 6% of those from a white ethnic group.[42]

Research led by the University of Strathclyde found that a third of Black and minority ethnic (BME) Scots experienced racial discrimination in the last five years. It also reported that: [43]

- 82% of these felt that this was due to their perceived ethnicity, while 44% felt it was due to their religion.
- Three-fifths of those who experienced discrimination did not report it to any authority, although 82% said they would encourage a friend or relative to do so.
- A significant portion – 34% - felt that discrimination was a widespread problem in Scotland.
- Respondents reported experiencing discrimination in a variety of settings, including in education, in employment and on public transport.

The Scottish Social Attitudes Survey details public attitudes in Scotland towards discrimination and positive action. The 2010 iteration reported that 28% of people felt that there was sometimes a good reason to be prejudiced against certain groups.[44]

Comparison of responses to questions about immigration and prejudice demonstrated that those who do not believe immigration from people outside of Britain makes Scotland a better place were more likely to believe there was a good reason to be prejudiced sometimes. This difference was much larger than those based on the social or economic differences between respondents.[45]

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[41] The Scottish Government (2015).Scotland's People Annual Report: results from the 2014 Scottish Household Survey.
[42] Ibid.
[43] Survation (2014). Third of BME Scots have experienced discrimination in the last five years – Survation for Dr. Meer, University of Strathclyde
[44] The Scottish Government (2011). Scottish Social Attitudes Survey 2010: attitudes to discrimination and positive action.
[45] Ibid.

Attitudes to prejudice by comfort with diversity, 2010

	Scotland should get rid of all prejudice	Sometimes there is a good reason to be prejudiced	It depends
All respondents	66%	28%	4%
People from outside Britain who come to live in Scotland make the country a better place			
Agree strongly	89%	9%	-
Agree	80%	15%	3%
Neither	65%	29%	5%
Disagree	54%	41%	4%
Disagree strongly	29%	63%	8%

Source: Scottish Social Attitudes Survey 2010

Furthermore, 37% agreed that those who come to Scotland from Eastern Europe take jobs away from other people in Scotland, while 31% believed the same in relation to minority ethnic groups in general.[46]

Similarly, 2014 NatCen research showed that in 2013 25% of people in Scotland admitted to some level of racial prejudice compared to 29% in total across the all British regions. Throughout Britain, this has fluctuated from 25% in 2001 up to 38% in 2011.[47]

Racial Bullying

A report from CRER on racist incident reporting in Scottish schools found that not all local authorities collected information consistently over time. Current approaches to recording racist bullying in schools have damaged confidence in the concept, with schools collecting information but not using it to tackle racism. Across Scotland, policies and practices varied widely.[48]

According to the research, in 2010-2011: [49]

- The highest number of racist incidents in schools occurred in Edinburgh and Glasgow;
- Per 100 pupils, Edinburgh and East Renfrewshire had the highest rates; and,
- Per 100 non-white minority ethnic pupils, West Dunbartonshire, South Ayrshire and Renfrewshire had the highest rates.

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[46] The Scottish Government (2011). Scottish Social Attitudes Survey 2010: attitudes to discrimination and positive action.
[47] NatCen Social Research (2014). 30 years of British Social Attitudes: self-reported racial prejudice data.
[48] Young, C. Coalition for Racial Equality and Rights (2012). Racist Incident Reporting in Scotland's Schools.
[49] Ibid.

However, the authors question the robustness of the data provided due to inadequacies in the reporting and recording of incidents, with underreporting very likely.

Information from the Scottish Government's triennial Behaviour and Scottish Schools Report, although based on a relatively small sample size, reveals that:[50]

- In primary school, 2% of teachers deal with one or more racist incident per week, along with 5% of head teachers.
- In secondary school, 3% of teachers deal with one more racist incident per week, along with 5% of head teachers.

This should be treated with caution, however, due to underreporting and inconsistency in policies and practices.

Research undertaken by the EHRC on prejudice based bullying in Scottish schools found that 56% of teachers were aware of racist bullying within their schools, which was the highest proportion of all prejudice based bullying in the survey.[51]

A Freedom of Information request in 2013 made by the Scottish Liberal Democrats to local councils revealed that there were 1,274 recorded racist incidents in Scottish schools in the two years previous. In total, 730 were reported in primary schools and 544 in secondary schools. This amount accounts for the 75% of local authorities which responded to the request.[52]

Racial Harassment

The Scottish Household Survey 2014 stated that, overall, 5% of people reported experiencing harassment. Of these, 18% – the highest proportion besides those answering "other" – believed they had experienced harassment because of their ethnic group. The survey also reported that 14% of those from a non-white minority ethnic background had experienced harassment, compared to 5% from a white ethnic background.[53]

The Scottish Crime and Justice Survey 2012-2013 found that of those who had experienced some form of harassment in the past year, 10% felt it was due to their ethnic origin or race, which was a greater percentage than harassment due to religion, sectarianism, disability, sexual orientation or age.[54]

In response to the 1999 Stephen Lawrence Inquiry, the then Scottish Executive produced an action plan in 2001 to progress on recommendations from the inquiry. This included the statistical collection of racist incidents, which are defined as, "…any incident which is perceived to be racist by the victim or any other person."[55]

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[50] The Scottish Government. Behaviour in Schools Scottish Report 2012.
[51] Lough Dennell, B.L. and Logan, C. Equality and Human Rights Commission (2015) Prejudice-based bullying in School Schools.
[52] BBC Scotland. Figures show 1,274 racist incidents in Scottish schools.
[53] The Scottish Government. Scotland's People Annual Report: Results from the 2014 Scottish Household Survey.
[54] The Scottish Government (2015). Scottish Crime and Justice Survey 2014-2015: Main findings.
[55] The Scottish Executive (2001). The Stephen Lawrence Inquiry: An Action Plan for Scotland.

