HOUSE OF COMMONS

Women and Equalities Committee

Oral evidence: The report of the Commission on Race and Ethnic Disparities, HC 227

Thursday 27 May 2021

Ordered by the House of Commons to be published on 27 May 2021.

Watch the meeting

Members present: Caroline Nokes (Chair); Kim Johnson; Anne McLaughlin; Kate Osborne; Bell Ribeiro-Addy; Nicola Richards.

Questions 1 - 66

Witnesses

I: Dr Tony Sewell CBE, Chair, Commission on Race and Ethnic Disparities; Martyn Oliver, Education Lead, Commission on Race and Ethnic Disparities; Keith Fraser, Crime and Policing Lead, Commission on Race and Ethnic Disparities.

Examination of witnesses

Witnesses: Dr Tony Sewell CBE, Martyn Oliver and Keith Fraser.

Q1 **Chair:** Good afternoon and welcome to this afternoon's Committee session of the Women and Equalities Select Committee and our short inquiry into the Commission on Race and Ethnic Disparities. Can I welcome, this afternoon, the chair of the Commission, Dr Tony Sewell, Keith Fraser and Martyn Oliver? Thank you very much for joining us. It is hugely appreciated. We will just go straight into questions, starting with some questions from me, please. I will direct my first question to Tony, but I will bring in the two other commissioners afterwards. Why is it that there was a need to set up the Commission in the summer of 2020? What do you consider to be the major factors that led to that?

Dr Sewell: You know that there was the whole issue with George Floyd, the murder in Minnesota—because we can say that now—and the demonstrations that went on. Rightly so, young people particularly reacted to this. There was then a need to re-evaluate how we saw race and race disparities in the UK as a result of some of what was going on.

Keith Fraser: As Tony has said, there was the murder, which was awful, in America of a black male by a police officer, but what that did was it reignited the focus on the inequalities that there are in society and an understanding of those. People were also very aggrieved, I feel, about the fact that those inequalities were still happening and nothing seemed to be being done to progress them.

You could see that it transcended across the world and in the UK. You saw a whole host of communities protesting across the UK in relation to those inequalities. For me, the thing that came out of that was around the murder; it was around Black Lives Matter; it was around the disparities that still exist within society in the UK and the real need to do something about them and move forward from that position that we were in. It was an increased spotlight, but also a re-energising and a reawakening, I thought, around what was going on.

Martyn Oliver: Chair, I would just echo the comments from my fellow commissioners. I would say, quite rightly, the younger generation has an intolerance towards these disparities and they demand action. That is what we hope we have come up with in our recommendations.

Q2 **Chair:** Can I turn to Tony and ask you about the objectives? When the Commission was set up, how autonomous did you feel it was? Were you given the power to set your own objectives or was that directed by No. 10 or the Cabinet Office?

Dr Sewell: We had the terms of reference, and within that there were the objectives. The terms of reference were given and then we had to respond to those. We drilled down to education, employment, crime and policing, and health. That is how we operated.

Q3 **Chair:** Did those terms of reference, therefore, control too tightly what you were doing? Was there anything you would have wanted to add to that?

Dr Sewell: No. If you think about those big areas—education, employment, crime and policing, and health—they are huge areas of life. I felt very comfortable working with that. We could not do everything. If you think about the timeframe of nine months, you are on a Select Committee and you have seen these commissions. They sometimes take two years to come through. We were doing four areas in nine months. If anything, I would have loved some more time, but then there was an impatience from people to have some response from us. We acted quickly and we worked really hard to get it out.

Q4 **Chair:** That is a really important point. Keith mentioned the need to do something. Martyn mentioned that young people were providing some of the impetus and driving force. Would you have liked longer? If you had had longer, would you have come to a different outcome?

Dr Sewell: There was a lot of noise about, "There have been lots of commissions. Why do we need another one?" or whatever, but what we were doing here is we were drilling down into the questions of why do these disparities happen? That was not really going on in those other reviews. We were really looking at the drivers behind it.

The other advantage we did have in this was that the Race Disparity Unit had done five years of work. It was set up by Theresa May. We already had their dataset. In effect, it was an interesting exercise, because what we could then do is go to the data that was already there and, for the first time, really ask those questions about why. We did not have to start again collecting data, as it were.

Q5 **Chair:** If you were to try to draw a distinction between your commission and previous reviews, to paraphrase what you have just said, yours was more about why, and previous reports more about how.

Dr Sewell: Yes, that was it—and coming up with some solutions. I speak to people generally, and they say, "Come up with some recommendations here. Come up with something that is going to really work. Come up with something that is style-changing and significant." That is really where we stood in this place. We were impatient for that to happen, but we had to be led by the evidence. That is the key element here in how we worked.

In relation to the other reviews, they did a great job. We are not denying that. We have built on that great work. We have built on the Lammy review and all of these other things that you will see, but we have come out with drivers for change and solutions. We are asking the difficult questions about the complex reasons behind these disparities. That is the key.

Q6 **Chair:** The data came from the race disparity audit done by Theresa May back in 2017 and the staffing came from the unit. Did you, at any point,

feel constrained by that? Was it, "This is your dataset; use it. Here is your staff; use them," and you did not have the opportunity to look at anything else?

Dr Sewell: Caroline, you and I know each other in another sphere, so we have to declare an interest here, but you know me as a personality. I am hardly a person to be constrained. So, no, in no way were we constrained. We were left to get on with it. I just had my team and we just got on with the work. That was simply what happened. I am hearing things about people telling me what to do, but nobody tells me what to do.

Q7 **Chair:** Thank you for that, Tony. Nobody tells you what to do. How do you feel that your previous statements around the causes of ethnic disparities impacted the decision to invite you to chair the Commission?

Dr Sewell: You would have to be clearer on that. What do you mean by "previous statements"?

Q8 **Chair:** You have been quite outspoken previously about why people from black, Asian and minority ethnic backgrounds might be disadvantaged. Was your outspokenness a driver in choosing you to chair it?

Dr Sewell: What they looked at was the fact—you probably know this as well—that I have put thousands of black children, through my charity work, the things I have done and the programmes I have run, into top universities from really poor backgrounds. These are boys and girls who would not have otherwise gone.

They will have looked at the fact that I was instrumental in setting up the Learning Trust in Hackney. They will have looked at the fact that, across the piece, I have written extensively and done groundbreaking research as to the reasons why African and Caribbean boys, in particular, are underachieving in schools. They will have looked at the fact that I am a teacher and an educator. They will have looked at the fact that I have done work with the Mayor's office in terms of setting up Learning to Succeed. Shall I keep going on?

Q9 **Chair:** Alright, thanks, Tony. Can I just turn to Keith? Why was it that you were invited to join the Commission?

Keith Fraser: I was very surprised, but I was also honoured to be asked. There are probably two reasons, really. One is because, as an individual, I have personal lived experience. I am a person from an ethnic minority background, so I will have my own personal reflections in relation to what is happening in the UK at the moment. Then there is my professional life. I spent 32 years as a police officer; I spent 35 years in and around the criminal justice system. I worked in London and in the west midlands, adding various responsibilities in relation to domestic violence, victims, children and young people. I also do an extensive amount of charity work around supporting young people in relation to offenders and supporting offenders into work, and around upskilling the public sector and upskilling

people to get into work. It is a mixture of me as an individual, just as a member of a minority community in relation to my ethnic origin, but also my professional life.

Q10 **Chair:** Thank you. Martyn, let me ask the same question to you.

Martyn Oliver: I would imagine, given my initial conversations, that it is because I have spent over a quarter of a century being a teacher, a headteacher and a leader of a large, now multi-academy, trust that works in the north of England. The terms of reference for the Commission were to look at the whole population. It was because of my experience in working in left-behind and disadvantaged towns in the north of England, sponsoring some of the most disadvantaged, broken and poor-performing schools in England, which predominantly have white British populations with a significant number of poor white boys who are not progressing. My experience there, and my experience as a system leader in education to chair the education section, would be the reason.

Q11 **Chair:** You just referenced your initial conversations. Did you have the freedom to go wherever the inquiry took you?

Martyn Oliver: Yes, absolutely. I started with no preconceived ideas, except my quarter of a century in education. I ended up going into very uncomfortable areas of the curriculum, including funding. If you look at some of the recommendations made, particularly in education, these are very expensive areas for the Government to handle. We went into some very challenging spaces.

Q12 **Nicola Richards:** Tony, can you briefly outline the key findings of your report?

Dr Sewell: We looked at the areas of education, employment, crime and policing, and health. Those were the focus. Right from the outset, we found persistent race-based discrimination. I need to emphasise this. I will say it twice so people get it into their heads. That was a key area that we found: that racism existed, it was persistent and it was there. It was a real find. We report that in the report.

However, alongside this was an overlap between ethnic and socioeconomic disadvantage. Added to this were the key factors of cultural traditions, family strain and the agency of individuals. This gives a complex picture of race and ethnic disparity, much of which actually does not originate in racism. Martyn has talked about the north here. The highest number of deprived neighbourhoods are all in the north. There is a story of white deprivation that is often greater than ethnic minority deprivation.

