

Speech by Trevor Phillips at the Black South West Network conference

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Recession, race, and the role of the third sector

I'm very happy to be in Bristol, with old friends. In particular I would single out Paul Stephenson, who is a hero in the race equality world, having fought the Bristol bus boycott about 45 years ago. More recently he managed to secure the Pero Bridge, a monument in recognition of Bristol's black history.

I also enjoyed, as ever, hearing from Tariq Modood who raises some important issues. I do agree with him about the increasing significance of religion in debates about equality and identity. Increasingly the questions we have to address are not only about attitudes to Islam, for example, but to do with religious identity as such. For a flavour of the types of issue that we at the Commission are faced with, consider the Jewish Free School court case. This is essentially about a boy whose mother is Jewish, but by conversion rather than descent, and whether he could gain admission to the school. What is important about this case is that, as you know, Jewish people are protected by the Race Relations Act. But if the conclusion of the courts is that Jewishness is a matter of observance rather than heritage, is it still regarded as a matter of race? The Commission does not want to see the Race Relations Act narrowed. At the same time we need a way to reconcile that with the right of individuals and peoples to determine their own religious identity, rather than that being a question for the law.

So the issues are complex – and even more so since the employment tribunal decision just last week, ruling that discrimination on the grounds of a person's beliefs could include their environmental beliefs. There is a way to go before we bottom out what protection against discrimination means for religion and belief.

Turning to today's subject. It is clear to me that whatever shape the recession takes, it will have a differential impact for different ethnic groups. This is partly a function of discrimination and partly of geography. Last month it was confirmed that the economy was still shrinking in the third quarter of 2009. Some economists warn of a 'double dip'. It is clear that more unemployment lies ahead.

Unemployment is also a lagging indicator, which may keep getting worse even while other statistics improve. More of the pain to come is likely to fall in the public sector, where some ethnic minority groups are more heavily represented. And whoever wins next year's election, significant constraints on public spending are inevitable. Arguing for better public services in these conditions is tough, and winning those arguments will depend more and more on having better evidence. Success in securing public funding will be determined by the quality of the evidence: numbers count.

Now the people that many of you here today work with don't need to be told that Britain – for all that it has changed for the better – can still be an unfair place. For them, disadvantage is not a newspaper statistic, it is a daily experience. That's true for the mixed race couple persecuted by their neighbours; it's true for the migrant worker who wakes before dawn in an unheated caravan for her 10 hour shift.

But is there evidence of the recession having disproportionate impacts? The Equality and Human Rights Commission – together with the Government Equalities Office and the Department for Work and Pensions – have been analysing the effect of recession on different demographic groups. This summer, we published a report for the period to March 2009. Some of the results were counterintuitive. Unlike in the last recession, the unemployment rates for ethnic minority groups had remained relatively stable. Neither had the fears that women would bear the brunt been realised.

In fact it was men, the young, and those from poorer areas who had seen the worst job losses. In this recession then, it is not just 'protected groups' who we should be concerned with; our concern should also be about class. That vindicates, for example, the Commission's support for the socio-economic duty in the Equality Bill. But when it comes to race, there is no room for complacency.

The Chartered Institute for Personnel and Development has published analysis suggesting that some ethnic minority groups – including black men – are now faring worse. The Commission and Government Equalities Office are doing our own analysis, which we aim to publish soon.

Looking at unemployment in the South West in particular, we don't currently have figures broken down by ethnic background. But we do know that so far the South West experienced a bigger rise in unemployment than London, the South East or the East Midlands. Youth unemployment has been rising faster than the national average, and we know ethnic minority workers tend to be younger.

And you will know that people don't have to lose their own jobs to feel the effects of recession. The South West's migrant workers play a crucial role in the regional economy, particularly in agriculture and hospitality. Some farmers say that they simply couldn't operate without them. Yet the possibility for tensions between migrants and settled communities is greater at a time when everyone is anxious about limited public resources – and we know who is exploiting those fears.

So what do we do about it? The role of the black and ethnic minority voluntary and charitable sector is vital. Providing support, encouragement and advice. Bringing together people from different backgrounds to deal not just with the objective consequences of recession but also the political aspects which I've referred to. Challenging unacceptable behaviour and promoting good relations. It's a role that other bodies cannot emulate.