A 2001 audit of research on minority ethnic issues in Scotland reported that racial harassment or abuse was a regular feature of the lives of many people from minority ethnic groups, including experiencing damage to property and physical abuse.[56]

The report suggested that minority ethnic people living in low-density residential areas or outside inner city areas may be at a greater risk than those living in high-density areas due to the small numbers of minority ethnic people within rural areas of Scotland.[57] A 2005 study found similar, and reported that the safest areas for minority ethnic people were those which had a large minority ethnic population; those living in rural areas were found to be more vulnerable to racism.[58]

A 2011 Joseph Rowntree Foundation study on poverty and ethnicity in Scotland found that minority ethnic communities are disproportionately represented in low paid sectors, homelessness and overcrowding.[59] As such, "…fear of racial harassment among certain ethnic groups may be viewed as symptomatic of social deprivation in that it hinders the integration of these groups into local communities and limits opportunities for play and quality of life." In some cases, harassment was a factor that drove individuals into other accommodation; concern extends to the safety of children in the immediate neighbourhood and in schools in the catchment area, which influences parents' choice of accommodation. [60]

A study on minority ethnic young people in Edinburgh and Glasgow in 2007 observed that many young people simply accepted verbal harassment as part of everyday life, and would not consider reporting it to the police. Young people were, however, more likely than older people to name racism and speak about their experiences of racism.[61]

Racist Incidents

According to statistics published by the Scottish Government, in 2013-2014, there were 4,807 racist incidents recorded by the police, which is a 3.9% increase from 2012-2013 when 4,628 incidents were recorded. Of these, 94.7% of racist incidents recorded by the police resulted in at least one crime being recorded, with 5,520 crimes being recorded in 2013-2014, which is a 5.6% increase from 2012-2013. [62]

The publication also reported that: [63]

- The most common crimes/offences recorded were 'racially aggravated conduct' (47.8%), 'breach of the peace, etc.' (28.1%) and 'common assault' (12.3%).

[56] Netto, G., Arshad, R., de Lima, P., Diniz, A., MacEwen, M., Patel, V., and Syed, R. The Scottish Executive Central Research Unit (2001). Audit of research on minority ethnic issues in Scotland from a 'race' perspective.

[57] Ibid.

[58] De Lima, P (2005) Addressing racial harassment in rural communities.

[59] Issues surrounding employment, income and housing are detailed in additional evidence papers.

[60] Netto, G., Sosenko, F., and Bramley, G. Joseph Rowntree Foundation (2011). Poverty and ethnicity in Scotland: Review of the literature and datasets.

[61] . Frondigoun, H. C., Hughes, B., Russell, L., Russell, R., and Scott, G. Report for Strathclyde and Lothian and Borders Police (2007) Researching ethnic minority young people in Edinburgh and Greater Glasgow Area.

[62] The Scottish Government (2015). Racist Incidents Recorded by the Police in Scotland 2013-2014.

[63] Ibid.

- Where gender was known, males were more likely to be a victim/complainer of a racist incident, with 14.5 per 10,000 of the population compared to 5.8 per 10,000 for females.
- Where the ethnicity of the victim/complainer was known, those with a Pakistani ethnic background were the most likely per 10,000 of the population to be the victim/complainer of a racist incident with 22.42 per 10,000 of the population, followed by those with an African, Caribbean or 'other' Black background with 189.9 per 10,000 and those with an Indian background with 104.0 per 10,000. The Scottish average is 10.6 per 10,000.
- When action was taken by the police, 81.3% of perpetrators were referred to the Procurator Fiscal or the Scottish Children's Reporter.
- There was a 77% clear up rate[64] on crimes recorded as part of a racist incident, with variance depending on the crime recorded as part of the incident, and the most common crimes recording clear up rates of 83.8% ('racially aggravated conduct') and 73.4% ('breach of the peace, etc.').
- Where gender was known, males were more likely to be the perpetrators of a racist incident, with 13.0 perpetrators per 10,000, compared to 3.6 per 10,000 for females.
- The highest number of racist incidents recorded per 10,000 of the population was in Glasgow City (20.7 per 10,000) and the City of Edinburgh (19.2 per 10,000).
- 36.0% of incidents occurred on a street, 20.5% in a dwelling house and 13.5% in a shop.

The publication uses the term 'victim/complainer' when reporting statistics, which means that the victim/complainer may not necessarily be the person at whom the racially aggravated behaviour was targeted. While this reflects the fact that a victim or any other person can perceive an incident to be racist and report it, it can make it difficult to establish the demographic profile of the actual victims of racist incidents, which is particularly important in regards to ethnicity.[65]

Also, when analysing the ethnicities of victim/complainers and perpetrators of racist incidents, it is important to note that due to differences in the sizes of ethnic groups in Scotland, the rate per 10,000 of the population is particularly important.

