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1 Influences on anti-racist social work practice

Introduction

This chapter introduces the relevant legal frameworks and considers the impact of social activism on 'race' and racism in relation to professional social work and social care.

Statutory provisions have a significant influence on professional practice in the UK, and as a result social workers are skilful users of laws, policies and procedures, particularly those which support direct interventions. Regulation and registration systems stipulate that public sector workers continuously update their knowledge and skills, as well as seek guidance on, for example, how the gap between personal values and professional practice can be met. Despite this, social workers do not always see the necessity of understanding broader legal provisions on human rights, equality, discrimination and racism.

Ongoing training and support are necessary because developmental change is a significant feature of contemporary social policy. Legal provisions on 'race' and racism are not integral to social work laws, and professionals need well-planned opportunities to incorporate anti-racist laws into the procedures and guidance they follow on an everyday basis. This can be undertaken as part of regular supervision sessions with managers who have the relevant experience, and/or within continuous professional development personal plans, and/or specialist anti-racist training provided by employers.

The justification to employers for investment in this lies in the argument that a reasonable understanding of legal frameworks allows social workers and students to:

■ practise as trainees, employees and representatives of government and non-governmental organizations
■ provide services to defined service user groups
■ interpret and integrate statute into organizational guidance
■ base practice on the principles of equality and fairness.

Regular and constant change within social policy is illustrated by the 1997–2010 Labour government review of equal opportunity laws in the early 2000s, which resulted in the Equality Act 2006, an overarching legal framework which covers a number of anti-discriminatory areas including 'race' and racism.

Conscious of the changing landscape, this chapter will also reflect on how words and definitions link language to legal and moral meanings. The Glossary introduces relevant terminology and defines, for example, racism and racial discrimination, two terms which are often used interchangeably but each holding a distinctive legal meaning. Racial discrimination, if proven, is a criminal act, whereas racism is an ideology and/or a belief system. The Race Relations (Amendment) Act 2000 and the Equality Act 2006 (see Table 1.1 below) allow for a clear differentiation between racism as an act and racism as a belief. So an association or political group, such as the British National Party (BNP), would be proceeding unlawfully by actively excluding membership of the party on the grounds of racial difference. This may be seen as a racist act. If the BNP was also suggesting that the multiracial profile of London meant that the capital city did not represent British people, this would be seen as a belief.

Laws on 'race', racism and equality

The Race Relations (Amendment) Act 2000 provides important additions to the Race Relations Act 1976 and other predecessor laws, such as the 1965 and 1968 Race Relations Acts. The 2000 Act outlaws discrimination in all public authority functions and, in particular, empowers the inspection of children's services by organizations such as Ofsted (Office for Standards in Education), and requires social services and social care agencies to consult and report on:

- measurable outcomes – how equal treatment is defined and measured
- targeted services – which services are specifically meeting the needs of the local BME populations
- information – the means by which the public is informed of such services
- complaints procedures – how these are received and responded to.

Legislation on 'race', racism and equality, based on the Race Relations Act 1965 and the Race Relations Act 1968, has been incorporated in the frameworks set out in Table 1.1. The basic principle is that amended laws, codes and guidance incorporate past provisions, and so, for example, the 1984 Code of Practice for the Elimination of Racial Discrimination and the Promotion of Equality of Opportunity in Employment remains in force today and may be included in subsequent laws.

Table 1.1 Primary laws on 'race' and racism

Law	Overseeing government body	Main provisions
Race Relations Act 1965	The Race Relations Board	Outlawed racism in public places and transportation
Race Relations Act 1968	The Race Relations Board	Incorporated housing and employment as arenas where racism may take place
Race Relations Act 1976	The Commission for Racial Equality (CRE)	Differentiated between direct and indirect discrimination, set out public sector duties and incorporated the following key principles: ▪ Defined direct and indirect discrimination and made it unlawful ▪ Outlawed unfair treatment and victimization in training and employment ▪ Covered the provision of goods, facilities, services, education, housing and other activities ▪ Individuals are allowed to bring proceedings and claim damages (but the original provisions excluded government departments)
Race Relations (Amendment) Act 2000	The Commission for Racial Equality (CRE)	Amendments to the above. Power to issue a statutory Code of Practice on the Duty to Promote Race Equality. The Code applies to public authorities in England and Wales. The Code of Practice for Scotland applies to devolved authorities in Scotland
Equality Act 2006	The Equality and Human Rights Commission (EHRC), combining the remit of the outgoing CRE, the Equal Opportunities Commission and the Disability Rights Commission and covering England, Northern Ireland, Wales and Scotland	Absorbed important equality functions in relation to 'race', religion or belief, gender (including gender identity), disability and sexual orientation. Defined and outlawed discrimination on the grounds of race, gender, disability, sexual orientation, transgender, religion/belief and age. Placed a general duty on public bodies to promote race equality and good race relations

In relation to the responsibilities of social workers, the overarching aim of the law is to ensure equal access to benefits and facilities and to consult service users on needs, quality and standards. For employers of public sector staff (including students), the laws relate to equal treatment within, for example, recruitment, retention and promotion processes, as well as more general worker rights (GSCC, 2002a).

The bringing together of equality legislation under the umbrella of the Equality Act 2006 has made life easier for students, social workers and employers, but the relevance of this Act to social work laws requires clarification. The Equality Act 2006 assembles important statutory duties for public sector workers and is overseen by one overarching body, the Equality and Human Rights Commission (EHRC). In practical terms, this means that most of the information for complying with this Act is signposted or provided by the EHRC, and challenges to the relevant laws can be filtered through the EHRC for England, Scotland and Wales (http://www.equalityhumanrights.com/).

