

Cross Party Group on Tackling Islamophobia
Scottish Parliament
27th March 2018 at 6pm in committee room 2

Attendance

Muhammad Adrees	Muslim Council of Scotland
Omar Afzal	Muslim Council of Scotland
Imtiaz Ahmad	
Zarima Ahmad	CEMVO
Atif Ahmed	
Bashir Ahmed Malik	Annandale Mosque Edinburgh
Saeed Akbar	Dunfermline Central Mosque
Ifty Ali	Scottish Ahlul Bayt Society
Safia Ali	CEMVO Scotland
Sara Al-mashat	Scottish Iraqi Association
Danish Ashraf	North Lanarkshire Council
Osama Aslam	
Muna Ausat	Falkirk Muslim Forum
Syed Ausat	Falkirk Muslim Forum
Ghizala Avan	AMINA MWRC
Shaheen Baber	Police Scotland
Laura Baillie	
Abdul Bostani	Glasgow Afghan United
Johanna Boyd	Equalities and Human Rights Commission
Julia Davidson	SACC
Efy Din	
Arun Gopinath	Central Scotland Racial Equality Council
Johnny Gwynne	Police Scotland
Faten Hameed	Scottish Iraqi Association
Nicola Hay	Show Racism the Red Card
Ali Hafiz	
Nabilah Haq	
Peter Hopkins	Newcastle University (Secretary of CPG)
Khaleda Hussain	
Avais Ijaz	Falkirk Central Mosque
Nafees Iqbal	
Daniel Johnson	Scottish Parliament
Aleksandra Kasprzak	Shakti Women's Aid
Wali Khan	Glasgow Afghan Association
Zulfqar Khan	BAME Scotland
Tom Lea	Alwaleed Centre
Alison Logan	Sense over Sectarianism
Fulton MacGregor	Scottish Parliament
Claire Miller	Police Scotland
Anila Mirza	Shakti Women's Aid
Azam Mohamad	Muslim Council of Scotland
Ajaz Mohammed	Dunfermline Central Mosque
Khadija Mohammed	University of West of Scotland
Eva Murray	Glasgow City Council Labour Group
Khaleda Noon	Action for Children
Yajeed Pirzaba	

David Pettigrew	Police Scotland
Habibar Rahman	EIFA
Mohammed Razaq	WSREC
Mo Razzaq	NFRN
Nighet Riaz	University of West of Scotland
Alan Roden	Scottish Parliament
Hara Ruffle	Shakti Women's Aid
Neimah Safi	Muslim Women's Association of Edinburgh
Anas Sarwar	Scottish Parliament (Chair of the CPG)
Mohammad Saqib	
Raza Sadiq	Active Life Club
Nadir Shah	Glasgow Afghan Association
Mohammad Shoaib	
John Scott	IAG Stop and Search
Luisa Simon	Shakti Women's Aid
Shaukat Sultan	Madras Taleem ul Islam
Riaz Wali	GCM Volunteer Islamic Relief
Humza Yousaf	Scottish Parliament

Apologies	
Smina Akhtar	Glasgow University
Khadija Elshayyal	University of Edinburgh
Yasmin Hussain	University of the West of Scotland
Arzu Merali	Islamic Human Rights Commission
Nina Munday	Fife Centre for Equalities

Introduction

Anas Sarwar welcomed everyone to the second meeting of the Cross Party Group on Tackling Islamophobia. The group has now been formally established and everyone was thanked for their contribution to making this happen.

Anas Sarwar noted that there was a genuine interest in the Parliament and in wider society about the issue of Islamophobia and about the work of the Cross Party Group.

Police Scotland presentation by Shaheen Baber

Chief Inspector Shaheen Baber presented on behalf of Police Scotland providing an overview of the Equality and Diversity Unit and the broader work of Police Scotland in relation to Islamophobia.