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[64] In Scotland, a crime or offence is cleared up when there is thought to be enough evidence to justify consideration of criminal proceedings, unless a report is not submitted to the Procurator Fiscal due to either a warning from the police to the accused due to the minor nature of the offence (with agreement from the Procurator Fiscal) or reporting is inappropriate due to the non-age of the accused, the death of the accused, or similar.

[65] The Scottish Government (2015). Racist Incidents Recorded by the Police in Scotland 2013-2014.

Ethnic group of victims/complainers of racist incidents in Scotland, 2013-2014

Ethnic Group	2013-2014	% breakdown 2013-2014	Rate per 10,000 population based on 2011 Census
White British	1423	27.2%	2.9
White Irish, Gypsy/Traveller, Polish White and Other White	733	14.0%	33.1
Pakistani	1107	21.2%	224.2
Indian	340	6.5%	104.0
Bangladeshi, Chinese and Other Asian	541	10.3%	92.3
African, Caribbean and Other Black	687	13.1%	189.9
Mixed and Other	399	7.6%	116.9
Unknown	396	-	-
Total	5626	100.0%	10.6

Source: Racist Incidents Recorded by the Police in Scotland 2013-2014, Tables

Ethnic group of perpetrators of racist incidents in Scotland, 2013-2014

Ethnic Group	2013-2014	% breakdown 2013-2014	Rate per 10,000 population based on 2011 Census
White British	3844	90.4%	7.9
White Irish, Gypsy/Traveller, Polish White and Other White	208	4.9%	9.4
Indian, Pakistani, Bangladeshi, Chinese and Other Asian	96	2.3%	6.8
African, Caribbean and Other Black	51	1.2%	14.1
Mixed and Other	53	1.2%	15.5
Unknown	357	-	-
Total	4609	100.0%	8.7

Source: Racist Incidents Recorded by the Police in Scotland 2013-2014, Tables

It is significant that while the cities of Glasgow and Edinburgh account for 20.4% of Scotland's population, 45.1% of racist incidents recorded in Scotland occur in these areas. These two local authorities also have the greatest ethnic diversity according to the 2011 Scottish Census.[66]
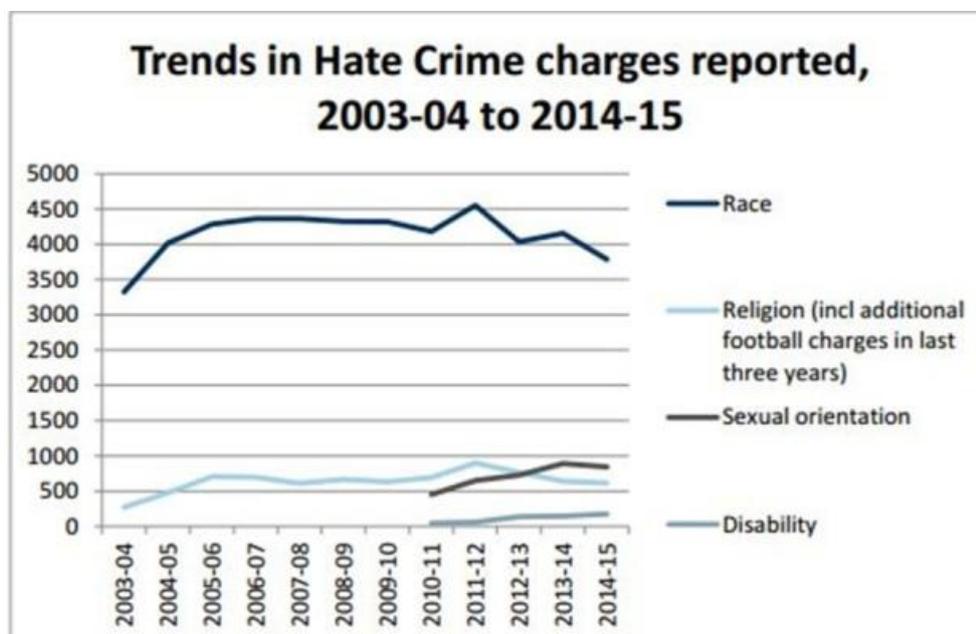
Only 1.2% of racist incidents recorded in 2013-2014 were reported through a third party reporting centre, with direct reporting from the victim/complainer (65.7%) or the police (11.9%) the most popular methods.[67]

Anecdotal evidence suggests that racist incidents and racist hate crime is under-reported in Scotland, with victims choosing not to report due to a lack of trust in the police and justice system, confusion surrounding the process, and feeling desensitised to harassment.

Racial Violence and Hate Crime

According to statics published by the Crown Office and Procurator Fiscal Service (COPFS), racial hate crime is the most commonly reported hate crime in Scotland, with 3,785 charges reported in 2014-2015. This is the lowest number reported since 2003-2004. For comparison, sexual orientation aggravated crime is the second most common type of hate crime, with 841 charges reported.[68]

Trends in Hate Crime charges reported, 2003-2004 to 2014-2015

Source: Hate Crime in Scotland 2014-2015

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[66] The Scottish Government (2015). Racist Incidents Recorded by the Police in Scotland 2013-2014.
[67] Ibid.
[68] COPFS (2015). Hate Crime in Scotland 2014-2015.