The amalgamation of equality functions has a number of critics, however, including the Race Equality Foundation (previously the Race Equality Unit of the National Institute for Social Work), which expressed particular concern about the dilution of 'race'-related provisions under a single equality law (Race Equality Foundation, 2008). This suggests that the relationship between and across equality areas needs to be taken into account if structural and institutional racism, for example in children's services, is to be addressed properly.

In order to maintain focus, the Race Equality Foundation (2008) recommended greater attention be paid to the following areas:

- how 'race' intersects with and incorporates other equality areas, such as age-related children's rights
- multiple discrimination, for example the combined impact of sex/disability/age on a service user from a BME background
- compliance measures which address anti-racism in the same way as other anti-discriminatory areas, such as sex discrimination
- weak or unenforced laws, such as those which leave people frustrated or angry
- the disproportionate focus on costs and administrative burdens, for example within resource-led organizational systems
- effective enforcement tools, such as performance indicators, reports and inspections.

The Race Equality Foundation suggests that such issues are critical to the development of anti-racist policies, and that they have not been sufficiently incorporated into the modernization of laws on equality and human rights.

Participation and consultation are also areas of concern for the Race

Equality Foundation (2008, p. 17), which commented on the poor recognition given to black perspectives within law and public policy:

> Certainly, there has been a raft of legislation developed over the years but each legislative development has been the subject of a struggle carried out by pressure groups and activists. This fact is nowhere reflected in the pages of the review.

Social justice and social work

The review of equality laws, leading to the Equality Act 2006, included discussion on anti-racist principles, duties and responsibilities in the White Paper *Fairness for All: A New Commission for Equality and Human Rights* (DTI, 2004; McGhee, 2008). Subsequent work by the Equalities and Human Rights Commission (Equalities Review, 2007b) was driven by the need to produce data (particularly in areas such as sexual orientation and religion) based on defined and measurable outcomes. The EHRC sought evidence of economic, educational and social achievement, and why, for example, some BME groups and individuals accomplished more than others. In relation to 'race', the EHRC focused on the poor representation of ethnic minorities in the following sectors: Parliament, business and the media (Equalities Review, 2007a). More broadly, the EHRC looked for indicators of success and how the opening and closing of opportunities impacts on individual achievement. So, for example, the commission looked to find out more about factors such as environment, working conditions and general image to enable professionals to work better with BME service users, and for organizations to have a higher representation of BME workers (CRE, 2002).

Despite what may look like positive messages, the underlying motivation for these ideas is questioned by critics. They suggest that successive governments, in response to the changing nature of society and the demographic profile of the population, promote strategies, such as better integration of BME workers, which aim to assimilate immigrants within the host society, rather than promote multiculturalism, difference and diversity:

> it is in the promise to better manage post-entry integration of migrant communities where the government's assimilationist strategy is revealed … this is dedicated to scouring away the surface of cultural distinctiveness in migrant communities to break down the cultural barriers to their full integration that is antithetical to a multicultural project dedicated to respecting diversity. (McGhee, 2005, p. 74)

There is little doubt, however, that the multiracial profile of the country requires that some thought be given to cohesion, commonality and

fusion by those delivering services within statutory and independent sectors. Adherence to central government provisions is complicated (as demonstrated by Practice example 1.1 below) by the sheer number of legal provisions, for example on wellbeing and age, and this may result in incoherent rather than focused strategic responses. It is likely that a unitary local authority serving approximately 500,000 residents, of which 8% are from BME communities, will fail to employ a unified approach to equality within all services. Laws may be implemented differently across, as well as inside, the same department or division. For example, education may be applying assimilationist models within its schools, while children and families workers, following social work laws, may be more concerned to ensure that the rights of the child are defined clearly within protection and safeguarding processes. It may be that assimilation approaches are appropriate in schools, while upholding rights for looked after children is relevant to social justice and the improvement of life chances. Both strategies may be equally valuable, but teachers and social workers need time together to examine the operational strategies used to apply the law in everyday work.

Practice example 1.1 illustrates the complexities of applying anti-racist laws which relate to education, children's rights, equality and discrimination.

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practice example 1.1

Using anti-racist law in practice

A family has been referred to the children and families service for assessment. A young man of Somalian background (aged 15) has been referred by his school because he is demonstrating signs of extreme anger and frustration towards teachers and other pupils. The school believes that the young man may have an undiagnosed learning difficulty as well as behavioural problems. Other parents have reported to the school that he has been violent towards members of his own family (including younger siblings), but attempts to talk to his parents have not been successful. The young man's wellbeing as well as future prospects are at risk and the teachers are concerned that he will leave school without any qualifications or ways to gain further training and skills.

The children and families service responds by saying that the age of the young man means that he is likely to be transferred to adult services within the coming months. The social workers also informally suggest to the head teacher that addressing poor behaviour and attainment is not within the remit of a service with limited resources and overwhelming child protection duties.

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Practice example 1.1 suggests that the rights of the young person may not be entirely taken into account, and that he may be discriminated

against on a number of grounds including his age, (dis)ability and ethnic origin. It appears that there is insufficient consideration of cultural and religious issues as required by the Children Act 1989. There is a hint of dismissal by the children and families service because he may be too old to be assessed for future (children's) services. His possible needs as a disabled Somali young person are not specified or referred for further assessment, and this may be seen as indirect discrimination on the grounds of age and disability.

It is unclear whether the Code of Practice on the Duty to Promote Race Equality (Race Relations (Amendment) Act 2000) has been considered by the children and families service in relation to Somali families more generally in the locality. The key problem may be that the case falls between two main service providers, and as a result is likely to slip through the net of all the statutory services. This may be because the *potential* for poor attainment, violence or bad behaviour are covered minimally or remain unenforced within legal frameworks.

