Grampian Regional Equality Council (GREC)

Institutional and Systemic Discrimination, Discussion Paper

This is a discussion paper that we plan to develop and adapt based on the feedback it provokes. Please share your thoughts with us through this form: https://bit.ly/3zUwUci

Why GREC is developing a discussion paper on this issue?

It is apparent that over the past two years a refreshed national perspective has been emerging in Scotland around an understanding of racism.

Much work on inequality has a focus on overt discrimination. Systemic aspects of discrimination (as in unconscious bias, institutional disadvantage, etc.) receives some attention but is not thorough and often hijacked into polemical position-taking (for or against).

It is considered that a better understanding of systemic inequality can significantly enhance an understanding of how to make a difference especially set against a context (long recognised in official circles) that despite decades of attention to address and take action against discrimination and inequality, any significant change to underlying disparities seems intractable. Indeed, the COVID-19 pandemic has illuminated, and in some respects deepened, the extent of the disparities faced.

There is talk of 'renewal' of society and institutions post pandemic, and so an opportunity for a fresh approach to be considered. In January 2021 the Social Renewal Advisory Board Report 'If not now, when' (set up by Ministers to make proposals that can renew Scotland once the country emerges from the current pandemic) states that:

> *"many of the challenges facing public health have been exacerbated by...structural inequalities...The need to advance equality and fulfil human rights has been at the heart of all our work. The pandemic has widened the inequalities that were already harming the lives of too many of our citizens. We are not through this pandemic yet, and its consequences will be felt for decades if we do not narrow inequalities".*

In March 2021 a Public Sector Leadership Summit on Race Equality in Employment was held by the Scottish Government to **"**support public authorities and seek from them a commitment to make an assessment of their organisation's understanding of institutional racism and the structural barriers that may exist in their organisations; and to take forward the recommendations of the Scottish Parliament's Equalities and Human Rights Committee around race equality in employment".

It is therefore important that GREC makes clear it's understanding of terms such as institutional and systemic racism/discrimination, and the extent to which they are relevant to

our work and that of partners in terms of advancing equality in North East Scotland and beyond.

Different perspectives that need to be understood

Events of recent years have revealed how claims toward significant progress in addressing racism or a proper understanding of it are woefully overstated. In the US it has been graphically shown in the killings of African Americans by the police, and in the UK there has been the Windrush scandal and renewed accusations of institutional racism within the Metropolitan Police and universities, a new awareness of slavery and the lack of acknowledgement of its historical impact in Britain, and Brexit debates on immigration.

A significant facet of these latest events is that while in the past overt or raw racism at a personal level (e.g. verbal abuse, blatant barring of people of colour from public spaces, etc.) was the phenomenon dominating discourses due to its visibility, these current events have shone a light on a principle that operates at systemic and institutional levels which arguably has not been given due attention on account of its not-so-obvious nature.

Given the potential impact of the drive to understand and address systemic and institutional (rather than the overt), then a shared understanding of what these terms mean is crucial. We propose the definitions below, sources noted, as a starting point. However, as part of the implications for our work (see below) and the opening up of conversations on these issues, we expect the definitions we use to further develop, with a view to them making particular sense in the Scottish context.

Systemic or Structural racism[1]:

The normalisation and legitimisation of an array of dynamics – historical, cultural, institutional, and interpersonal – that routinely advantage a dominant ethnic group while producing cumulative and chronic adverse outcomes for people of minority ethnic groups. Systemic racism encompasses the entire system of majority ethnic group domination, diffused and infused in all aspects of society including its history, culture, politics, economics, and entire social fabric. Systemic racism is more difficult to locate in a particular institution because it involves the reinforcing effects of multiple institutions and cultural norms, past and present, continually reproducing old and producing new forms of racism.

We take "systemic" and "structural" racism to be synonymous, in that we are speaking about how racism creates and is created by the society's structures and systems.

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[1] Adapted from Anne Arundel College's "Racial Equity Vocabulary"

Institutional racism[1]

Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different ethnic or racialised groups. The institutional policies may never mention any minority group, but their effect is to create advantages for the *dominant group* and oppression and disadvantage for people from *other, minority* and racialised groups.

The concept of institutional racism has been present (though not prominent) in UK discourse on racism since the 1980s. Following the murder of Stephen Lawrence in 1993 an inquiry was established to "*identify the lessons to be learned for the investigation and prosecution of racially motivated crimes*" (Home Secretary 1997). The MacPherson report published in 1999 concluded that the investigation had been "*marred by a combination of professional incompetence, institutional racism and a failure of leadership*". The MacPherson report explains the use of 'institutional' as in line with the Scarman report of 1981 into 'The Brixton Disorders' as explicitly not meaning a knowing and deliberate policy to discriminate, rather, meaning "*practices...adopted by public bodies as well as private individuals which (can be) unwittingly discriminatory*" and associated with "*lapse into ...unthinking assumptions*".