In Scotland, the Lord Advocate has told police that an incident must be investigated as a hate crime if it is perceived by the victim or another person to be aggravated by prejudice.[69]

A 2015 publication by HM Inspectorate of Constabulary in Scotland reported a general lack of awareness among minority ethnic participants about what the term 'hate crime' means, or how to report it.[70]

COPFS reported the proportion of charges that specifically relate to racially aggravated harassment and behaviour has fallen from 64% in 2008-2009 to 52% in 2014-2015. There has been a corresponding increase in the proportion of charges related to other offences with a racial aggravation. (In order to prove a charge of racially aggravated harassment and behaviour, two sources of evidence are required, whereas evidence from a single source is sufficient to prove a racial aggravation which is attached to another substantive charge.) Court proceedings were commenced in 85% of charges in 2014-2015.[71]

The Scottish Government reports that in 2013-2014, 975 offences with a charge proved in Scottish courts had an associated racial aggravation charge. Almost half of these were for a main charge of breach of the peace or common assault.[72]

In some cases, racist hate crime in Scotland has led to loss of life. Between 1993 and 2012, nine people were murdered by perpetrators with a racist motive in Scotland. Analysis from CRER of data published by the Institute for Race Relations[73] suggests that Scotland has a higher per-capita rate of racist murder than England. Between 2000 and 2013, the per capita rate of murders with known or suspected racist elements in Scotland was higher than the rest of the UK, with 1.8 murders per million people compared to 1.3.[74]

Crime

According to the EHRC, people from minority ethnic groups, alongside those from religious minority groups and women, were more likely than others to be worried about physical attack, sexual assault or being a victim of an acquisitive crime (e.g. robbery or house break-in).[75]

There were no significant differences among ethnic groups in the percentage of adults who reported being victims of partner violence during the two years pervious. No information is available regarding the ethnicity of homicide victims.[76]

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[69] COPFS (2015). Hate Crime in Scotland 2014-2015.
[70] HMICS (2015). Joint Research Paper: Policing Ethnic Minority Communities in Scotland.
[71] COPFS (2015). Hate Crime in Scotland 2014-2015.
[72] Scottish Government. Ethnicity and Crime and Justice.
[73] Institute for Race Relations (2012) 96 Murders Since Stephen Lawrence's; per-capita calculations based on IRR data on deaths with a known or suspected racial element and data from the 2011 Census.
[74] Coalition for Racial Equality and Rights. Ten True Things We Need to Say about Racism in Scotland.
[75] Equality and Human Rights Commission (2016). Is Scotland Fairer?
[76] Ibid.

According to Scottish Government statistics, where ethnicity was known, 5% of Community Service Orders made in 2011 related to non-white minority ethnic offenders, which is slightly higher than 4% of the population.[77] However, in 2013-2014, 97% of Community Payback Orders, which replaced Community Service Orders, related to offenders who were white.[78]

According to Scottish Government Criminal Justice Social Work statistics, where the ethnic group was known and provided, 97% of Criminal Justice Social Work reports submitted related to offenders who were white.

The Scottish Survey Core Questions 2013[79] asked respondents to rate how their perception of crime in their local area had changed in the past year. The results were as follows:

Perception of crime in local area, 2013

	A little less / A lot less / About the same	A little more / A lot more
White Scottish	76.9%	17.3%
White Other British	77.1%	13.8%
White Polish	72.5%	13.3%
White Other	77.3%	13.5%
Asian	74.4%	16.3%
All Other Ethnic Groups	69.1%	13.6%

Source: Scottish Survey Core Questions 2013

The data suggests that the white Scottish ethnic group, 'other' ethnic groups and the Asian ethnic group were most likely to feel there were a little more or a lot more crime in their local areas.

Clear-up Rates

According to the Scottish Government, a crime or offense is regarded as cleared-up where there exists enough evidence under Scots law to justify consideration of criminal proceedings, notwithstanding that a report is not submitted to the procurator fiscal because the police warn the accused due to the minor nature of the offence by a standing agreement with the procurator fiscal or because reporting is inappropriate due to the non-age of the accused, the death of the accused or another similar circumstance.[80]

A 2013 study by CRER compared the clear up rates of all crimes and those crimes associated with a racist incident. Crimes of dishonesty and 'fire-raising, vandalism, etc.' had higher clear-up rates when associated with racist incidents, while breach of the peace had a poorer clear up rate when associated with a racist incident.[81]

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[77] The Scottish Government, The Strategy for Justice in Scotland: Evidence Paper
[78] Scottish Government. Ethnicity and Crime and Justice.
[79] The Scottish Government. Scottish Survey Core Questions 2013.
[80] The Scottish Government. Crime Clear Up Rate.
[81] Coalition for Racial Equality and Rights. The State of the Nation: Criminal Justice (2013).