It may be concluded that services are looking to ensure their own performance targets are prioritized and can satisfy inspection processes. Good practice suggests that child wellbeing covers young people aged between 15 and 21, and is addressed equally within children's/youth and adults services. Ideally, an assessment of the young man's needs should take into account how the intersection or overlap between disadvantage based on age, disability and racial difference as well as (possible) poverty, low income and poor housing impacts on his life course. The needs of the whole family may not be within the remit of any one organization, but it may be a good idea to investigate further in case there are hidden issues such as domestic violence or other offending behaviour. The family situation requires clarification in order that assumptions can be avoided, or rumours confirmed, about the lack of support for the young man within the home.

In order to overcome the legal and resource shortfalls illustrated by Practice example 1.1, committed professionals are likely to apply social work laws alongside the Equality Act 2006 and the Race Relations (Amendment) Act 2000. Closer adherence to statutory duties will lead to better targeting of resources and deeper, more rigorous approaches to the development of policy on anti-racist social work practice. It will also allow better open/public reporting of service responses to groups such as Somali young people.

The questions which require consideration by all welfare professionals are strategic as well as routine, but in general daily demands dominate social work responses. In order to undertake challenging duties, however, legal practitioners require global, national and local knowledge derived from personal awareness as well as joint training with related professional groups.

The amalgamation of the equality laws within the Equality Act 2006 suggests a commitment to shared values, as well as improved relations

between and across relevant groups. However, the move away from specific laws on 'race', sex and disability may mean that targeted services to, for example, individual women and those with needs based on BME status and disabilities may diminish. This may be a problem for those in need of such services, but in general the change is good for professionals working with increasingly mobile families, facing constant crises which sometimes span two or three generations. The shift from individual assessment of need, for example one social worker with responsibility for a child in a family and another with responsibility for the grandparent, towards holistic responses to the wider family will result in a significant shift in anti-racist practice. Arguably, the focus on the whole unit will benefit family-centred service provision, particularly to BME communities, whose household size is double the British average (Fabian Society, 2006).

Addressing family and intergenerational deprivation is a particular priority within social policy, highlighted by the EHRC in its *Interim Report for Consultation* (Equalities Review, 2007a, p. 11): 'We propose that we see the emerging inequalities in a different way, which recognises chronic and persistent inequalities.' The report goes on to state that vulnerability as a result of class, 'race' and/or gender may lead to disadvantage and, added to misfortune or life crisis (Equalities Review, 2007a), is more likely to result in state intervention. Social workers often intercede at such critical points in the lives of vulnerable people and skilfully resolve immediate as well as far-reaching care problems. It is clear that there is a hierarchy of disadvantage and that some BME individuals and families are likely to receive more state aid than others because poverty, poor housing and related factors curtail opportunities: 'For some groups (most frequently but not exclusively defined by race and religion) disadvantage is effectively being passed from parent to child' (Equalities Review, 2007a, p. 28).

In order to address this, social work organizations need to comply better with anti-racist policies and seek better empirical research evidence and statistical data which supports strategic service planning for families trapped by poor social conditions and diminished life chances. This suggests that those providing services identify barriers and address gaps in order that children and families can break free from the 'penalties' and 'effective cost' of poverty, deprivation and disadvantage (Equalities Review, 2007a, p. 28). The EHRC seeks to monitor equality laws and policy developments in relation to, for example, the educational attainment of children in care.

It may be that social workers, driven by evidence-based practice, will use research findings which track overall trends which link the effects of family or generational deprivation on child wellbeing. Understanding the evidence gathered by national bodies such as the EHRC will help social workers to better frame the needs of disadvantaged children in

their locality within a larger (national) framework. Well-informed social workers will support successful progress and provide resources for looked after children equally within schools and care services.

Applying anti-racist laws

The modernization of equality laws is well advanced, but social workers and students may welcome greater understanding of the developments which have taken place over a number of decades. Such legal progress has been critiqued as inadequate over time by social work academics (Dominelli, 2008), but at the time, the Race Relations Act 1976 provided momentous powers to local government and was foundational for anti-racist social work practice in Britain.

Although the legal basis for anti-racist social work practice lies in the 1965, 1968 and 1976 Race Relations Acts, the gathering of all anti-discriminatory laws under the government's equalities umbrella occurred at the same time as professional social work moved further towards incorporating 'race' within the broader, more universal concept of ethical practice (TOPSS, 2002; Hugman, 2005; CSCI, 2006).

Ethical practice per se was not welcomed by commentators who suggested that social workers need to understand the difference between laws which define professional powers and specific duties, for example in relation to mental wellbeing, and laws which provide for general public services, for example in relation to healthcare. It may be argued that anti-racist and equalities laws fall into the latter category.

However, ethical practitioners follow the principle that a law passed in 1976 exists alongside another placed on the statute books today (unless repealed or overridden) and, as a result, provide services which meet both requirements. For example, a mental health professional is able to intervene in, assess and plan the treatment of a service user from a BME background within the provisions of the Mental Health Act 1983, while following core values of anti-racist social work practice set out in the Race Relations Act 1976.

In essence, the expectation is that the relationship between the service user and social worker is morally sound (Sheppard, 2006) because professionals are trusted to responsibly understand and apply personal standards in all their public duties:

> Social workers must adhere to statute and, when lawful, to their employers' procedures … Occasionally, as with Approved Social Workers performing functions under the 1983 Mental Health Act, powers and duties are designated to individual practitioners. Here they are personally accountable rather than as an employee of a local authority. (Braye and Preston-Shoot, 2002, p. 63)

Inspection bodies such as Ofsted and the Care Quality Commission (previously the Commission for Social Care Inspection) are required to look for evidence of how services are delivered based on principles of good 'race' relations and equality of opportunity.