London and the south-east are quite interesting. Nearly 70% of the social mobility hotspots are in London and the south-east. That does not mean that you do not have deprivation in Harlesden and Hackney, but that is the overall picture that we found. When we looked at this, it is evident that ethnic minority groups have agency to overcome obstacles and

achieve success, shown by high levels of aspiration, resilience and what we call immigrant optimism.

One of the key outcomes is that, invariably, when you look at that complexity, the black Caribbean group, along with white working class, become the group that is achieving the least in terms of our outcomes. I could drill down into the four areas, but we have a complex picture of, yes, persistent race-based discrimination, and alongside that we have an overall picture of ethnic minorities succeeding, particularly in education and to a certain extent even in the employment area.

Q13 **Nicola Richards:** How do these outcomes differ from the conclusions of previous reviews in these policy areas?

Dr Sewell: One of the key things we looked at was the complexity of these things and, if you like, the intersectionality of looking at socioeconomic outcomes, race, geography, family strain and all of these elements coming together, and then trying to come up with recommendations on that basis. What you do not do is oversimplify the causes in the recommendations; you look at the complexity behind it and then come up with solutions that are going to work.

What we are doing now, which we were tasked to do, is to look behind why the disparities existed in the first place. For example, one disparity is, why is it that African children on the whole in education are doing better than Caribbean children in terms of exclusions and all of those results? One of the key things when looking at this area is how we delved down, using the data, to bring out different kinds of outcome, and as a result of that came up with recommendations that are going to work.

Q14 **Nicola Richards:** How did you use the responses received through your call for evidence to reach the conclusions in your report?

Dr Sewell: We used the call for evidence to build four pillars of strategy for how we were going to go forward with this. We looked at the evidence and then we, almost scientifically, codified that evidence and built out what we thought people were looking for in terms of their needs, anxieties and experience in terms of that evidence.

We came up with the four pillars. The first one was trust. That was really looking at building trust between different communities and institutions and how they were served. The second one was fairness, which is this issue of being fair and promoting that fairness in outcomes for individuals and communities. The other one that is interesting—and some people may misinterpret this—is agency. When you recommend something, you empower people. We wanted that notion of agency as well. The last pillar was this notion of achieving inclusivity. We wanted to look at how people felt they belong to something, or the sense of belonging to society. That is how we drew from the call for evidence to frame how we then went forward.

Q15 **Nicola Richards:** Thank you. Many organisations who responded to the

report feel their views were not reflected in the final report. How would you respond to this?

Dr Sewell: If you look at the numbers on this, there were way over 2,000 responses. It was 2,300-odd. That is probably one of the biggest responses to a commission's call for evidence that there has ever been. We looked at most of that. Within that number, you are going to get people who feel their views were not taken up. We looked at all of those views and we tried our best, given the frame that we had and the resources we had, to reflect that in the report. We have done a good job in doing that.

Q16 **Nicola Richards:** Why did you choose not to publish the responses received to the call for evidence?

Dr Sewell: There is a summary of that online. Yes, there is a summary of those responses online.

Q17 **Nicola Richards:** Some commissioners and organisations have distanced themselves from your report, raising concerns about Government involvement and misuse of evidence. What is your response to that?

Dr Sewell: I will be honest with you. Race and ethnicity, from experience, is one of the most sensitive areas that you can think of in terms of people and their responses. People have preconceived views, maybe, or they have views on this. They are not all going to be the same. When we look at the outcomes of some of this, people might find that the way we went was not exactly the way they wanted us to go and they would disagree.

We might come on to this later, but what has also happened is that there was some negative reaction around this. People simply did not read the report. Some of that reaction has come because people read what was written about the report but not the report itself, and so reacted accordingly. I say that about journalists and academics as well. We have this kind of atmosphere around this. Why I say this is because things have changed a lot since that time. People are now reading the report and saying, "Oh, I did not realise how progressive this thing was," especially when they read the recommendations and they see that, in fact, what they thought the report was going to be is not what it actually came out to be. That is the difference.

Q18 **Chair:** I have two questions, Tony. In answer to an earlier question, you mentioned resources. Did you feel constrained by resourcing? Did you not have enough?

Dr Sewell: No, we had plenty of resources. We had enough to do the work in hand. We definitely had enough resources to do it.

Q19 **Chair:** Thank you for that. You have just drawn out a really important point about the report itself as opposed to the reporting of the report. Do you feel that there was a challenge with the way the report was only

released to certain journalists first, and only summaries were released at first? Would it have been helpful if literally the whole report was released at once to everyone?

Dr Sewell: Looking back, we can be wise after the event as to how we did the comms. The issue for us was that, even beyond that, Caroline, there were some sinister things going on in terms of people actually reporting about the report and they had not even read it. I was told not to use any metaphors or imagery to you, but one is that they basically false-started. People were reporting on this report and they had not read the report. They were being negative about it and they had not read it. While we were in the warm-up room, they were false-starting, even journalists to a certain extent. We feel that that was wrong.

Yes, we could have done more maybe on the comms side, but there was a sense that people still thought they knew what was in that report, and they just wanted to be negative about it. Now that people are beginning to consider it and look at it in a proper way, they are actually surprised that the report itself, as I said, is very progressive. I would say that we were facing friendly fire, except that fire was not very friendly; it was unfriendly online.

Q20 **Kate Osborne:** Good afternoon, everyone. My questions are directed towards Tony, but if Keith or Martyn want to come in, just indicate, please. The report has been criticised for downplaying the extent of racism in the UK today. How do you respond to this? Has your report added anything but controversy to race relations in the UK?

Dr Sewell: Thanks for that question. It is an excellent question. In a way, what we wanted to do in this report is have a conversation, widen the debate and look at the issue of the complexity in these disparities. To answer your question, we could not be downplaying racism when the first recommendation is to give the Equality and Human Rights Commission more power. Here is the watchdog for racism and we want to empower it.

Not only that, but, secondly, we want to give that organisation—the Government have already moved on this in a sense, and we hope they will take it even further—the power to tackle the issue of online racism. There are MPs online here. You have all experienced all of this. The black MPs, in particular, will have experienced the terror of online racism. Our first recommendation out of the blocks was to empower that watchdog organisation and, at the same time, give the Government powers over online racism.

We did not even stop there. We went after the robots as well. We wanted the whole issue of AI and algorithms to be cleaned up as well. This is going further than anybody would have thought. This means that insurance companies would have to account for the ways they are discriminating against clients. What we are saying here is that we set this thing up to go after the persistent race-based discrimination that exists in our society.

Q21 **Kate Osborne:** You talk about the recommendations. Could the Commission not have targeted their resources at implementing the 253 pre-existing recommendations on race inequality enclosed in the Timpson, McGregor-Smith, Williams, Angiolini and Lammy reviews, as well as the recent report from the Joint Committee on Human Rights on black people's human rights?

Dr Sewell: I will just answer that quickly. To be honest, from what I can understand, a lot of those recommendations, particularly from the Lammy one, have been implemented already. Keith might be able to help me on that one, but a lot of them have already been implemented. What we wanted to do was go further, build on those recommendations or in fact build on that analysis and come up with the reasons why these disparities persisted. It is the persistent disparities that we were after. We only came up with 24 recommendations. If you think about it, a lot of these reviews were coming up with a lot more than that. We honed it down to 24, but they were very specific and dial-changing.

Martyn Oliver: I just wanted to add, Kate, that, for example, you mentioned the Timpson report there. We highlighted six of the key recommendations made by Timpson. Whilst we identified 24 key recommendations, I did sneak a few soft ones into the education chapter. In there, I put down that the six key recommendations by Timpson that affect race should all be enacted. We re-highlight those and call upon the Government to put those in place as a part of this review. We build on it.

Keith Fraser: To go back to the first part of your question, first of all, around downplaying racism and controversy, one of the first things I would want to highlight is that, while I cannot speak for all of the commissioners, I have personally experienced racism, and probably the other commissioners have as well. It is nonsensical to say that me as an individual would want to downplay that. It is nonsensical to even throw that at the commissioners. I know that I and the commissioners sitting in the room really saw this as an opportunity to widen the debate and get some real understanding around why those disparities exist. It was about fairness, as we have spoken about earlier on. It was about increasing trust and inclusivity and saying to people, "Yes, you can," to give people the ability to do that.

The picture is mixed in relation to the reviews that happened before. Some of those reviews have virtually been completed in relation to the recommendations that were put to the Government, and others will be built on. With the David Lammy review, for example, it stopped at the criminal justice system. It did not look at that pre-entry point and the drivers, and it highlighted some significant points in there around the disproportionate number of black and minority children who come into the system. We wanted to do something about that and about the disproportionate levels of stop and search. It did not so anything about that. Trust in policing was also not touched on, although those matters are all highlighted.