Comparison between clear-up rates of crimes & those associated with a racist incident, 2013

| | Percentage Clear-up | | | | Difference in Clear-up Rate | |
| | All Crimes | | As Part of a Racist Incident | | | |
	2010-2011	2011-2012	2010-2011	2011-2012	2010-2011	2011-2012
Crimes of violence and sexual offences	70	72	69	73	-1	1
Crimes of dishonesty	37	37	52	62	15	25
Fire-raising, vandalism, etc.	25	25	37	38	12	13
Common assault	70	71	68	69	-2	-2
Breach of the peace, etc.	88	87	70	60	-18	-27
Racially aggravated harassment			67	62		
Racially aggravated conduct			70	75		

Source: State of the Nation: Criminal Justice 2013

Prior to 2015, non-statutory stop and search was a significant concern for minority ethnic communities in Scotland. Police Scotland reported that in 2013-2014, 95.9% of searches occurred on people with a white ethnic background, which is very close to the proportion of white ethnic people in the Scottish population. [82] [83]

However, further analysis of data by CRER found that specific ethnic groups experience stop and search rates far higher than the Scottish average in some areas, particularly with, for example, Black/African/Caribbean communities in the west of Scotland. The most over-represented group appears to be the 'other' ethnic category, which would represent the Arab population as well as any other ethnic group outwith the stated census categories. Meanwhile, some communities were very under-represented, such as the Chinese community and those with a mixed ethnicity. The figures reported however, make analysis very difficult, particularly on local levels or by ethnic group. More transparency in the data is necessary for a complete analysis. [84]

Following complaints and concerns about stop and search, the Scottish Government formed an advisory group to examine the use of stop and search powers in Scotland. In 2015, it was announced that the practice of non-statutory stop and search would end in Scotland. [85]

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[82] Police Scotland. Management Information Year End 2013/14
[83] Coalition for Racial Equality and Rights. More transparency on Stop and Search and ethnicity in Scotland?
[84] Coalition for Racial Equality and Rights. More transparency on Stop and Search and ethnicity in Scotland?
[85] Equality and Human Rights Commission (2016). Is Scotland Fairer?

Access to Justice

Studies regarding access to justice for non-white minority ethnic individuals are outdated, but a 2011 client satisfaction survey of users of the Public Defence Solicitors' Office shows that 9% of respondents were from a non-white minority ethnic background, compared to 4% of the population. 4% were of an Asian background and 5% were from other non-white minority ethnic groups. This suggests that non-white minority ethnic individuals may be over-represented in the use of publicly-funded criminal defence in Scotland. [86]

In comparison, a 2009 survey of applicants for civil legal aid found that a larger proportion (97%) of respondents were from a white ethnic background, with 1% reporting an Asian ethnic background, and 2% spread among other minority ethnic backgrounds. However, a 2004 report entitled "Assessing Need for Legal Advice in Scotland" found that 36% of non-white minority ethnic respondents experienced civil law problems, with the prevalence of civil law problems seeming significantly higher among non-white minority ethnic individuals than other groups in Scotland.[87]

Furthermore, the 'Experience of Civil Law Problems in Scotland 1997-2004' reported that one in three people from a minority ethnic group experienced civil law problems over a five year period compared to one in four for the general population.[88]

However, a report from the EHRC found that overall, non-white minority ethnic individuals were more likely to feel that the justice system provides an appropriately high standard of service for victims and witnesses compared to white individuals.[89]

Criminal Justice Workforce

In surveys of the legal profession conducted by the Law Society of Scotland in 2006 and 2009, 97% indicated their ethnic group to be white in both iterations. At the same time, those with an Asian ethnicity remained static at 1%, those of Black ethnicity fell from less than 1% to 0%, those from a mixed background rose from less than 1% to 1%, and those of other ethnic backgrounds remained static at 1%. This indicates an underrepresentation of non-white minority ethnic individuals in the legal profession.[90]

Similarly, a survey of legal aid solicitors in Scotland in 2010 found that 96% of respondents were of a white ethnicity, with only 1% identifying as being from a non-white minority ethnic background and 3% not disclosing their ethnic group.[91]

Further research from the Law Society of Scotland in 2011 found that non-white minority ethnic lawyers were significantly less likely to be equity partners than their white colleagues. Furthermore, in choosing a legal career, some non-white minority ethnic participants noted that their family and friends had tried to dissuade them from pursuing a career in law due to

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[86] The Scottish Government, Equality Outcomes: Justice
[87] The Scottish Government, Equality Outcomes: Justice
[88] Scottish Government. Ethnicity and Crime and Justice.
[89] Equality and Human Rights Commission (2016). Is Scotland Fairer?
[90] The Scottish Government. Ethnicity Evidence Review: Justice.
[91] Ibid.

perceptions about prejudice towards non-white minority ethnic individuals. Nearly 75% of participants felt that their ethnicity had been a factor during recruitment. Additionally, 33% felt they had been treated differently in the workplace due to their ethnicity, particularly non-white minority ethnic women.[92]

According to the Judicial Appointments Board for Scotland, in 2014-2015, all seven applicants for appointment to the office of Sheriff Principal were from a white British ethnic background. Similarly, over 90% of the 141 applicants for appointment to the office of Sheriff were from a white British or an 'other' white background, which is in line with population figures. All four applicants for appointment to the office of Chair of the Scottish Land Court were from a white British background. The way that these statistics were published makes it difficult to distinguish the representation levels within non-white minority ethnic groups. [93]