The Care Quality Commission (CQC) was set up in 2009 and is responsible for the registration, inspection, monitoring, reviewing and quality assurance of residential, nursing, fostering, adoption and domiciliary services. The Commission for Social Care Inspection (CSCI) worked under the provisions of the 2000 Care Standards Act, and the Department of Health National Minimum Standards. The CQC complies with national standards within children and adult services (CSCI, 2006) as well as equality duties:

> " CSCI's statutory functions have all been assessed as highly relevant to delivering the objectives of the 2000 Race Relations (Amendment) Act and the 1995 Disability Discrimination Act and are all of equal priority under the requirements of the legislation … Each of these functions is supported by a number of functions … using the Equalities Impact Assessment Tool and methodology. (CSCI, 2006, p. 8)

The Race Relations Act 1976 provided a powerful steer to local government, but the provisions were interpreted and implemented selectively. For example, some schools used government funds to employ classroom assistants rather social care staff to undertake outreach work with BME families and communities. Enterprises linked to the Crown and government were excluded.

However, some regional and local authorities used the 1976 Act (and some linked funding) to positively support neighbourhood work such as:

■ specialist funding for housing projects targeting BME communities supported by local government, frequently developed by voluntary and independent social care organizations
■ specialist assistance for teachers in schools for children with linguistic, religious and cultural needs.

Historically, social work policy and procedure have been based on a range of legislation targeting the public sector, including the Children Act 1989. Section 22(5) specifies that religion, racial origin, culture and linguistic background must be taken into account when a child or young person is being accommodated. But this, and subsequent laws, did not provide for a consideration of how generations of children with particular needs may be disadvantaged as a result of poor care and family circumstances, as well as by religion, culture and ethnicity.

It may be argued that society has not placed sufficient emphasis on preventive welfare measures in statutory child welfare and that a great

deal of legislation has come about as a direct result of a series of public enquiries into child deaths. But the Children Act 1989 did define anti-racist duties more clearly than other social work laws, such as the NHS and Community Care Act 1990, and this was subsequently enhanced by the Children Act 2004. Following historical precedent, the Children Act 2004 came into force as a result of the enquiry into the death of Victoria Climbié and the subsequent policy agenda of *Every Child Matters* (Jowitt and O'Loughlin, 2005).

The Laming Report (2003) on Victoria Climbié and the Macpherson Report (1999) on the murder of the BME teenager Stephen Lawrence have both impacted significantly on child protection and 'race' relations respectively in recent years. The former found significant failure in the child protection procedures of a number of local authorities. The latter found that institutional racism contributed greatly to poor police practice (Thompson, 2003).

The Macpherson Report made 70 general and particular recommendations to address institutional racism in the Metropolitan Police force. The CRE's review of legal frameworks resulted in addressing recommendation 11 of the Macpherson Report, which suggested that 'race' laws should be fully implemented by the police. The CRE published follow-up guidance requiring all police forces to define, report and record racist incidents, initiate race relations training and recruit BME police officers (CRE, 2007a; Home Office, 2007). The recommendations of the Macpherson Report were incorporated into the Race Relations (Amendment) Act 2000, leading to greater accountability and a sharper police focus on policing in the London area but the impact on policy and practice more generally has been questioned by the Race Equality Foundation (2008, p. 6) in its review of the work of the EHRC: 'Although mention is made of the Macpherson Inquiry, it is clear to us that the lessons accruing from the inquiry have not been comprehended.'

Policy and practice strive to maintain relevance to legal frameworks, and laws often play a significant part in maintaining focus and upholding standards. The Race Equality Foundation (2008) states that legal tools which counteract racist beliefs may be difficult to implement, but legal sanctions can penalize discriminatory policy and practice. So if a private school bans religious clothing as part of the school uniform policy, they may be challenged under the Race Relations (Amendment) Act 2000 and the Equality Act 2006 on the grounds of discrimination against the relevant religious group.

The Race Relations (Amendment) Act 2000 provides the EHRC with the power to ask public authorities, such as children's services, to produce 'race' equality schemes and policies which explain general and specific duties in relation to school children and staff. This is followed by inspection standards with indicators on how to assess the performance of children in tests and examinations.

A 'race' equality scheme produced by the Office of the Deputy Prime Minister (ODPM, 2006) recommended equality of opportunity and good relations between people from different racial groups and promoted good practice in the following:

- implementation (outcome-based) plans on race equality impact assessments
- staff training and guidance
- race equality within all policy initiatives
- fairness and equality within pay, learning and development.

The report includes specific actions taken in relation to, for example, computer-based information for staff on when and how impact assessments should take place, an outline of the relevant legislation, and updates on events, issues and research.

The use of census data by other public bodies to address gaps in services may also be inspected (CSCI, 2006; www.local-pi-library.gov.uk). However, such legal powers rely on the thoroughness, competence and ability of staff working for inspection bodies such as the CQC and Ofsted, as well as on the performance management and implementation skills of social workers.