Police Scotland is 5 years old and has 13 operational divisions. The Equality and diversity Unit is located within the Specialist Crime Unit which is within Safer Communities. The Equality and Diversity Unit is Scotland wide and has a national remit with links into all of the 13 policing divisions; each division has a Safer Communities team or officer and these are who the Equality and Diversity Unit liaise with.

Shaheen Baber provided an overview of divisional community engagement emphasising that Police Scotland believe in multiple communities rather than only one 'Muslim community' or one 'Asian community'.

Concerns have been raised to the Cross Party Group about “Punish a Muslim” day. Police Scotland heard about this on 9th March and are working with different police divisions – including in England – in order to address this situation.

Anas Sarwar noted that five serious hate crime incidents had taken place in the last 10 days but only one explicitly refers to ‘punish a Muslim day’. However, he pointed out that all of these incidents still have an impact on the community.

Hate crime is a priority area within the Equality and Diversity Unit. Hate crime can be defined as “any crime perceived by the victim or any other person as being motivated by malice or ill-will towards a social group”. Social groups include race, religion or belief, sexual orientation, disability and transgender identity. Shaheen Baber noted the ongoing review by Lord Bracadale and hoped that this would enable Police Scotland to better address hate crime. The diverse nature of each category is one of the many challenges of hate crime work (e.g. what is race and what is religion?). It was noted that there is different legislation covering different aspects of hate crime. Social media presents particular challenges in relation to the legislation. Although freedom of expression is often pointed to as an issue, it is important to note that this comes with responsibility. The online world is a growing issue particularly with 4G technology increasing accessibility. For Police Scotland, the internet is a location rather than something to be policed per se; Police Scotland are aware of many of the challenges associated with social media and online technologies.

Hate crime data is complex and there are numerous statistical data (policy, government, academic and so on) that can be referred to. Police Scotland have to make sure our data is absolute. Many of our databases are live and so are constantly changing. The Analysis Performance Unit works on statutory requirements and freedom of information data. The context of the data is very important e.g. how it was collected and how it was delivered. Police Scotland are not simply guided by data but by broader issues from within the communities in which they work.

Categories in terms of the collection of hate crime data include race, religion, race and religion as well as multi-aggravator (which may include race and religion).

In 2017, there 4406 race-related hate crimes, 546 in relation to religion and 1112 in relation to sexual orientation. 5889 hate crime files were created in 2016-17. Race remains the most commonly recorded strand of hate crime. Police Scotland are focusing on young people, especially 11-15 year olds as 900 cases involved young people. The night time economy is a big issue in terms of hate crime.

In terms of the reporting of hate crime, most is anti-Catholic with the next largest group being anti-Protestant then third is anti-Muslim. Police Scotland want to increase the confidence of communities in reporting hate crime. It was noted that society is changing, there have been an increased number of terrorist incidents and wars in Iraq and Syria have all changed social interactions. There is lots of misinformation shared online and amongst people. In terms of reporting options, Police Scotland are unable to do this alone; this is everyone’s responsibility. Community engagement happens locally regularly in a daily basis.

Anas Sarwar thanked Police Scotland for their contribution and emphasised the importance of the partnership between police and communities.

The main questions about the ‘punish a Muslim’ day/letter focused on: whether or not to highlight the issue; what the police are doing to resource the issue; how we are safe proofing our institutions and concentrated spaces; and what the communication methods are on the date (managing

rumours). Police Scotland clarified that none of the letters have been received in Scotland but that they are being attentive to the issue and are constantly reviewing the situation. In terms of what should you do, Police Scotland noted that we should be vigilant but go around our daily business. However, you need to tell Police Scotland when something happens. It is important to report it (phone 101 or 999 if emergency, report online or through a third party reporting centre). All of Police Scotland's 13 divisional commanders are aware of this issue. Any incidents that happen up until 3rd April will be tagged as a priority and so have a faster response. Police Scotland have not put anything out on social media as they are conscious of not making this into a major issue but have promoted their standard hate crime message on social media. Police Scotland are being sensitive to this issue and are closely monitoring it and have been since they initially heard about it.