An analysis of Scotland's Judicial Appointments Process examined the ethnicity of all members of the Law Society of Scotland, all members of the Faculty of Advocates and all full time Sheriffs and all Senators of the College of Justice / Lord Commissioner of the Judiciary. The study found that 95% of those who responded were from a white British ethnic background, which was in line with overall population figures at the time, with 3% from an 'other' white background. One percent of respondents had a Pakistani or mixed ethnic background, with less than 1% reporting an Indian, Chinese or 'other' ethnic background.[94]

A report from COPFS found that 91.9% of its staff recorded a white ethnicity, with 0.85% reporting an Asian ethnicity, 1.2% an 'other' ethnicity, 4.2% unknown and 1.75% preferring not to answer.[95]

In regards to police staff, in its Equality and Diversity Mainstreaming Report 2015, Police Scotland reported the following about current staff in 2013-2014: [96]

Percentage of minority ethnic police officers, police staff and special constables in Police Scotland, 2015

	Police Officers	Police Staff	Special Constables
Non-white minority ethnic	1%	1%	1%
White minority ethnic (White Irish, White Gypsy/Traveller, White Polish and White Other)	1%	1%	1%

Source: Police Scotland Equality and Diversity Mainstreaming Progress Report 2015

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[92] The Scottish Government. Ethnicity Evidence Review: Justice.
[93] Judicial Appointments Board for Scotland. Annual Report 2014-2015.
[94] MVA Consultancy (2009). Continuous Improvement: An analysis of Scotland's judicial appointments process.
[95] Crown office and Procurator Fiscal Service (2013). Equality Outcomes and Mainstreaming Report.
[96] Police Scotland. Equality and Diversity Mainstreaming Progress Report. (2015).

In regards to applications in 2013-2014:[97]

Percentage of applications from minority ethnic individuals for police officers, police staff and special constables in Police Scotland, 2015

	Police Officers	Police Staff	Special Constables
Non-white minority ethnic	2%	0%	5%
White minority ethnic (White Irish, White Gypsy/Traveller White Polish and White Other)	3%%	-	2%

Source: Police Scotland Equality and Diversity Mainstreaming Progress Report 2015

The number of police officer applications from non-white minority ethnic candidates decreased from 4% in 2012-2013 to 2% in 2013-2014.[98]

0% of newly appointed police staff have a non-white minority ethnic background; there is no data available for those from a white minority background. 2% of newly appointed special constables in 2013-2014 were from a non-white minority ethnic background and 2% were from a white minority ethnic background.[99]

In 2013-2014, 0% of those promoted were from a non-white minority ethnic background, with no data available for those from a white minority ethnic background.[100]

In the same year, 13% of non-white minority ethnic police officers were in a promoted post, which accounts for 1% of all those in a promoted post. Meanwhile, 12% of white minority ethnic police officers were in a promoted, post, which accounts for another 1% of the total.[101]

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[97] Police Scotland. Equality and Diversity Mainstreaming Progress Report. (2015).
[98] Ibid.
[99] Ibid.
[100] Ibid.
[101] Ibid.

Prison

The Scottish Government publication Prison Statistics Scotland: 2013-2014 provides a breakdown of people in custody by ethnic origin. This data is presented below.[102]

Offenders in custody by ethnic origin, June 2013

	Male	Female	All	Male	Female	All	% of population (from the 2011 Scottish Census)
White	7181	422	7603	96.4%	96.6%	96.4%	96.0%
Pakistani	66	2	68	0.9%	0.5%	0.9%	0.9%
Indian	11	1	12	0.1%	0.2%	0.2%	0.6%
Bangladeshi	2	-	2	(0.02%)	-	(0.02%)	0.1%
Chinese	10	1	11	0.1%	0.2%	0.1%	0.6%
Other Asian	38	1	39	0.5%	0.2%	0.5%	0.4%
Black: African	44	2	46	0.6%	0.5%	0.6%	0.6%
Black: Caribbean	38	-	38	0.5%	-	0.5%	0.1%
Black: Other	20	3	23	0.3%	0.7%	0.3%	0.1%
Mixed	19	4	23	0.3%	0.9%	0.3%	0.4%
Other	17	1	18	0.2%	0.2	0.2%	0.3%

Source: Prison statistics and population projections Scotland, 2013-2014

As the chart illustrates, certain ethnic group are over-represented in the prison population, including white, other Asian, Black Caribbean and other Black.

This has changed since 2011-2012, when non-white minority ethnic individuals constituted 3.9% of the prison population, against 3.2% of the general population at the time of the 2009-2010 Scottish Household Survey.[103] In particular, was percentage of Black individuals in prison was higher than that of the overall population. [104]

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[102] The Scottish Government. Prison statistics Scotland 2013-2014.
[103] The Scottish Government, Equality Outcomes: Justice
[104] The Scottish Government. Ethnicity Evidence Review: Justice.