Rather than say that these reports have done nothing, they actually helped at that moment in time to move the country on. That is what we are hoping to do with this report as well: to move the country on. These recommendations are very challenging for Government but positive for society.

Q22 **Kate Osborne:** Thanks, Keith. Tony, if I can go back to you, what is your assessment of attitudes towards race in the UK today?

Dr Sewell: I have been through three periods. I am 61 now—I am giving my age away—and I have seen my parents come from Jamaica to here in that Windrush period. I have seen the whole thing of being blocked for accommodation and jobs and the horror that they had. I call that the heroic period. They were heroes for that.

Then as a young person—I was born in Brixton—we had nothing else. We had to rebel; there was nothing else. Keith is a policeman, and he obviously was not involved in some of that sinister activity, but the police in particular were terrible in those times. They were a force against people. I saw that in the 1970s. I used to walk up and down to primary school, and the n-word was said to me every day. Can you imagine going to primary school and then back again home and someone saying that to you from a car every single day of primary school?

Attitudes to race have changed over those 50 years. Things have changed. It does not mean that racism has gone away or that we are deniers of it, but it has changed. I saw that with the BLM demonstrations. You had a group of young people who, this time, wanted to participate in this society. They wanted to join it, play a key role, get the opportunities and get a fair chance in society. That is where we have moved now.

I am hoping that this report will be one that seriously does two things. First, it should in effect tell those young people, yes, they should have some empowerment and go for those chances, and they are. Ethnic minorities are doing significantly better than they were in the past. Secondly, it should challenge Government, companies and institutions to do better, clean up their act and create opportunities for all people.

Q23 **Kate Osborne:** Thank you for that. What evidence did the Commission find of institutional or systemic racism in the UK?

Dr Sewell: Racism is there and it is persistent. We are not sure what to call it. We have highlighted in our language review all the different terms you can use. Believe me: ordinary people's major interest is, "Is the health service going to deliver for me?", "As a black woman, is the health service seriously going to deal with these issues around maternity and all of these other things?", "Is employment going to be fair?", "Am I going to get up that ladder or am I going to be stuck?" There are words around, "Is it this racism? Is it that racism?" Racism is a reality, and we found that in this Commission.

Q24 **Kate Osborne:** It has been argued that the report has contributed to the

mistrust of authority felt by many ethnic minority communities in the UK. We know that vaccine confidence remains a challenge, especially for the black community. The Government's denial of the role of structural racism is causing mistrust and compromising efforts to build vaccine confidence with the community. Do you accept that publishing a report that may be seen as downplaying the role of institutional racism does very little to build trust in institutions on the part of black people?

Dr Sewell: This report does the complete opposite. In fact, the first framework is about building trust. We have that in the report. We do not downplay racism at all. There is no evidence of us doing that. Keith might be able to talk particularly to this issue of trust, because it was a key element that came up. It was quite interesting. One of the respondents was talking about—this was some evidence that I took—why a person from an ethnic minority would not take the vaccine. She actually said that one of the reasons was because it was free and she did not trust the Government to give her something free. That was the depth of the mistrust. What we are saying in this report is, "How do we build that trust back?" Keith can answer that better than me in terms of the policing element.

Keith Fraser: I just want to widen it out and build on what the chair said. I want to put the record straight in relation to this. There is institutional racism in this country. It still exists. The challenge for us all, and it is a challenge for us all, is to define institutional racism and the way that term is used. One, how do you define institutional racism? Two, if you label an organisation institutionally racist, what do you then do about that organisation? What then happens? Those are two big frustrations for me.

If you look at Macpherson, when Macpherson said that a police service was institutionally racist, he gave a very clear definition. I am not sure that everybody is working to that definition. I have seen an awful lot of definitions out there potentially being used. Off the back of that, there were 70 recommendations for change and really significant recommendations for changing policing. The challenge is, one, making sure that we are clear and consistent about what we mean when we say "institutional racism" and, two, if an organisation is found to be institutionally racist, doing something about it. I am not seeing those things happening, so that is some real frustration for me. If that term is used—and we know it exists—something should happen as a result. We have to be very clear about that definition around what happens as a result.

Then the other piece that we were talking about is around trust. Trust is absolutely critical. It came out in a number of the reviews we have had before, and in ours, that trust in institutions matters to the public. If you look at the disparities that there are in health, there is a very mixed picture in relation to that. In relation to some aspects of health, minority communities are doing better than the white majority population and vice

versa. I pride myself in the service that police and police officers provide to communities across this country, but there are different levels of trust as well in relation to policing across the UK.

There are two recommendations that we put forward in relation to that. One was creating an office of health disparity to look at those disparities that exist within health and to charge and challenge the health service to do something about it. The second was around the creation of community safeguarding trust hubs so that communities have some real power to work with policing to scrutinise what they do and to problem-solve. At the moment, scrutiny of policing exists inconsistently across the UK. In some places, you have really high levels of scrutiny. In others, the level is low to almost non-existent. We want there to be scrutiny panels at a local level—looking at a borough level, for example, like Newham or Walthamstow—looking at these disparities and asking the police what is happening in relation to various aspects of disparity. We also want scrutiny at that chief officer level as well, like the commissioner or the chief constable.

The other part is around that transparency and what happens in relation to scrutiny. We want scrutiny panels to publish what is found and the police to publish what their response is in relation to those scrutiny panels. We want that to be part of the inspection regime as well. Her Majesty's inspectorate, which is charged with looking at how the police are performing in providing that service, should be charged with looking at this element as well.

Q25 **Kate Osborne:** Tony, you have argued that we should stop using the term BAME. Can you explain why?

Dr Sewell: What we found was that the term was just a catch-all and it did not really drill down into the experiences and reality of ethnic minorities. For example, the experience of a taxi driver in Bradford is going to be completely different to the experience of an Indian doctor in Harrow, yet they are all categorised as Asian. You are going to have to begin to look at the data much more forensically and also to break down the groups in relation to making them much more responsive to who they are, their identities and their realities.

What we found was that too many people were using BAME as just a lazy way to say "non-white", because people did not want to say that. For us, we wanted the categories to be much more forensic and much more sliced in terms of where people were, where they have come from and their realities. It was welcomed. A lot of people wanted that. That is seen to be a very positive step forward.

Keith Fraser: There were two things here, just building on what the chair said. One is that people wanted that, because people did not want to be labelled in that way. Two, and just as important, is that the term "BAME" actually helps to mask certain disparities that exist. The only way that you really understand what the disparities are for different

communities is about looking at those individual communities and looking at their particular geographies etc. There is evidence about how the term "BAME" masked disparities, if you just used that label "BAME" and you did not see what was going on for communities. It enabled us then to follow the evidence and data to make some real positive recommendations about the future.

Allied with what I am saying, we are very much future-looking, but we also recognise that all of these statistics that we are talking about are people and people's lived experiences. People's lived experiences will not necessarily always, at the moment, be in a place to recognise that forward look. Behind all of these statistics, I am well aware that people and where they are at now might not necessarily be in that place to look forward.

What we had to do was recognise that lived experience but also use the information and—not "intelligence"; sorry, that is a policing term—insight and what that tells us, to inform how we can use that to look forward and make some really positive recommendations for the future. There is evidence that the term "BAME" will mask the disparities that exist.

Dr Sewell: Can I just add to that quickly? Because the report was driven by, as I said, the ethnic and socioeconomic disadvantage, we could not really see the class elements, the elements of poverty, in this wider "BAME" term. You could not see that, so it was not helpful for us when we were trying to unravel disparity.

Kate Osborne: Thank you to all the witnesses.

Q26 **Nicola Richards:** Tony, I have another question for you. You have argued that social background is a bigger determinant to social inequality in the UK than ethnicity. Can you explain how you reached that conclusion?

Dr Sewell: What we did, really, was we began to look at the multiple factors that began to accumulate around disparity. For example, where you lived was quite key. I will give you one key example about poverty and the way it works with your social background being a key factor. That really is in the health space. It becomes quite interesting. That drives a lot of the disparity: the facts of your health education, drinking and smoking. Those elements come out to produce a very interesting disparity around health for ethnic minorities. What we found was, in fact, when it came to mortality rates in health, ethnic minorities were actually living longer than the white group. When it came to cancers, ethnic minorities had less cancer outcomes than the white group. If you looked at that particular white group, you saw that it was the poverty that was driving the disparity. You cannot just load everything on ethnicity alone; you have to look at these other factors.

Q27 **Nicola Richards:** How does the role of family breakdown affect disparities between ethnic groups?

Dr Sewell: The role of the family is key to this. I have to keep qualifying myself when I mention the "F" word—the family. The notion that this is anything to do with single parents should be parked immediately. We were not looking at that; what we wanted to look at was how we can help families and the stress on families. Prevalence of breakdown has increased over the years. That breakdown is going to have to be a key issue for the Government.