The CRE, replaced by the EHRC, had good community relations at its core. Within this remit, the CRE expressed concern about the impact of contemporary challenges facing Britain, including the impact of increased migration, terrorism and rising extremism, on identity and citizenship: 'Several issues need to be discussed openly: how we live together rather than side by side … how we encourage new Britons to adopt vital aspects of British life and how we share with new communities' (CRE, 2006, p. 2). Groundwork such as this is likely to be translated into the EHRC aims and objectives as equality is a high-profile area of public concern:

> The Commission's extensive powers and duties allow it to operate both generically and specifically as appropriate. It could, for example, seek to address inequalities in the provision of health care across the board while maintaining a focus on hate crimes that are targeted at race, religion or belief, and sexuality. (CEHR, 2006a, p. 1)

The Race Relations (Amendment) Act 2000 was overseen by the CRE until 2007 and allows for the promotion of good community relations as well as responses to racial hatred and extremist activity. A great deal of background work was carried out at a local level by a network of local race equality councils. The CRE (2006) expressed concern that the future focus on citizenship and cohesive communities may diminish and dilute 30 years of important 'race' relations work. The consultation on this created an interesting debate about the rationale and responsibility for 'race' relations in the public and private sectors both locally and nationally.

In order to address this possible shortfall, the CRE proposed an advisory and mediation body to work alongside the EHRC on issues such as conflict avoidance, resolution and the integration of new migrants within society. The emerging human rights agenda was seen as particularly problematic by the CRE, which pioneered important methods and approaches that empowered communities and neighbourhoods to seek and access, for example, social services.

Thereafter, the EHRC mission statement set out a programme of reform to:

■ construct a new framework to challenge persistent patterns of discrimination and inequality
■ promote and protect diversity, good relations (both between and within communities) and human rights.

The programme includes a review of inequality and comprehensive anti-discrimination procedures to support the Equality Act 2006 (CEHR, 2006a). In the area of research and education, the CRE recommended the use of a strong evidence base to support anti-racist practice.

The lead for the Equality Act 2006 came from the Department of Trade and Industry (DTI, 2006, p. 18), which was concerned to improve communication and access: 'Cross cutting approach … equipped to address the reality of many dimensions of an individual's identity and therefore tackle discrimination on multiple grounds through a single access point.' Better communication is an overarching aim for many public services and it may be that the development of the new equalities framework will mean more coherence between related governmental bodies and public sector organizations delivering social work and health.

In response to the government's Equality Bill in 2009, the EHRC supported the idea of public authorities taking account of socioeconomic disadvantage in planning and monitoring services, for example the special health needs of primary age, inner-city school children living in poor housing and on low parental income.

Associated laws on 'race' and racism

A number of additional legal provisions have to be taken into account in the development of anti-racist social work practice, including laws such as the Crime and Disorder Act 1998. Among other things this Act deals with violence against the person, racial hostility and higher maximum criminal penalties where racial motivation is suspected. The Act also adds the offences of racially aggravated violence, harassment and criminal damage to the existing provisions.

The laws which relate to the stirring and provoking of racial hatred

include the Criminal Justice and Public Order Act 1994, which outlaws the use and publication of such material, and the Anti-terrorism, Crime and Security Act 2001, which increased the maximum prison term from two to seven years for individuals convicted of incitement to racial hatred.

The Prevention of Incitement to Hatred Act (Northern Ireland) 1970 outlaws criminal activity deemed to stir up hatred against a section of the public on the grounds of religious belief, colour, race or ethnic or national background. However, enforcing equality laws in the context of Northern Ireland is complicated by sectarian differences and the low percentage of BME individuals. Similarly, the Scotland Act 1998 requires adherence to the Human Rights Act 1998, with specific provisions on countering racial hatred to meet the requirements of the Convention Rights (Compliance) (Scotland) Act 2001. The 1997–2010 Labour government required that all emerging laws comply with the Human Rights Act 1998, and that all public authorities follow the European Convention on Human Rights (see Chapter 2). The 2010 Conservative/Liberal Democrat coalition government, however, has changes to human rights legislation as a manifesto aim, and this is likely to herald a knock-on effect on equality and 'race' relations laws.

The problem faced by any national government, however, is that laws on human rights and 'race' stem from a number of international conventions and frameworks. For example, in response to the data evidencing racist public opinion, the European Union in particular continues to provide additional support for equal treatment within a range of directives which may be incorporated into domestic law.

Social activism

Anti-racist social work practice in Britain has been informed by universal conventions and developed as a result of these principles and ideas. Social activism, however, has often been set in motion by problems occurring in other parts of the world, sometimes as a result of the extreme abuse of professional power. This is illustrated by an example of child welfare policy followed in Australia, New Zealand and Canada, which sought to assimilate Maori and First Nations children into European ways of living. It led to the removal of many children into care and resulted in their long-term separation from families, cultures, languages and traditions:

> Many of these abuses have only recently been discussed publicly through the sustained efforts of those affected to tell their stories … The silences about social work's role are a shameful legacy that practitioners and educators have to address alongside policy makers and the general public in the countries concerned. (Dominelli, 2004, p. 126)

This experience resulted in a major challenge from the indigenous peoples concerned to express concern for past injustices and determine their children's futures:

> In New Zealand, Australia and Canada as in the United States, the rise of indigenous activism paralleled the activism surrounding the civil rights movement … Indigenous strategies for action were pursued vigorously and international links were made through protest action as the mounting of various stands and events. (Tuhiwai-Smith, 2008, p. 113)

It also offered a number of important lessons for international social work beyond the countries involved:

1 That modern welfare policy could actively promote societal ideas which actively oppressed one group in developed welfare-based countries.
2 That child protection officers could confine rather than protect children.
3 The voice of indigenous and colonized peoples could be substantially overlooked and marginalized within service provision.