The Scottish Prison Service reported in 2015 that, of non-white minority ethnic and foreign national prisoners, 33% (63 people) said that they were discriminated against because of their race. Of those 63 people, 43% said that a prisoner discriminated against them and 25% said that a prison officer discriminated against them. Furthermore, 18% of non-white minority ethnic and foreign national prisoners reported being bullied in the previous month, compared to 11% of other prisoners.[105]

In the previous iteration of this survey in 2010, 68% stated that the bullying involved insults about their race, with 62% reporting insults about their nationality. The different coding frame now used means that this data is no longer updated and available. [106]

Confidence in Policing

The Scottish Survey Core Questions 2013[107] asked respondents about their confidence in policing. The results were as follows.[108]

Confidence in the police to prevent crime, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	56.7%	34.3%
White Other British	60.1%	29.1%
White Polish	53.1%	21.2%
White Other	59.5%	25.1%
Asian	61.3%	22.8%
All Other Ethnic Groups	59.6%	23.3%

Source: Scottish Survey Core Questions 2013

Confidence in the police to respond quickly to appropriate calls and information from the public, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	66.3%	24.5%
White Other British	68.4%	19.2%
White Polish	62.8%	10.9%
White Other	71.9%	12.9%
Asian	68.1%	12.1%
All Other Ethnic Groups	70.6%	14.2%

Source: Scottish Survey Core Questions 2013

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[105] Scottish Prison Service (2015) Ethnic Minority and Foreign National Prisoners Survey. (not currently available online)
[106] Scottish Prison Service (2010) Ethnic Minority and Foreign National Prisoners Survey.
[107] The Scottish Government. Scottish Survey Core Questions 2013.
[108] Please note, the percentages reported do not add up to a full 100% as those who refused to answer or answered "don't know" to the survey questions have been excluded. c

Confidence in the police to deal with incidents as they occur, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	67.9%	23.8%
White Other British	70.5%	19.1%
White Polish	63.7%	12.3%
White Other	70.4%	13.6%
Asian	67.7%	14.0%
All Other Ethnic Groups	71.2%	12.4%

Source: Scottish Survey Core Questions 2013

Confidence in the police to investigate incidents after they occur, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	69.5%	20.8%
White Other British	70.3%	17.0%
White Polish	58.7%	15.2%
White Other	70.0%	13.4%
Asian	65.1%	14.1%
All Other Ethnic Groups	70.7%	11.4%

Source: Scottish Survey Core Questions 2013

Confidence in the police to solve crimes, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	62.6%	25.7%
White Other British	64.0%	20.2%
White Polish	62.7%	10.5%
White Other	61.6%	16.9%
Asian	57.9%	19.2%
All Other Ethnic Groups	63.5%	16.3%

Source: Scottish Survey Core Questions 2013

Confidence in the police to catch criminals, 2013

	Very / Fairly confident	Not very / Not at all confident
White Scottish	60.3%	28.4%
White Other British	62.1%	23.3%
White Polish	51.7%	17.6%
White Other	60.5%	18.3%
Asian	57.5%	19.5%
All Other Ethnic Groups	65.1%	13.7%

Source: Scottish Survey Core Questions 2013

The data from these charts indicate overall variance in confidence in police, and did not provide reasons for this or further breakdown by ethnic group.

Institutional Racism in the Justice System

The 1999 MacPherson Report was one of the first major publications in the UK to highlight the importance of addressing institutional racism.[109] This has been a controversial subject in the UK since.

A report on racism from CRER outlined several high-profile cases which suggest that the Police Scotland and COPFS struggle to address racism consistently in the investigation and prosecution of serious violent crime. [110]

For example, the prosecution of the 1998 murder of Surjit Singh Chhokar was subject to a judicial inquiry criticising the Crown Office, with former Lord Advocate Colin Boyd QC apologising for "incompetence, ignorance and institutional racism."[111]

There is evidence of movement towards tackling institutional racism within Scotland's public sector and politically. A range of reviews and research reports have addressed race equality in Scotland in previous years, and acknowledge continuing difficulties in areas such as perceptions of police accountability and racism; monitoring and reporting of race equality related statistics; the relationship between the police and young people; representation of minority ethnic individuals within the police; and underreporting of racist incidents. However, ongoing discussion and action is needed to fully mainstream race equality and best address issues of institutional racism.[112]

Institutional barriers were further addressed in "Pride and Prejudice: A review of police and Race Relations in Scotland"[113] and the Stephen Lawrence Inquiry: An Action Plan for Scotland[114], which addressed the importance of issues of accountability, governance and transparency about progress in tackling institutional racism.[115]

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[109] The Stephen Lawrence Inquiry. Report of an inquiry by Sir William MacPhearson of Cluny (1999).
[110] Young, C. Coalition for Racial Equality and Rights (2012). Institutional Racism: Scotland Still has Far to Go.
[111] Ibid.
[112] Young, C. Coalition for Racial Equality and Rights (2011). Policing in 21st Century Scotland from a Race Perspective.
[113] The Scottish Executive. HM Inspectorate of Constabulary (2003). Pride and Prejudice: A review of police and Race Relations in Scotland.
[114] Stephen Lawrence Inquiry Steering Group. The Stephen Lawrence Inquiry: An Action Plan for Scotland (2001).
[115] Young, C. Coalition for Racial Equality and Rights (2012). Institutional Racism: Scotland Still has Far to Go.

Appendix: Key underpinning threads and questions

The concepts outlined throughout this evidence paper provided perspective and additional scope when discussing these issues in the related action forums, which had the same themes as the evidence papers.

These action forums were organised by CRER and the Scottish Government and brought practitioners, policy makers and other stakeholders together to identify priorities and solutions for each theme.