The numbers are quite interesting. In 2020, 14.7% of families in the UK were lone-parent families. The notion of the lone parent is important, but only in relation to the fact of support and poverty. You can have a middle-class woman who has all the resources, lives on her own and can do well. It is not about being a lone parent. However, the kinds of outcomes that we see look really difficult for certain groups. For example, 63% of black Caribbean families—to a certain extent, it is similar for mixed heritage families—are single or lone parent; that figure is 40% for African families and 6% for Indian families.

If you look at this as not necessarily about family style but about the need for support and resources, we think this is a key area. We recommended that there should be what we call a family taskforce that really would be looking at this. To be honest, the Government have to think about this really hard, because what we are talking about here is literally giving those families—it might be money or more Sure Start—what they require to address their very specific needs. The recommendation is that the taskforce should find out what that is and deliver on that.

Q28 **Chair:** Is there a danger, Tony, with a focus on family that you end up down a rabbit hole where all that anyone is looking at is the make-up of the family as opposed to the structures that are needed to support those families?

Dr Sewell: You are right. There is absolutely a danger in that. You have to be so careful that you keep qualifying this. It is quite interesting, though. There are very good models of lone parents doing really well with their children, and we need to understand more about how that works. It is not modelling anything that is about the style; it is really about the resource. Yes, you are right: there is a danger in doing that. To be honest, if I was a mother looking at this now, we recommended extending the school day and we recommended resources specifically going to families in hardship. No single father or mother is going to want to have that not come to them. We have to go past some of the academic discussion around this and go to real people, who want that resource brought to them.

Q29 **Kim Johnson:** Good afternoon, panel. Tony, I would just like to clarify the comments you made earlier on about people not reading the report. That was maybe a bit disingenuous, particularly if you are talking about the likes of the BMA, the Runnymede Trust and the EHRC, who have challenged the outcome of the report. Maybe you can comment on that,

please.

Dr Sewell: We welcome challenge, Kim. That is fine. That works well. Believe me: I do know of even journalists not reading the report, because I have asked them.

Q30 **Kim Johnson:** Are you saying that the BMA, the Runnymede Trust and the EHRC did not read your report when they challenged?

Dr Sewell: I did not say that. No, I did not say that, Kim. I did not say that.

Q31 **Kim Johnson:** You were saying that a lot of people have not read the report, but I would say that a lot of people have read the report. I just wanted—

Dr Sewell: I am glad they have. I agree with you.

Q32 **Kim Johnson:** Yes, okay. My question, Tony, is this. UK schools have recorded more than 60,000 incidents in the past five years, but the true figure is thought to be much higher than that. Lady Falkner, the chair of the Equality and Human Rights Commission, has said that schools should be mandated to collect and monitor school bullying incidents and specifically record incidents of prejudice-based bullying, but the UK Government have not made it a legal requirement for schools to do it. Can you comment on this? What needs to happen going forward?

Dr Sewell: You make a good point. I would be in favour of forensic reporting on racial incidents. Keith, with a policing background, might be in a better position to help me out on this. Keith, can you give us any data on this?

Keith Fraser: I cannot give any data on what you have just said and commented, but there is a general point around understanding what makes children feel less safe in schools. The better the understanding we have around that, the better. There is a certain paucity of data around, one, what is happening to children and, two, how that data is split up for different demographics. That will be another area. This report does not look at everything, as you will see. Where we see gaps in what we have done, it is around saying that the Government should go further and look at this. The areas that you highlight are definitely areas to look into, because they are the areas of vulnerability for children.

Dr Sewell: Kim, you have me on record here. What you have just suggested is reasonable. Schools should be doing something around what you are saying. That is a reasonable kind of request for Government for sure.

Q33 **Kim Johnson:** Is that something that you as the chair of the Commission can put forward, then, Tony, as a practical solution to dealing with this problem?

Dr Sewell: Yes, as an educator I would certainly advocate for that, yes.

Q34 **Kim Johnson:** I am really pleased to hear that. I just want to pick up on some of your charitable work and the work you have been doing with young black students, particularly in STEM. I just want to know whether there has been any kind of longitudinal study to determine whether those young people who have gone through your charities are now at high-level and senior positions in those organisations and actually sit on boards. As we know, there is a major under-representation of black people in those key positions. I want to know whether any work has been undertaken to assess that.

Dr Sewell: In terms of my own charity, in order for us to get our funding we do have to undergo evaluations of what we do. That goes for anybody who runs a charity.

Can I just say one thing about that whole space in terms of outcomes for black students, particularly in that STEM area? It has been quite tough for us working in this space. We have had excellent results, but we are a small charity. That is the issue. One of the things that I would like universities to do, in particular, is to share some of their resources with the smaller charities and community charities that are actually on the ground and working with those young people, enabling those charities to go forward. You are quite helpful in this, in the sense that our limitation is really around resource. We could do so much more with so much more resources.

Q35 **Kim Johnson:** Thanks, Tony. Sadly, it is quite true that high educational attainment does not always necessarily result in really good senior jobs and high-paying jobs. Even though we have some sectors of the black community doing well in education, that does not translate often into good, well-paying jobs in senior positions. Why do you think that is, and what do we need to do about it?

Dr Sewell: Let me just answer you on that one, because it is an area that I know about. Let us split this into a couple of areas. Young people going into what I would say are—I have to be very careful about what I say here—more research-based universities will come out and they will get jobs. The data is very clear. Jobs are there for them. There is very little data that says that is not going to be the case for those young people, whatever their backgrounds.

Where the problem lies is in what we call the second-tier universities, where the drop-out rate, particularly for black students, is so high. What is actually happening is that too many black students, in a sense, on that rung are not taking up the apprenticeship routes, other forms of skill that could lead them to jobs. They are going into these universities, staying there a year or less than that and then dropping out. You have the disaster of dropping out of a university, what that does to you and the unemployment that it results in.

We have this term "upstream". Martyn and Keith will tell you this. We found that one of the reasons we have some of these crises in jobs and

even mental health was that the problems needed to be dealt with further up. For example, the type of careers advice that we are giving those young people is woeful. We need to think again around how we skill those young people so they can get to jobs. This is another example of what I was saying about—hopefully you are beginning to get the trend here—how race disparity is not always explained by racism. It is actually something else that is going on.

The other factor, to throw this in, is some of the parents. We need to work with the parents. We need to look at the advice that ethnic minority parents give to their children around the types of jobs that they could get. They need some support there, and that is really where we saw the roots of some of those disparities.

Q36 **Kim Johnson:** Okay, then, Tony, can I just pick up on the point that you made about advice? If young black children are not getting the right advice and are not being steered in the right direction, is that a result of racism or unconscious bias on the part of what are predominantly white teachers?

Dr Sewell: No, because—Martyn will tell you this—white children are getting the same poor advice as well.

Q37 **Kim Johnson:** They end up getting jobs over and above young black children.

Dr Sewell: This is the issue about getting jobs over and above. We could run that kind of story a few years ago, but there is this idea that those young people can roll into jobs now in Hartlepool or Stockton-on-Tees. Those industries are not there any more. Eventually, in fact, what we are finding here is that London had the jobs. Of the 20 most deprived areas, 19 of them are in the north. I do not know whether you have any views on this, Martyn.

Martyn Oliver: I would like to add to that, but just to go back first, if I may, Kim, I would say that, from working in schools with 50%, 60% or 70% of the pupils on free school meals, one of the issues that we have is that children not only often struggle to get to university, but when they are at university they struggle to afford to stay there. That contributes to the drop-out rate.

That is why having apprenticeships is really important. That includes degree-level apprenticeships, where they are sponsored and mentored through. We also recommend that sponsoring and mentoring is a great way, when you get into the employment space, of giving people a leg up through the system and seeing them actually going into, as you say, the higher echelons of management and board positions in companies. We think that is an incredibly important space.

As you said, we do know that 60% of the ethnic minority group are living in the London space. As the Chair said, this becomes really difficult when you look at the job disparity between the position in major metropolitan

areas like London and the position in rural areas. That is when we started to look at the data and go into it in a much more granular way.

Dr Sewell: Kim, can I just add something to this? This is where I agree with you. To what you are saying about racism and the reality of it, I agree. That is also a factor. I would not here say to you that those young people were not facing that reality in terms of going for jobs or in their schools or all of those other elements. They are absolutely getting that as well.

Kim Johnson: Thank you, Tony. Chair, those are all of my questions. Thank you, panellists, for your responses to my questions. Good afternoon.

Q38 **Anne McLaughlin:** I just want to follow up on that. We have talked about lower attainment, but why does high attainment at school for certain ethnic groups not translate into high earnings? I will give you an example. In Scotland, African, Caribbean and Asian Scots children are outperforming at school and they are much more likely to attain university degrees. They are not dropping out, but across the piece that does not mean they are earning higher salaries. Is that a sign of institutional racism? If not, what is it a sign of?

Martyn Oliver: There is an issue there of the selection effect. We know that, while there is a greater chance of going to university, or more people going to university as a percentage of the minority ethnic population, the white population has a far bigger number. They become better qualified and a smaller amount of them are getting into those higher echelon universities. We talked a lot about going to those top-tier, highly selective research universities, Anne, rather than the ones that are less involved in research, and then making sure that they are on the right courses once they are there.