Britain is also open to accusations of dominance and subjugation, particularly by people from its former colonies. Over a 30-year period after the Second World War, such people left their home countries, settled in Britain and found employment within the public services:

> According to the 1983 ethnic monitoring survey, 6.1% of Birmingham City Council's total workforce was drawn from black communities … the Engineers Department recorded 15.9% … Ten years later the situation has been transformed radically, the figures from the 1993 monitoring exercise showed that the proportion of the city's workforce drawn from black communities had increased to 15.4%. (Solomos and Back, 1995, p. 180)

The BME population grew between 1993 and 2001 to 29.6% in Birmingham (compared to 9.1% in England in 2001). The rise in numbers impacted on social services aimed at younger and older groups throughout these decades, and there is little doubt that demographic changes such as these will continue to exercise policy makers and planners in the future. For example, the proportion of BME children under 16 is predicted to rise along with BME residents aged 65 and over (Simpson, 2007):

> The impact on services depends on how the care of the elderly is balanced within and outside the family … A greater use of institutional support for the elderly would reinforce the impact on care services of greater numbers of elderly. (Simpson, 2007, p. 6)

Over time, newly arrived immigrants became established, settling into positions of relative influence. Personal and professional experiences of

welfare resulted in engagement and commentary on social and other public services. Social activism such as this led to an increase in the critical evaluation of public policy. This change in emphasis meant that like-minded white people, also keen to develop quality and social standards, became engaged in the development of ideas on anti-racism. This raised capacity and led to the greater questioning of language, words and meanings.

The English language evolved rapidly in response to the climate of the time and a number of words gained currency in relation to groups disadvantaged by 'race' and/or sex. As Schwarz (1996, p. 81) suggests, the meaning of any word has a 'social history' and its construction is more complex than is immediately apparent. The meanings of words change as they are contested, rejected or accepted by a range of users.

Ideas changed over time and although social workers actively sought engagement with anti-racist practice during this period, they did not always have the knowledge, skills or personal experience of 'race' and racism. During the 1970s, in-depth understanding of 'race' and the effects of racism was limited, and early initiatives in anti-racist practice resulted in behaviour which was sometimes counterproductive. For example, the focus on avoiding offence resulted in zero tolerance of any phrase, however descriptive, such as 'black mark', which depicted the word black in a negative manner (Solomos and Back, 1995).

The overall intention was good, but descriptive words became confused with those which were offensive and discriminatory such as 'nigger', which conversely appeared to be accepted elsewhere, for example within black rap music in later years. The superficial focus on language, therefore, resulted in tacit acceptance of sexist and violent language, while black coffee was banned from social work offices and public sector canteens (Solomos and Back, 1995).

Understanding of the complex and dynamic nature of language in relation to location and context came much later in the 20th century. In the 1970s, many black professionals sought common understanding, and so the word 'black' emerged as a unifying, collective term used to describe BME people united against racism and committed to challenging the behaviour and attitudes of racist individuals and institutions. Sivanandan (1991, p. 34) suggested that the politicized definition of 'black' helped to form the black community in Britain, bound together in the 1960s and 70s by poor living and working conditions, as well as (principally immigration) laws which discriminated against new arrivals to the UK.

Figure 1.1 illustrates the diverse ethnic perspectives and nationalities encompassed by the word 'black'. Such ideas were often used within public sector training to demonstrate unity in simple, hierarchical terms to promote the idea that ethnic minority groups defined by colour would naturally emerge as a force.
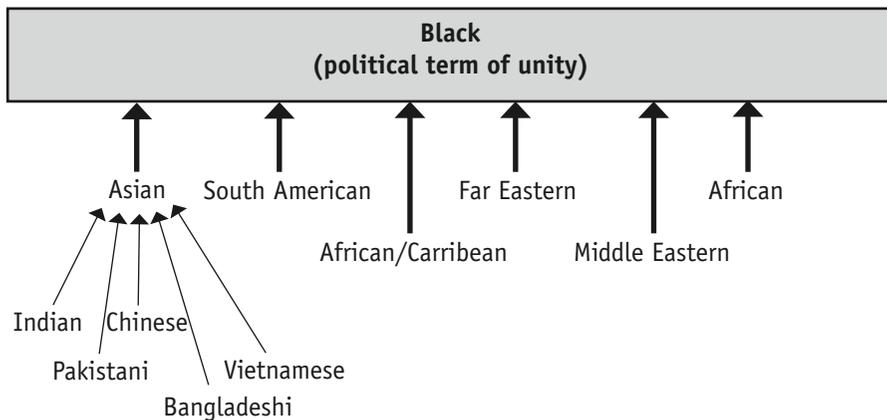
Figure 1.1 Diversity within a unified definition of 'black'

The idea that people originating from such a vast area of the world could be unified is difficult to conceive in contemporary Britain, but during the 1960s and 70s discrimination was overt. Words held a great deal more political power and meanings were dependent on the situation and people involved, so while the idea of 'black' as a political colour provided a solution for some people, it simplified diversity and difference for others (Dominelli, 1997).

Within the unified definition of 'black', segregation rather than cohesion appeared to result in the grouping of large areas of the world, creating a hierarchy of those most and least affected by racism. Cultural and regional subtleties were largely ignored and some groups, for example people from China and Vietnam, appeared less significant than others. Each category could be further divided and subdivided to better reflect geographic, regional and other differences.

Although the simple categorization depicted by Figure 1.1 may look offensive (or even comical) to the 21st-century social worker, at the time it impacted on how law and policy were constructed. This type of classification delayed the development of complex models of social work (Johns and Jordon, 2006), which used evidence on equal rights, poverty, low income and poor housing as well as population profiles and representation. Such thinking also temporarily halted consideration of how relationships could be forged and common understanding developed in a range of ways across cultural, geographical and political divides.