The key underpinning threads and questions for discussion listed below were used to frame and drive forward these workshops. Complete write-ups from these action forums can be found at www.crer.org.uk.

Key underpinning threads for the purposes of discussion were grouped in the following way:

Building good race relations and community cohesion

- Interaction and inclusiveness between and within communities, sense of belonging and community identity – the need for robust evaluation and measurement

- Recognising the need for different approaches to different challenges including action on disputes over conflicting rights

- Fostering good relations[116]

- Relevance of mobilisation, empowerment and social capital (this was addressed more closely in this work under the separate theme of Participation and Representation)

- Role of regeneration, allocation of resources and public service planning in building good race relations and community cohesion

- Diversity of workforces and impact on accessibility of service delivery[117]

Reducing and removing racism, prejudice and discrimination

- Challenging social attitudes around racism, prejudice and discrimination which can lead to negative behaviour

- Upholding the rights of, and supporting those experiencing racism, prejudice and discrimination

- Role and responsibilities of different bodies in tackling racism, prejudice and discrimination (public bodies, civil society, Government)

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[116] There is a clear link between community cohesion and safety and the fostering good relations element of the Public Sector Equality Duty. For the purposes of this paper, good (race) relations is interpreted as the race dimension of 'community cohesion and safety' (whilst recognising the commonality and intersectionality with other protected characteristics).

[117] The Scottish Government currently has an Equality Outcome on building a representative workforce; see Scottish Government Equality Outcomes and Mainstreaming Report for more information

- Geographical differences and challenges to community cohesion, for example effects of rural racism and isolation

Improving access to justice and safety

- Criminal and civil justice - access to the services of Police Scotland and other bodies within the justice system, including legal aid, tribunals and courts

- Community safety and support – personal security, community security and the role of statutory community safety services

- Analysing and using the data on hate crime (racially aggravated crimes) and racist incidents to inform policy and operational developments

- Gender based violence experienced by minority ethnic women and available support for those experiencing (or at risk of experiencing) this

- Crime and violence reduction and prevention

- Experiences of suspects and perpetrators from minority ethnic backgrounds in being investigated, prosecuted and sanctioned through the criminal justice system

Many factors can impact the issues raised here, and it should be noted that some of these factors have been covered under other themes explored in the policy development process – Education, Employment and Income; Participation and Representation; and Health, Wellbeing, Family and Home.

Throughout the police development process, the following questions were raised for further exploration and discussion.

Building good race relations and community cohesion

- How can we ensure measuring impact of actions contributes to effective scrutiny and/or enforcement, and which framework or indicators will be used? Will we know community cohesion when we see it?

- How do enforceable rights and equalities practice contribute to wellbeing and community cohesion?

- Most of the evidence available on good race relations is focused on communities, home and play. Is further evidence required in other areas (for example on how employers are addressing the issue at work)?

- Does community cohesion research have enough focus on structural inequality (as opposed to 'difference' and 'diversity')?

- How can we best facilitate public discourse on issues such as institutional racism, good relations and community cohesion?

- How does the Scottish context differ from that in England, for example does the Institute for Community Cohesion (ICOCO) model of 'parallel lives' apply in Scotland?

Reducing and removing racism, prejudice and discrimination

- What can be done to address the current fragmentation of information and evidence on these issues and to fill gaps in the evidence available?[118]

- How are current support and advice structures working for people and how can we best build an evidence base on complaints about racism, prejudice and discrimination?

- How do we draw together evidence on racism (including but not limited to hate crime issues) and its impact on community safety?

- Are current approaches to research, monitoring and evaluation on these issues robust and longitudinal enough to demonstrate progress?

- How can we establish the extent of underreporting of racism, prejudice and discrimination and find solutions to this?

- How can we better understand the experiences and circumstances of individuals from minority ethnic backgrounds over different generations and length of residence in the UK (for instance differences between those who migrated to Scotland and those who were born there, or whose families have been resident for several generations)?[119]

- How do trends in Scotland compare to wider political and international discourses and factors?

Improving access to justice and safety

- How can we build a holistic evidence base on complaints to the Police (for example, to demonstrate to what extent racist incident complaints result in criminal sanctions)?

- Does the current research and evidence base reflect intersectional issues enough, for example around gender based violence or the experiences of minority ethnic disabled people?

- What can be learned from previous work in Scotland, for example the Race Equality Advisory Forum and Stephen Lawrence action plan?

- How can we best address concerns around the racist murders in Scotland over the last twenty years, in order to learn and prevent others from happening?

- What are the gaps in qualitative and quantitative research on minority ethnic people's experience of both criminal and justice systems in discrimination and non-discrimination cases – for example access to advocacy support, adequacy of interpreting and

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[118] For a previous example of work in this area, see Netto, Arshad, de Lima, Diniz, MacEwen, Syed and Patel. Audit of Research on minority ethnic issues in Scotland from a 'Race' perspective (SECRU, 2001)

[119] Netto, G., Sosenko, F., and Bramley, G. Joseph Rowntree Foundation (2011). Poverty and ethnicity in Scotland: Review of the literature and datasets.

translation provision, use of private solicitors and employment of minority ethnic people in the criminal justice system?

Please note, the key underpinning issues and questions identified here are not exhaustive.