Equally, as you said, it is a grave concern to us when you look at the data of the high economic status—when we break it down into low, medium and high social economic status—it is actually the black Caribbean and mixed white/black African boys and Pakistani girls who are achieving badly at school. Again, the data might mask. You might think the performance of Pakistani girls is actually really good, but when you then break it down into those areas, it is simply not good enough. They are not performing as well as they should, and we make a key recommendation that school leaders and governors should focus on that, otherwise those Pakistani girls are going to university and they are not achieving as well as they should have done in the first place.

Q39 **Anne McLaughlin:** I am talking about people who are achieving. They are getting good university degrees, but they still are not earning as much as their white counterparts. I do not understand why that is—well, I do.

Dr Sewell: Are you talking about Scotland or are you talking about the UK generally?

Q40 **Anne McLaughlin:** I am sure it applies to the UK as well, but I am talking about Scotland specifically.

Dr Sewell: We did not look specifically at what was going on in Scotland itself, but we would have to look at other variables. I agree with you that there must be something else going on there.

Martyn Oliver: Sorry to cut across you, chair. If I may come back in, Anne, that is why we argue strongly that we have to look at what works. If I go back to the question Caroline asked Tony right at the start as to whether we wished we could have done more and what we would have done if we had had more time, we would not have made a recommendation that says we have to look at what works; we would have gone and found for ourselves what works, but we simply did not have time.

We now call upon the academics and Government to actually research into why some of these groups are performing and carry on performing, and why you get, as you say, an anomaly where you have a high-performing child going on to a high-attaining university who is then not going through to get jobs. That actually has to be looked at, and it is a key part of our recommendation 6.

Without looking at every individual case, there are always going to be micro and macro aggressions that make a difference, but when we looked across the whole piece, we just found that, on the whole, the population was choosing too often lower-tariff university courses rather than higher-tariff, going on to the wrong courses and not taking apprenticeships. Then when you look holistically across all of that data, it makes a significant difference to how you view that group, especially if you are only viewing it by BAME or the big five collection data, rather than breaking it down into those very specific ethnicities and races, and then even going deeper than that.

Q41 **Chair:** Can I just ask a quick follow-up specifically about academic attainment? We learned from the Royal Society report on diversity back in March that black students in STEM were doing significantly worse than their white counterparts. They were more likely to drop out; they were three times as likely to get a third as their white counterparts. The Royal Society found that over the last three years there had not been a single application from a black British researcher to the society's prestigious research fellowship schemes. Is that the fault of the universities? Is it the fault of the students who have chosen the wrong course in the wrong place at the wrong type of university? What can be done to make sure that when young black students have those opportunities, they are able to take full advantage of them?

Dr Sewell: Can I just come in there? Sorry, Martyn, do you want to go first?

Martyn Oliver: You are the expert, chair, on the STEM background through to university, but I just wanted to say, if I may, that that is when we look at all of our recommendations, and you cannot look at any one on its own. You have to look at, particularly in answer to your question, all of the recommendations in education and the vast majority of the ones in employment because it is a really complex issue. It is going right back to early years and making sure the gaps are not created in the first place, pushing all the way through to good careers education, making sure that they are getting on to the right courses, sponsoring and mentoring them to go through the right courses, and making sure that apprenticeships are seen as equally valuable rather than just a higher education route.

Then, very specifically, something like £800 million is spent by universities on access funds, and that has to go upstream. We have to target the better use of that. Universities are doing some great work here. I do not want to denigrate them on this, but it is no good saying that the percentage of BAME candidates at universities is rising. You have to go beneath that. If the black Caribbean group is not getting into university better, do not mask that by just saying the BAME group percentage is looking better. We have to be far more forensic, and then we have to make sure that that funding is targeted. If the universities cannot do it, we do go as far as saying that the Office for Students should start to regulate how that money is spent. I know, Tony, you have expertise about STEM.

Dr Sewell: We were doing some work with Birmingham University on this. Your issue about ethnic minorities going into research, for example, is quite interesting. What drives sometimes some different ethnic groups to different outcomes? We did not look at this specifically in the report. However, what you can see is, for example, outcomes that will look towards jobs—for example, where you have engineering students deciding to go into the City or going into finance. What sometimes, culturally, will drive you towards not maybe picking up a job or going into research is one thing.

The other thing is there is something about the informal learning context of universities—for example, joining societies and maybe this cultural thing about going down to the pub. There are all these other things where, in fact, the learning takes place. It is not necessarily with just the main lecture and classes. Universities will have to think around how they deal with their students coming in, and take into consideration a variety of cultural needs.

Q42 **Bell Ribeiro-Addy:** Thank you, panel. My first few questions are going to be about employment, and I want to ask what the Commission's findings were on ethnicity and employment, and pay gaps between different

ethnicities.

Dr Sewell: In terms of the pay gap, on the basis of the findings we concluded that the EPR is potentially a useful tool, but due to the numerous statistical and data issues, it needs to be approached with care. Simply reporting pay gaps with this binary white/non-white scenario, which a lot of companies that voluntarily take on EPR tend to do, is really statistically inaccurate and, as far as we are concerned, it masks issues.

We have said that we are not going to push Government to mandate it. We do not mind companies doing it on a voluntary basis. However, we have instructed the Department for Business, Energy and Industrial Strategy in Government to come up with a framework that accurately reflects how we can do EPR in a way that is statistically robust and makes sense. On that basis, we could have an EPR that works, but at the moment we have not, so we need to move in terms of data in a better direction.

The other thing about the pay gap that is interesting is we also need to know what you do after you have found there is a pay gap, because often these companies declare they have a pay gap and that is it. Then what are you going to do to close it or how are you going to respond to that? That was our position around EPR.

Q43 **Bell Ribeiro-Addy:** Just on the pay gap, because you ended with that, what I have noticed about the report is it stops short of recommending introducing ethnicity pay gap reporting, stating that the pay gap is now about 2.3%. This has been described as a deliberately obtuse representation of aggregate data, because it precludes the fact that for Pakistani and Bangladeshi people, for example, there exists a pay gap of at least 15%. Essentially, it appears that the Commission has called for an end to an aggregate term like BAME, but then has used the aggregate data to present a significantly lower pay gap. Why did you stop short of recommending pay gap reporting in regard to race? What do you think the Government should do instead about these racial disparities in wages?

Dr Sewell: You say there are some racial disparities. Here is a strange one. Did you know that, in fact, black Caribbean women earn more than white British women in terms of hourly pay? The ONS data shows that. I was really surprised by that. We were all looking—"Where did that statistic come from?" What is actually happening here, you see, is we are getting these crude numbers that are coming across as a pay gap, but they are not being drilled down for us to understand what the complexities are behind what drives that pay gap. That is the problem we have here. It just needs to go into a statistical space that is just more robust. We are not resisting or avoiding anything. We are just saying that the thing at the moment does not make sense.

Q44 **Bell Ribeiro-Addy:** Why would you not recommend pay gap reporting? A

lot of the recommendations, I believe, are geared towards collecting better data. In some ways, that makes sense, so why would you not want people to report the pay gap as a means of finding out where it exists and addressing it?

Dr Sewell: I have just said to you there is a big national pay gap that we could argue about that black Caribbean women earn more than white British women, and Arab women earn more as well. We are not saying people should not do this pay reporting. We are saying that they just should do it in a more sophisticated way and find a model and a tool that actually works. We are not saying that they should not do pay reporting at all. We are actually saying they should, but we want it done properly.

Martyn Oliver: Just to add to that, we give very specific examples in the report. For example, in London ethnicity pay gap reporting may have a really very accurate return of results, but in areas like Teesside and Redcar and Cleveland, where the ethnic population is very small, you are clearly going to get a very different return in the data that comes from any ethnicity pay gap reporting. As you say, we do not recommend that EPR is not done. We recommend that the Government should support organisations and find ways to do it.

Then in the next recommendation that follows that one we talk about how the NHS is doing that, because that is a nationwide employer. We actually say that we should work with them. We should find out the best ways of making that data and see how they are reporting it. The Government should take note of that and recommend on how we progress that going forward.

Q45 **Bell Ribeiro-Addy:** Just to understand, you are saying that because it would be in a slightly different area and there would be fewer black people, being paid less is less of an issue. I am just not clear. Please do correct me if I am wrong, but my understanding of pay gap reporting is that you look at people's jobs in particular industries, then individuals overall, and look at how there are disparities within those wages. Why would that be an issue anywhere in terms of the population?

Martyn Oliver: I am absolutely not saying that at all. For example, in comparison to gender pay gap reporting, where you could reasonably expect 50% of male and 50% of female when you are reporting in an area, when you start to look at smaller numbers you have issues regarding the General Data Protection Regulation and actually identifying people on their pay and the way that that works. I am absolutely not suggesting that. That granular approach that you set out there about looking at types of jobs and very specifically jobs is a really important point, and that better advice and guidance is what we need so that companies can take that forward and do it right.