Simple categorization also led to the perpetuation of stereotypes and false homogeneity. In addition, it fixed the characteristics of the individuals and groups who migrated to the UK over many decades, for many reasons and with varied personal histories. The rudimentary nature of this classification meant that the flexibility and openness shown by migrants to new experiences was left largely unexplored, as were collec-

tive approaches to unity (Dominelli, 2008). For example, a social worker with a Chinese background would be grouped with other BME social workers without particular consideration of how their cultural and linguistic knowledge could contribute to policy development on anti-racist practice with Chinese communities.

BME immigrants often leave their home countries and everything familiar, including close family, friends, home and environment, for a range of complex reasons. The majority settle in multiethnic areas and relate positively not only with each other but also with white neighbours, who may have recently migrated from countries such as Ireland or Poland. BME settlers arriving in Britain from the 1950s onwards changed and adapted quickly, juggled priorities, used social systems, developed relationships and challenged the status quo (Ely and Denney, 1987).

Since the early 1970s, anti-racist social work practice has benefited from the contribution made by social activists, often of immigrant backgrounds, with a lived experience of racism and a desire to promote individual and group identity. A number of individuals from this period went on to develop theoretical ideas based in disciplines such as sociology (Dominelli, 1988; Brah, 1996; Hall and du Gay, 1996) and social psychology (Augoustinos and Reynolds, 2001), both of which actively contributed to particular ideas around identity formation.

Identity and identification

Issues related to identity and identification in postindustrial society have received particular attention by theorists such as Seidler (2010), who suggests that the rootlessness created by globalization has left some individuals seeking identification with aspects of religion and faith which cross national boundaries:

> As second generation Asian migrants born and educated in Britain feel less connected to their parent's country of origin, which their parents still regard as 'home', so some, particularly after 9/11 and 7/7, have identified themselves more strongly as British Muslims. (Seidler, 2010, p. 18)

It appears that the bombings in New York (on 11 September 2001) and London (on 7 July 2005), and other related terrorist activity, had a particular effect on how some people identify themselves, how others identify them, how they connect with others and how they adapt within any given situation. This was illustrated subsequently by many examples of British young men with strong connections to Muslim countries, often with unremarkable pasts, seeking connections through religion and terrorist activity with other young men or groups. The

identification of young men such as these, previously based on nationality and citizenship status, changed with the attacks on London, New York and other cities. The bombings heralded a new era of anti-terrorist reaction by governments, which fed Islamaphobia and anti-Muslim sentiment across the western world (Seidler, 2010). The notion of the British terrorist developed quickly and gave some weight to the idea that a core identity could be adapted, enhanced or manipulated to fit any given context, position or individual history. The idea of a transient, transforming identity took hold and did little to support the ideals of multiracial Britain, which espoused social cohesion and cultural/religious difference.

The changing landscape challenged social workers to develop understanding of individual identity in relation to country of origin, ethnicity, cultural/linguistic heritage, as well as political positioning based on ideological or faith-based belonging. Professionals are, however, aware that people change and adapt their identity to fit the context or situation in which they find themselves, although the majority of the population is driven by established universal humanitarian values rather than transitory ideological behaviour.

Social workers arguably have an above average commitment to social justice and come to the task with sound foundations on which the building blocks are added. Figure 1.2 (overleaf) is based on this assumption and provides an opportunity for individuals to examine such ideas in six different interrelated areas of identity. It places the *individual* in the middle and suggests that the most important aspect of their *foundational identity* lies in their ethnic origin and heritage. This is at the core of any individual and is the base on which the other parts are built.

Cultural and linguistic identity has a particular significance because it can offer individuals a chance to show or display aspects of themselves derived from culture (including dress) and language (including accent). It is the day-to-day personality on view. This can be problematic because it can simplify identity and can be used by others to place particular labels on the person and their group, family and community.

The physical context or situation sometimes results in strong identification with a *geographic* place of origin. However, people also become attached to a place of settlement and absorb influences from their surroundings. This may be particularly relevant for social workers and students supporting, for example, children affected by increasingly mobile family commitments.

Political identity builds on cultural and linguistic identity and adds to personal ideology, belief and faith. It can unite an individual to others by virtue of shared characteristics and can be a lifelong commitment to, for example, a cause or campaign. It can also be driven by the need for political statement through action, dress or language. Relationships are often

founded on contact and communication with others. These enable greater and deeper understanding of how we are perceived, as well as how others perceive us.
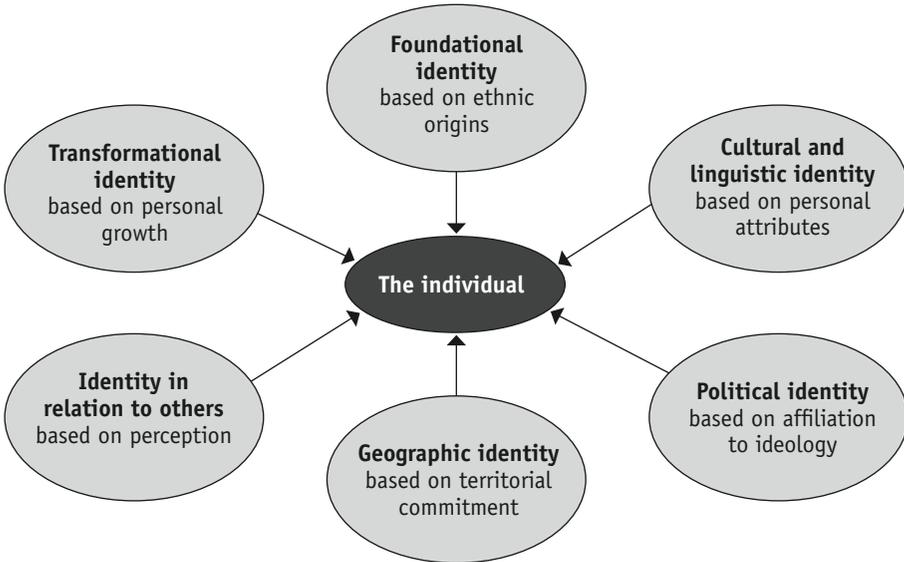
Figure 1.2 Identity and identification with one's own grouping

Finally, in order to substantially identify with one's group, individuals are likely to undergo a process of change and *transformation*. This can lead to a deeper understanding of self in relation to others and feed into the *foundation* of the individual personality.