Both of the definitions above reflect the recognition that root causes require different approaches. They require us to think about what a preventative approach to tackling racism might look like, rather than one that simply reacts to overt racism. Such preventative approaches, although given prominence in the landmark Christie Commission report, have proven to be challenging to implement.

What evidence do we have?

What evidence is there of institutional and systemic racism in a Grampian and Scotland context?

Through GREC's Casework service (supporting individuals facing prejudice, discrimination and exclusion) the following issues have been identified, that can be seen through the perspective of systemic and institutional racism:

- Access to justice in relation to immigration solicitors, and a system that makes legal aid provision of such provision in the North East of Scotland highly unlikely.
- Inconsistent delivery of language support across the public and third sector, with the addressing of language barriers of services users not being built into the system.
- Neighbour disputes with prejudicial elements not being addressed effectively

Via our wider work and community engagement we are aware of the following issues:

- Digital exclusion faced by particular groups, intersecting with language barriers and financial exclusion.
- Lack of reach to some communities when engagement is key (e.g. during COVID-19 crisis).
- Lack of consistent and effective equalities training for relevant staff across the public sector.
- Inequalities and prejudice experienced by Gypsy/Traveller communities, with Aberdeen perceived to be the most hostile part of Scotland.
- Lack of representation of, and economic barriers faced by, African communities in Grampian.
- A backlash against Trans rights, having a hugely damaging impact on Trans people.

In a national context, policing in the UK, including Scotland, provides a glaring example of institutional racism. Joseph-Salisbury, et al (2020) provide convincing evidence of institutional racism within the UK's Police forces. A report commissioned by former Lord Advocate Dame Elish Angiolini into Scotland's police complaints system found evidence of various forms of institutional racism.

Summary and Implications for GREC's work

The key things that we take from defining and making explicit these terms are: recognition that our society is shaped by its history and power dynamics; that overt racism doesn't happen in a vacuum unrelated to historical and societal context; and that identifying and tackling root causes of racism are key in attempts to advance equality.

By articulating our position on this issue we seek to open up a dialogue and seek to influence as well as learn. In particularly, as a follow up to sharing this paper we ask of our key stakeholders (including local public bodies, our members and communities more widely) the following questions:

1. Do you recognise these issues of institutional and systemic racism/discrimination?
2. What do they mean in your context?
3. What needs to be better evidenced or understood?
4. What actions will start to address these forms of discrimination?

Our approach to tackling inequality and discrimination requires us to challenge, raise awareness and seek to work across people, groups and ethnicities to understand the change that is required and develop that change together. GREC sees itself as having a contribution to make through:

- Supporting individuals experiencing all forms of discrimination

- Conversations to better:
  - Understand racism, and overt/covert forms of discrimination, including evidence of disparity and unfairness
  - Understanding systemic, institutional inequality
  - Understand what and how to change
- Working as a critical friend with partner organisations, encouraging recognition of these important concepts and reflected changes in approach

We will engage our partners around these issues, particularly public bodies. At the aforementioned Public Sector Leadership Summit the new Director for Equality, Inclusion and Human Rights, Madhu Malhotra , spoke about the need for leaders to "choose courage and vulnerability over comfort" and that "the systemic nature of inequalities requires a systemic response", and David Wallace, Chief Executive of Social Security Scotland, noted that we are "at a tipping point now... I'm not speaking today from an organisation that's got it right, but I am speaking from an organisation that is committed to learning the lessons and getting it right for the future." The summit has set the ball rolling in seeking a common understanding of institutional racism and the barriers that may exist within organisations; and the reticence that may exist among those in leadership positions to discuss institutional and systemic racism. Our work with partners in the coming years will be reflective of these points.

We will also engage with Community Planning structures with the aim of embedding a rich understanding of racism, including institutional and systemic racism, within policies and strategies. This will be particularly relevant in the context of work to deliver on the Community Empowerment Act and in work to tackle poverty and inequalities. The intersections between socio-economic inequalities and factors such as racism, homophobia, transphobia, and ableism are particularly important to note in this context.

In the national context, we will work to ensure that the complexity of what needs to change is reflected in the Scottish Government led work to tackle racism, and that the Grampian context is fed into the policy making approach.