Q46 **Bell Ribeiro-Addy:** That has not been recommended. Are you recommending that now?

Dr Sewell: We are giving it over to the Department for Business, Energy and Industrial Strategy to come up with a tool. What is interesting is what you have just said is exactly what we are recommending. We want that done better.

Q47 **Bell Ribeiro-Addy:** Perhaps I have a different understanding of what you do when you pay gap report. It is just that there was no specific recommendation. I believe we have both made ourselves clear, so I will move on to the next question, if that is okay.

Last week the ONS statistics showed that minority ethnic workers were facing higher rates of unemployment than white workers, and the unemployment rate for ethnic minorities is 9.5%, which is over double the rate for white workers, which is 4.5%. This is just last week. The rate for black people specifically is 13.8%. Just beyond pay gap reporting, because we have touched on that, how would this be tackled within the remit of the report?

Dr Sewell: In terms of the unemployment situation, our reporting came in a bit earlier than that data so we did not have that data to look at. From the data that we found and that we have been given, there are real issues about race, and we have not ducked that in terms of race and racism at work and opportunities. That is something that we are very clear about, and we would want that challenged. Anybody who feels that there is not racism at work is living in another world.

One of the things where the problem lies is about the skills and that is the key issue. For example, take an area like construction, which is growing. Just anecdotally, there are very few ethnic minorities on those construction sites, but then when we drill down we got back to this problem of apprenticeships, skills and particular groups going to where they could then find the tracks for work.

The problem is twofold. I assume you are pointing to realities of racism that might exist that block those people from getting into jobs. I know that we found things that will confirm that. However, overall, there is a wider problem of training and skills development that needs to be looked at upstream.

Q48 **Bell Ribeiro-Addy:** Thank you. Sorry, I know I said we had drawn a line under this, but I had one more question about pay gap reporting, because of something that the Runnymede Trust had said and because of the discussions that we had just had. They said that the analysis of pay gap reporting is clearly misleading and points to a cynical manipulation of data. How would you respond to that?

Dr Sewell: I would say that is absolutely wrong. There was no manipulation of any data here. We considered the steps, we looked at and analysed ethnicity pay gaps, and we produced a meaningful report. I would just say no to that.

Q49 **Bell Ribeiro-Addy:** Respondents to your call for evidence said they that

felt less likely to be hired or to progress in employment compared to their white colleagues. I believe, in your report, you said that, while impediments and disparities do exist, they were varied and, ironically, very few of them are directly to do with racism. This is just talking about it generally. That is what has been said in your report. A number of individuals who contributed their data made the point that they felt it was institutional racism and recent reports confirm this. How does your report address these concerns of institutional racism while also saying that institutional racism is not necessarily the issue here?

Dr Sewell: Martyn has mentioned it already. This is a positive outcome and maybe something you want to think about in terms of the recommendations. We spoke to some companies about what happens to people in terms of progression in the workplace and that area of feeling that there is racism and that they cannot progress. What we are saying is two things. We know there is racism that exists and it exists in the workplace. We are not denying that. However, maybe what also needs to happen is that companies need to look at things like sponsorship, where they, almost structurally, build in what I call talent development inside their workspace, where, in fact, what you are doing is you are actually saying, "You have been here for five years and you have not moved from that one position. What is going on? I am going to take you on. You are at X and, as senior management, part of my role is that I want you to be at Y, and I am going to sponsor you to come forward through that."

Companies like PwC and other places are instigating these kinds of ways of developing their workforce, and they are coming up with positive outcomes. We would really want to encourage more and more companies to do that. Keith would be better at this because some of the things that you are saying reflect progression in the police. I do not know, Keith, if you want to comment on that.

Bell Ribeiro-Addy: Yes, please do.

Keith Fraser: Thank you. I was hoping that we were going to come on to crime and policing as well, because that is quite an important issue.

Bell Ribeiro-Addy: That is next.

Keith Fraser: That is next. Okay, I am here ready and waiting. I will narrow it back into that. There needs to be some concerted action there to try to bring about an increase in diversity and increase in skills mix within the police. One of the things I have seen over the 30-odd years that I have been in and around the criminal justice system is there has been this up and down focus on it. One of the things we need to do is ensure that the focus that there is now on increasing diversity and the skills mix in policing is maintained and is not just something that happens now, but that happens in the future.

We have recommendations that play to that, and I will talk about that in a little bit more detail. One of the things that we do need to do, whatever

we are doing now around skills and increasing diversity in the workplace in particular aspects of work, is around making sure this is not here and now, and that is one of the things we want to do in relation to policing. There is some significant effort going on with senior leaders within policing and wider across Government.

Dr Sewell: Something that you would like as well, I am sure, is that we have recommended this thing about residency for police. In fact, what you are going to have to do now to join the police force in certain areas is actually come from that area. That residency aspect has to be there, and that will increase the amount of ethnic minority police officers in areas. It is a direct way, in a sense, of actually then supporting this whole idea of employment across the space, so the police reflect the community that they are serving. That is the purpose behind that.

Q50 **Chair:** I am sorry, I am going to be difficult, Tony. Can we be absolutely explicit about this? When looking at ethnicity pay gap reporting, we will all acknowledge there are challenges with the granularity that you need and there are challenges around the datasets, which might be too small to give you a proper picture of what the gaps are. Are you saying to BEIS that you would like the Government to mandate ethnicity pay gap reporting, setting the parameters so there cannot be any confusion as to whether company A is reporting in a different way to company B? Is that where we are?

Dr Sewell: First of all, they have to come up with a model before they can mandate anything. The model is the issue and what we would have to do then is go out and test that with companies before you can mandate anything, so that would be our process in that.

Q51 **Chair:** I understand that you have to have a model that everybody has agreed and signed up to, but at the moment you have a mixed picture, where some companies are reporting against the metrics that they have chosen and different companies are reporting against completely different metrics. If there was to be uniformity, and if the Government could come up with a model that provided people with confidence that you had the right metrics being measured in the right way by a sufficient range of companies, would you like to see ethnicity pay gap reporting introduced and mandated in the same way as it has been for gender pay gap reporting?

Dr Sewell: You could look at that. I am not going to say anything; I am going to be a typical politician here and be careful. It could well be that you just have a consensus so you do not even need to mandate and there is a voluntary desire by the majority of companies and certainly by the civil service, which is a big employer, to just do this. I would say just let us wait and see. It might not need any mandating at all.

Q52 **Chair:** Some companies, albeit not all of them and not many, have said to me that they want to do it. They think it is the right thing to do, but they will not do it until such time as they have a model that they can use

that they know everybody else is using. Is that basically where we need—

Dr Sewell: That is where we are going with this, yes.

Q53 **Anne McLaughlin:** Keith will be pleased to know that we are now going to look at the criminal justice system. I just wondered if you could just start by saying a little bit about the Commission's recommendations to reduce ethnic disparities in the criminal justice system and mistrust in policing.

Keith Fraser: In general, what we have found overall is that all communities want to be policed. It is how they are policed that is an issue, and then there is a level of mistrust within communities. Some of that is in relation to what is happening now, some of it is residual from police behaviour in the past and some of it is as a result of a lack of understanding around why the police do what they do. That is driven from disproportionate levels of minority people coming into the justice system, disproportionate levels of stop and search, and looking at who is delivering that service as well within policing.

There are some key recommendations that we have come to in relation to that, and there is another aspect, which I am surprised has not really grabbed the headlines. Forgive me for not mentioning this earlier. It is about the disproportionate number of black men who are killed. If you are aged between 16 and 24, you are 24 times more likely to be murdered. That headline, for me, is absolutely shocking in relation to the impact on lives, and the country should be absolutely focused around doing something around that and trying to stop that. You have all of these things that touch on what you are talking about.

There are recommendations there in relation to community safeguarding trust hubs, which I mentioned earlier on. There is also a little bit more detail around that preventative pipeline around stopping people from coming into the justice system as well, in relation to some diversionary measures, because as a minority person you are less likely to be diverted from the criminal justice system. There is also a bit around tackling the disproportionality around stop and search. Fifty per cent. of all the stop and searches across the country happen within London, and 80% of stop and searches on black people happen within London as well, so there is something when you look at the geography as well in relation to where this is happening. We really do need to increase the understanding of the public.

I will just put it down to some key areas here, and then I will give you an opportunity to drill down into that, if you would like to. It is, one, how do we create trust? One of the things is better understanding around why the police do what they do and why they police different areas in a different way, through those community trust hubs I spoke about. I will go into that in a little bit more detail. It is how stop and search is recorded and done. It is also the make-up of the police service—so those people actually delivering the service. As the chair said earlier on, we

need to increase the representation around all of that. There is also stopping a disproportionate number of children and older people who come into the system from minority communities. It is also around exploitation and doing something to try to stop children from being exploited by those criminal gangs that are out there.