The Commission is a national body. We can spot trends, advise on the legislative framework, enforce it where necessary. We can do some of the face to face work. But the VCS can deliver at the grass roots on a practical individual level, day in day out.

Local authorities can offer support to individuals and communities on the margins. But the VCS comes from a different tradition – not charity, but self help. It's about men and women taking control of their own affairs. That sense of self empowerment is vital to achieving long term change.

The Commission's role, in simple terms, is to give you as much help as we possibly can. I will say a few words on why it is in a different position to its predecessors which means it works a little differently.

In my lifetime there have been huge changes in this country. During my childhood we had signs saying 'no dogs, no blacks, no Irish'. In the 70s the National Front were on the streets. In the 80s ethnic minority communities faced the worst of the backlash of deregulation of the economy.

But thanks to the efforts of equality warriors throughout the decades, things have improved. Some people do a disservice to those who campaigned in past decades by suggesting that nothing has changed.

Not everything is rosy in the garden; but it is not credible to claim they are as bad as they were.

Our forebears in the race equality sector have bequeathed not just a legacy of change for the better, but a lesson in the wit and courage and imagination it takes to make change happen.

It's thanks to those successes that the statutory legislative framework needs to evolve. Since the 1960s modern equality law had a concept at its heart: individual redress. The idea was that when a person was treated unfairly they could pursue justice in a civil court.

Those of us in the race equality sector knew that individual redress would only take us so far. Disadvantage doesn't always arise because of some individual actor. Sometimes it is built into the very institutions we all rely on – from workplaces to public services.

For example, a few years ago parliament debated corporal punishment and where the line of illegality was to be drawn. It was defined as a blow that reddened the skin. Well for some people that was not much use. The CRE took this up and explained the problem; although parliamentarians were acting with the best intentions, their thoughtlessness would have disadvantaged children from ethnic minorities.

Or take the case of one of my colleagues at the Commission. She was on a tube train on 7 July 2005, and was caught in the blast of one of the bombs on that day. She lost a leg; and the injury was traumatic enough. But not only did she have to deal with the process of recovery and recuperation. The NHS offered her a choice of two prosthetic legs. Neither of those matched her skin shade. Now she is a tough and smart woman and she got it sorted out. But the point is that even though the NHS has worked pretty hard on equality issues, they hadn't even thought about this.

The key to tackling such situations is not having individuals launching complaints. It's about asking for a thorough, clear headed look at the way institutions are designed; an examination of how their practices and processes may subtly tilt the balance in favour of some people and to the disadvantage of others.

The Race Relations Amendment Act was designed to address that question. But it didn't go quite far enough; and indeed the new Equality Bill still needs some changes. It is a good, and necessary Bill. It simplifies the law to make it easier to understand, access and enforce. It extends the law in some important ways – giving new freedoms on positive action to organisations who want to develop a more

representative workforce. It will bring down the last legally accepted bastion of prejudice – age discrimination.

Perhaps most importantly it will give fresh impetus to culture change. The Race Equality Duty has been used successfully by many of you here, but it needs to be improved. Currently public bodies are held to account on their process – have they done the right consultation, filled in the right forms. We want the Bill to ensure that public authorities are held to account on outcomes – how much they have managed to change things for real people. In the future we want to be able to ask a different question, not ‘have you gone through the right process?’, but ‘have things got better?’. Are there more disabled people in work than a year ago? Is there a better staying on rate in education for working class girls? Are older people more confident about using public transport? This is what we need to get right, to create a better framework for us all to operate within.

Finally the Commission wants to show its support to you, the voluntary sector in the South West. In the past we’ve funded several groups here; and this year funding applicants from the South West have done better than average on getting through to the second stage of the grants assessment process. But the fact is we have a funding pot of £10 million. We have had 2200 applications looking for a total of £500million. We want the best quality funding applications to get through the process, and we want to support the sector in presenting those applications.

I’m here today to show my support for the Network and to show my unity with you. I want the Commission’s efforts and your efforts to add up to more than the sum of their parts – so that 1 plus 1 equals not 2 but 3.