Anas Sarwar asked the CPG to please pass on a message of reassurance to others and to remain vigilant and to report to the police who are taking this seriously. Communication channels are needed within the organisations in the room in order to manage the potential outcome. This issue is now getting press coverage. Anas Sarwar has raised this issue directly with the First Ministers office and directly with the First Minister.

Police Scotland have known this issue for about a week. All command areas have been briefed on this issue. There is a substantial police response to this issue. Depending on what happens over the next few days, we will be putting reassurance messages out to key community contacts of diverse faiths. Police Scotland are taking this very seriously. Police Scotland are policing a risk and not a threat. Police Scotland will move with haste should anything whatsoever happen.

Equality and Human Rights Commission – Chris Oswald

Chris Oswald noted that the Equality and Human Rights Commission is a statutory human rights commission and there are 17 staff in Glasgow who constitute the 'Scotland' office. The focus is on civil law and not on criminal law.

The European Convention on Human Rights provides the superstructure and covers key issues of liberty and security, respect for private and family life, freedom of thought, conscience and religion, right to education and freedom of assembly and association.

The Equality Act 2010 includes grounds on which you can claim discrimination. This is very wide – covers all aspects of employment, public and private housing, health and social care, access to services and so on. It works across all public, private and voluntary sectors

There are nine protected characteristics with possible a tenth coming along. The nine are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Caste may be added as a tenth protected characteristic.

Equality Act includes different types of discrimination (direct and indirect discrimination), victimisation, harassment, as well as discriminatory advertising, discrimination by association and segregation on racial grounds.

Individuals have 3 months less one day to report an employment issue and 6 months less one day to report any other issue. If you leave it longer than this then you are too too late! Positive discrimination is almost always unlawful; positive action is a lawful way of promoting diversity.

In relation to religion and articles of faith, the public sector equality duty aims to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people. Many only pay attention to the first issue (eliminating unlawful discrimination) but could usefully focus more on the second and third issue.

Equality can be advanced through removing or minimising disadvantages differed by people due to their protected characteristics, taking steps to meet the needs of people from protected groups when these differ from the needs of other groups and encouraging people from protected groups to participate in public life or in other activities with their participation is disproportionately low. There are a number of Scottish specific duties too.

The Socio-economic duty is mentioned in section 1 of the Equality Act 2010 and is an authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

This includes Scottish ministers, local authorities, NHS Health boards, Scottish Policy Authority and Scottish Enterprise amongst others.

Information about the race pay gap was published last year on the main EHRC website.

Employment disparity gap between white and BME communities is significantly narrowed from 16.4% (page 5 – addressing race equality in Scotland – the way forward September 2017)

Questions and Discussion

Definition of Islamophobia – would it be helpful for the CPG to develop this? It was noted that a group are working across the UK on this and it has been commissioned by the UK government. This will be shared with the group (ACTION)

Share response from SPICE about request for information about Scottish context in relation to anti-Semitism and Islamophobia (ACTION)

Are there gaps in the law that people can get between to get away with things?

Silencing and the effect this has?

It was noted that the duty falls on the educational authority and not on individual school.

Flipside of institutional racism is institutional neglect.

EHRC has around 10% ethnic minority staff. Other public bodies and organisations are encouraged to work towards achieving a more diverse staff body.

It was notes that Scotland has a different approach to Prevent compared to England.

In relation to a Race Equality Disparity Audit, there is not currently one in Scotland but they are open to developing one.

Police Scotland are willing to work with TellMAMA and have been in contact with them and are awaiting their response.

Police Scotland have created a Positive Action group in order to maximise their recruitment from BME communities and have an introduction to policing course that will provide people from BME communities with a chance to find out more about possible roles with the Police.

In 2017, every intake of new Police officers were 7-10% from BME backgrounds.

AOCB

Anas Sarwar noted that he is keen to have CPG out on the roads and to meet in different places in Scotland

For the next meeting, an editors group have agreed that a delegation of print and broadcast producers will attend given concerns expressed about the misrepresentation of Muslims in the media.