Q54 **Anne McLaughlin:** Thank you. You mentioned the stop and search and the geographic nature of it. I was quite concerned about that, because I felt that that allowed the report to downplay the statistic that black people are nine times more likely to be stopped and searched. I felt that that allowed vested interests to claim that those fighting racism are making up stats or they are exaggerating, so I found that a little bit concerning. I am just going to quote Mike Cunningham, who I am sure you are aware of. He is the recently retired chief exec of the College of Policing and he said that stop search was a totemic issue. He said that young black men were being stopped and searched "at an eyewatering rate". When you are saying you have to look at it in a geographic way, why? They are still being stopped and searched at an eyewatering rate, according to somebody who should know.

Keith Fraser: We know as well, so I will not disagree with how he has described that. The rates are different in different parts of the country, and policing activity is focused differently in different parts of the country. You are going to have police activity focused in some parts, which will be driven by what is happening, and there will be other parts where the stop and search activity is lower. As I said, 49% of all stop and search activity is taking place within London. That is not to downplay that overall rate. Excuse me for this expression, but that is when we fall into that BAME trap. If we look at stop and search overall across the whole country and say that it is the same wherever, that would be wrong. We need to be looking at it in different areas to understand what the needs are there, but there are some consistent things that we need to be doing in relation to stop and search.

I will give one finding from HMICFRS, for example, the inspectorate in relation to standards. It says that over 80% of the stop and search that is carried out is carried out lawfully, but the big challenges that they have found, and that we found in some of the responses that we got from the communities and wider, was how those stop and searches are conducted. It is around dealing with the manner of that and also the transparency of those. We want stop and search to be carried out in the right way. There is something about that style of communication, because a significant number of stop and searches do not find anything. There is evidence in relation to what happens at the end of the stop and search procedure. For example, this could be a simple solution. Do the police actually apologise for stopping people and make sure that that encounter finishes in the right way? I do not feel that is happening consistently from what I have heard, and the evidence shows we need to be doing something around how stop and searches are conducted. Just because 80% of them

are conducted lawfully, it does not mean they are all conducted in the right way.

There also needs to be some transparency for all communities around why police are doing what they are doing in different community areas. That transparency is not consistent, and also where that scrutiny is by the community is not publicised, so the public do not know what questions are being asked of the police and what the response is. We want to bring some openness there around that, so the police can work with the public to understand what the disparities are, ask those difficult questions and then see what the police come back with as a response. Then they also expect something as a result of it.

Far from downplaying it, I want to give it the right spotlight and the right understanding. The public do not understand fully what is happening. At the moment, they understand who is being stopped, and they understand the overall macro numbers and what has been found. They do not understand what is driving police activity and what the police are doing to change what they are doing.

There is also something significant there as well around a presumption that body-worn cameras will be used in relation to stop and searches when they are being conducted and giving senior officers within the police service and the public, if appropriate, the right to scrutinise those as well. It is definitely not around downplaying. It is around increased openness and transparency around how our police service is policing our communities.

Q55 **Anne McLaughlin:** There is lots of interesting stuff around that, but you just said that 80% of stop and search is carried out lawfully. That means 20% is not, but also who is it they are aiming the stop and search at? It may be lawful, but why is it disproportionately more young black people? I am going to move on and ask if the Commission found racism within police forces to be a problem and what recommendations were made to Government.

Keith Fraser: Racism exists within society, so you will have racism within the police service. It will be a problem within the police service, but racism will not be the sole aspect of the challenges police have in relation to how they deliver the service and how they ensure that they are trustworthy. It is not about the community having trust and confidence; it is about the police service being proactive and being trustworthy.

One of the things we want to do, which our chair touched on earlier on, was have a more representative and reflective police service. It is not just about having residency, which is a key part of that around having police officers who understand the communities they police. We also need to ensure that the police officers have the skills, so there is something about looking at the diverse skills of the police officers that are policing particular areas.

There are two aspects to that. There is one about residency, but there is one about looking at the life skills that individuals possess in order to police as well, and having that as a criteria in relation to selection. We want to increase diversity in policing. What does that mean? Once we bring the diversity in, what do we actually do with it? I and the Commission want to ensure that we have people who understand the communities and have the skills to police those communities.

Q56 **Anne McLaughlin:** I do not disagree with that. Having spoken to many black police officers and many Muslim police officers, and having read what highly respected former Chief Inspector Leroy Logan had to say of his experiences, it is about what you do with diversity, how you retain it and how you protect those police officers who have reported experiencing racism within the police force. I just wonder if there is anything on that.

Keith Fraser: If you have that workforce mix that I am talking about, it is something that can happen quite quickly now if we take action and adopt those recommendations. You have an uplift here that is taking place at the moment, where you are looking at an increase of 40,000 police officers. We have a massive opportunity to really change the demographics of the police service for the better. It is not to say that all of those police officers who are there now are not doing a good job. It is around saying, "How do we increase their ability to enhance the service that they are providing?" By having a more diverse workforce and a proper skilled workforce, we will deal with those challenges that you are talking about.

There are also some other aspects that we looked at but we did not put into concrete recommendations, about the disproportionate number of misconduct allegations that were driven internally regarding minority police officers. The police have already started to progress that and have some significant recommendations in train in relation to that. We have supported the actual progression of those recommendations, but not actually thought it necessary to go back over that area because we did look into that in a lot of depth.

Q57 **Anne McLaughlin:** I just have one more question. You have mentioned the community hubs. Could you say something about how the police can build a better relationship with marginalised groups? When I am saying this, I am aware of several pockets of excellent practice, but I am talking about right across the board. If they do manage to do it successfully, how do you think that would impact on ethnic disparities data relating to the criminal justice system?

Keith Fraser: There are two aspects really. One, how do you have a police service that is more transparent so the public understand what they do? Two, how do you increase that community involvement in policing? I know this is what senior officers want, from the conversations I have had.

I saw some really good examples around what was happening, if you look at West Midlands, for example, parts of the Metropolitan Police Service and parts of Bedfordshire. There are some really good examples of community scrutiny and involvement, so that was scrutinising what was happening, but also being involved in problem-solving. That picture was not consistent. I think we should be mandating a framework around what that community involvement looks like and that happens across the country, but across England and Wales at least—how it is actually delivered, who sits on it and that make-up is decided locally. That would need to come from having different communities involved. There are two aspects there. There is one around that transparency, and the other piece is around having the community involved. We should also—this is the longevity piece—have it as part of the inspection regime, so that the inspectorate are actually tasked with inspecting police on how they perform in that area.

This is not a simple question, and it is not a simple answer, but that does not mean it cannot be done. To link it back to what you have said, it is around the disproportionate number of people who are stop and searched and then, as a result of that, it is class B drugs in a disproportionate number that are bringing people into the criminal justice system. We are arguing that that should be dealt with in a public health approach and diversionary way. It might sound radical, but there are some good indications that that could work. If you think about somebody having a small amount of class B drug in their possession, the result of that is they end up in the criminal justice system. Once you are in the criminal justice system, it is harder for you to get out of it, and if you are a minority person in the criminal justice system, you are less likely to get out of it.

What we want to do is really try to cut it off right at the start with that diversionary option, so the police service and the criminal justice system work with the health service and look at a public health approach to the possession of class B drugs, for which 60% of the prosecutions are in relation to bringing people in. There are some really good opportunities there.

Q58 **Anne McLaughlin:** It is perfect timing to bring it up, because today is the 50th anniversary of the Misuse of Drugs Act. You said at the start there, Keith, that there will be racism in the police because police are human beings and all the rest of it. I do not know the answer to this question, but when the police force is recruiting, training and monitoring young police officers coming through, do they all undergo checks on their attitudes to different minority groups? If they do not, should they? I think they should, because I do not think we should accept these things with public sector workers who are working with very vulnerable people, whether it is the police, social workers or the health service. Does it happen and to what extent? If it does not, should it?

Keith Fraser: There are some pockets of good practice happening, again, in relation to what you are saying. The general overall theme of

your question, and where you are going to in relation to the police understanding difference and the importance of that difference to be taken into their consideration, is absolutely critical.

Another part of the recommendations in there is about the training to actually include that aspect, to have some understanding of the importance of policing differently. That is the way you are going to police fairly. It is not policing people exactly the same, because people are different. There is a professor who I talked to. She talks about people being messy. People are messy. A lot of what we tried to do earlier on was put people into boxes. Policing deals with the complexities of life, so it is how you equip the police service and police officers to deal with the complexities of life. That needs to be done consistently, and that is not being done at the moment.

Q59 **Anne McLaughlin:** Would you recommend that it should be?

Keith Fraser: It is in the report, yes.

Anne McLaughlin: It is, okay. Thank you.

Q60 **Bell Ribeiro-Addy:** My next set of questions is going to be about health. I want to ask what the Commission found to be the biggest cause in health disparities and outcomes between different ethnic groups and how you think this should be tackled.

Dr Sewell: I will come to this. Thanks for that question. It was interesting because, as I said before, there were specific issues that could be landed on the ethnic population and you could see that in terms of diabetes, obesity and prostate cancer. These things were present, but the interesting bit of the data was around the campaigning element. For example, we spoke to Diabetes UK and British Heart Foundation, and one of the things that they were stuck with was how to reach ethnic minority communities. They did not really know how to do this.

What we then came up with was the office for health disparities, which will have that outreach work as a key mandate of its operations. We have seen this with Covid at the moment and some of the communications around that, but more specifically we wanted to get better communications and campaigning around donation of blood, heart disease, diabetes, how to take care of yourself and those kinds of campaigns. We do not have in this country anything that will specifically look at the needs of ethnic minorities. There are real issues around, for example, black women, their health and maternity needs. Again, it is having something very specific that is going to target those areas. That is really where we sit with that.

Then we have this very interesting other disparity. If you take the white grouping as a whole, we see that there is almost a strange positive disparity here, where cancer outcomes and mortality rates are actually in favour of ethnic minorities.

Q61 **Bell Ribeiro-Addy:** You did touch on black maternal health, and I am sure you agree that it is devastating that black women are still four times more likely to die in childbirth and pregnancy. New data released yesterday shows that black women are twice as likely to experience stillbirth. The Commission's report seemed to suggest that it was unfair to other mothers to focus on this disparity, and in recent questions the Equalities Minister stated that the numbers were too small to effectively target, but that the Government would try. Do you agree with this statement that it is unfair and that the numbers are too small to target? What do you think the Government should be doing to end these really huge inequalities in maternal mortality for black women?

Dr Sewell: I am married to a black woman. I have a daughter. I am concerned personally about this issue and I would say that I agree 100% with you. I would like, inside that office for health disparities unit, something that specifically looks at the maternity issues for black women generally. I want that to happen and I would advocate for that to be in there.

Q62 **Bell Ribeiro-Addy:** You also touched on Covid. People are a bit concerned about what the report says about the data and how the report refers to what has happened to black communities, and all the data that has been produced over the past 18 months showing socioeconomic factors related to race and ethnicity have actually exposed people to Covid more. I know that since the publication of the report, the BMA and Professor Marmot have questioned the report's approach to ethnicity as a risk factor during the pandemic. Do you maintain the view that inequalities in outcome for different ethnic groups are driven by risk of infection as opposed to ethnicity being a risk factor in itself?

Dr Sewell: Let me just tell you: the honest truth to it is we do not really know. This is really what it comes down to. In fact, let me just give you some breaking news. Professor Marmot has rowed back a little bit on his criticisms of the report now and has come in alongside us. One of the things I would argue for is that we need more information and data on this to understand why this is happening. That is why you have to have a dedicated office that looks at this.

Our report did come in too late because Covid, as you know, was going on and we were reporting almost at the same time as the first or second wave, so we could not really be very specific around the Covid-19 outcomes. However, what we do want to do in that office is really begin to have a place for research and campaigning, and a place that is going to come up directly with some new solutions to health outcomes that beset ethnic minorities and the wider population. The white population is again the one that suffers in this because they have the worst health outcomes.

Q63 **Bell Ribeiro-Addy:** Just touching on the report's emphasis on socioeconomic factors, it has repeatedly stated that they play a larger role than ethnicity in accounting for disparities. In saying that, would you

agree that that relates to health as well, and would you also say that racism in the UK accounts for the adverse distribution of socioeconomic characteristics?

Dr Sewell: The question is complicated. I am trying to unravel it. I think we are in agreement here. We found that there are race disparities that exist across all those areas that we looked at. However, the drivers behind that in most cases were not necessarily racism. With the health outcomes particularly, you see a very strange distribution. Even though we have talked about these other areas, just in the simple area of living and dying, ethnic minorities actually live longer. What we are looking at here is a more complex picture, and where you live is a key determinant around your health outcomes.

Q64 **Bell Ribeiro-Addy:** There are a number of people who have criticised the report, and in response they have often been told that they do not represent all ethnic minorities. I do not believe any individual necessarily claims to. Does the Commission accept overall that the level of criticism means that it also, in its report, has not spoken for the majority of ethnic minorities that disagree with the findings and the outcomes, and that that presents an issue with a report that is meant to work for these groups of people, especially when they are feeling like their lived experiences are contradicted entirely by the report and that their opinions are not seen as valid?

Dr Sewell: Maybe we all can have a go at this. I will go first and then maybe the rest of us, because it is a great question. Keith, do you want to go first?

Keith Fraser: First of all, right to your point there, is that I would love to be sat in a room and having a conversation with people about the recommendations. I would love to be sat there and say, "Within these recommendations and outcomes that we want to do in relation to having a fairer society, more trust in relation to services that are being delivered, a more inclusive society and giving the people the potential to be able to progress themselves in society, what do you not agree with?"

Secondly, it is about working with us. This report, for me, is a moment in time to take a significant step forward. This report is also challenging for the Government. If you look at the recommendations that are within here, they are not easy, quick wins for the Government. They are quite challenging, but they will not deal with every aspect. It is around saying, "Okay, you have dealt with X, Y and Z. What about this? What about this?" and challenging the Government. That is where this challenge should be—around challenging the Government to take what we have suggested further.

We are not saying there are all the answers in here, but there are some significant steps forward and some significant positive pillars in there that we can build on, because we have looked across all races, and the

disparities are different. It is around how we work together to bring communities together and work under those four pillars.

Martyn Oliver: If I could just build upon that, I have had a significant number of conversations with people, both nationally and locally, as well as several trade union representatives, and been through the report. When I ask them, "What is it that you disagree with? Is it more funding to hard-working families? Is it more targeted funding for mental health, early years or family hubs? Is it greater representation in the police force?" and I run through those 24 recommendations, I actually find that, in all cases, people agree. They realise that these are really progressive recommendations that will actually not just support ethnic minorities, but all people facing disparities, and that was ultimately the aim of this report. It was to focus on those disparities and go upstream.

Right back at the start, we talked about the independence of the Commission. We commissioned some groundbreaking research from the University of Oxford by Professor Steve Strand and he gave some evidence to the Education Select Committee last week with Tony and I. We published his report in full. If I quote him correctly, in his report he says, "Going upstream to look at socioeconomic status was not to downplay the importance of racism, but it was, for example, to make sure that we could tackle those root causes and those disparities." An example is that it is no good giving unconscious bias training to teachers at a professional development day if that is not going to make the difference.

All of the time we tried to go right upstream and find recommendations that will help tackle those socioeconomic status, geography and family issues, as well as accepting that racism is still a significant factor in society today.

Dr Sewell: If you ask me, of the 24 recommendations, not that we have a favourite, the most significant one is No. 1. It is the recognition that racism exists in our society and that we want to empower the body that is challenged to deal with this, the Equality and Human Rights Commission. We want to give it teeth and power to really protect people from the racism that you are talking about and particularly the online racism. I cannot see how we can do any more than that. We want that body to have more resources, go after this thing and, as Keith was saying in a sense, really to try to build out an inclusive society. We have done a good job here.

Q65 **Bell Ribeiro-Addy:** Thank you very much. There was just one more question, which is not necessarily from me, but as I am talking I will read it out so that you are asked it. How confident are you that the Government will enact your recommendations, given other historical reviews have not led to significant progress?

Martyn Oliver: We are still waiting for the official response, but I have noted quite a number of the recommendations in the education sector,

for example, are already coming through. I noted that the Secretary of State gave a speech about the importance of family hubs. I know we have talked about the importance of terminology regarding exclusions. I noted that Edward Timpson has revisited all of his areas. I have seen, for example, recently work on the duty to act impartially and on supporting the curriculum. I am hearing lots of good things in Government about some of our recommendations in the education sector that are already starting to come to fruition, so I am very confident.

Dr Sewell: Just to add to that, you know that the Government are also moving now in changing the law around online harm and abuse online. We were first there, believe me. The answer to your question is we are very hopeful that the Government will implement all of our recommendations. We will probably hear in the summer about that. That is as quick as we can get the response. We are very hopeful that our recommendations will be taken on.

Q66 **Chair:** Before we conclude, can I just ask the panel if there is anything else you want to mention that you feel you have not had a chance to air as much as you wanted, or are you content that you have said everything you want to?

Dr Sewell: I am very content.

Chair: Thank you. Keith, are you happy?

Keith Fraser: I am very happy, Chair. I have an ask. I do not know if this ask is appropriate, because I know that you are asking us the questions. The ask for me is that if you look at those recommendations and if you feel that they are the right things to do, challenge the Government in relation to what they are going to do in relation to implementing them.

Chair: Thank you for that. It is a really important point. If we take the recommendations, everybody wants to have confidence that solid recommendations will be delivered and completed, so that is a very valid point.

Can I just take this opportunity to thank you very much for having taken two hours out of your time this afternoon? I know the hours of preparation that will have gone in. It has been hugely appreciated and it just falls to me to bring the meeting to a close. Thank you very much.