To further illustrate the relevance of Figure 1.2, it may useful to consider a practice example of a student, Hanna, a young person who has a sound understanding of her family and kinship ties as well as family history.

practice example 1.2

Hanna: a British social work student identifying with her own grouping

On arriving at university, Hanna feels she has left the immediate influences of her *culture and language* in order to study in another part of the UK. Hanna's knowledge of her personal background and history means that she has a firm basis on which to develop and grow as an individual. Hanna's *foundational identity* means that she is likely to absorb all the experience that this process has to offer.

Hanna has a good idea of her own background, but is aware that she is developing at other levels, for example as a professional. As a first year student, she has a greater understanding of where she stands as a young

adult in her own right, and that some of her experiences may result in personal growth in social, economic, *political* and other areas which appear different from her previous life. This is because Hanna is meeting and relating to new people all the time, not only on her own course, but elsewhere in the university and the town.

Hanna likes the place of study and is enjoying the positive (and challenging) aspects of her life as a social work student. She is aware that a learning environment, such as a university, is likely to stretch the values and principles she has brought with her and that the study of professional ethics may result in the questioning of core ideology and belief systems. Like many young people in her position, Hanna is likely to be prepared for the high level of *transformation* which can take place for an individual in this situation.

Although Hanna is a confident young person, she may require a theoretical model which enhances this understanding. Figure 1.2 provides an opportunity for Hanna to examine herself as whole person and to consider what she may bring to, or take from, any given situation, such as a placement in a social work agency. It suggests that personal growth and development is closely linked to the person's situation and location, and that stimulated by a range of influences both close and distant, any individual has some choice in what is taken and what is left behind. Finally, it provides Hanna with an opportunity to assess, evaluate and reflect on her personal history and ethnic background.

Transforming language

The 1970s and 80s were arguably the most interesting time for the development of anti-racist language and terminology. Words were hotly debated among black and white professionals, who, at a time of significant political and social change, were attempting to understand, classify and root ideas and approaches.

The development of ant-racist social work practice has been supported by the particular and transforming nature of the language (Higham, 2006), albeit within an overarching concern about insubstantial progress, for example in the case of indigenous peoples (Tuhiwai Smith, 2008).

Anti-racist social work practitioners have learned lessons from the past and strived to meet equality measures which address ethnicity, gender, age, disability, religion, sectarianism and sexuality. They have also sought an understanding of how such issues intersect in contemporary society, particularly in relation to verbal and written communication. The development of language has a historical, legal and policy basis which bears special consideration for anti-racist social work practice. For example,

thinking on black identity has paralleled the development of other related terminology such as cultural heritage and identification, words which have a particular resonance in laws such as the 1989 Children Act. The focus on language needs some consideration and further development mainly because:

■ words such as direct and indirect discrimination have legal meaning
■ clarification is needed for language which relates to 'race' as a construct
■ students and newly qualified social workers look for guidance and understanding
■ language is dynamic, but has historical roots.

Words and language relate closely to issues of personal and professional identity for social workers, and terminology continues to generate anxiety and concern, despite the passage of time. Students and practitioners fear offence to individuals through the misuse or misinterpretation of words. In order to minimize this unease, the Glossary in this book introduces commonly used terminology written in a spirit of engagement, rather than prescription and dogma. The words are selected to increase understanding of anti-discrimination and should contribute to the development of attitudes and values, as well as the promotion of anti-racist social work practice. However, many words used in relation to 'race' and racism are disputed, and understanding is dependent on context and location.

Conclusions

Background and history have a particular resonance for those engaged with anti-racist practice and the emphasis in this chapter on these topics provides a useful platform for the rest of the book. The imperative to look back, reflect and learn is a prerequisite to positive action, progress and improvement for social workers driven by ethical and legal standards.

The lessons learned from the past are comprehensive and point to a consideration of motivation and the desire for moral and legal change. In his critique of the British government in constituting the EHRC, Herman Ouseley (2007) suggests that the answer to complex questions often lies in better listening and decision making, based on principles of human justice, equality and diversity. However, Sivanandan (2007, p. 50) warns that constitutional and democratic rights are being eroded in a bid to assimilate, absorb and integrate: 'in search of a flat, colourless, etiolated homogeneity, built on the shifting sands of assimilation and based on shifting British values'.

Developing positive strategies and tactics is a complex task which

continues to exercise many activists who wish to promote individual and group identity as well as the relevance of context and time to anti-racist practice. Political ideology remains an important driver for many individuals concerned with the following questions: who are we and how do we identify with others?

> " We made Black the colour of our politics and not the colour of our skins. We cannot let ourselves be bogged down in our particularities and miss the wood for the trees. We need an international perspective, even as we take on national and local issues. We need to move in our thinking from the particular to the general and the general to the particular, both at once. And it is then that we can successfully turn individual cases into social issues, social issues into civic causes and civic causes into a national movement. (Sivanandan, 2007, p. 50)

Anti-racist activity has, therefore, an impressive history of mobilizing individuals and groups who have acted collectively to meet political aims based on considered methods and approaches. A great deal of positive change and development has taken place, but a great deal more needs to be done to involve those with alternative and additional views, such as service users, carers and students across the cultural, religious and ethnic divides. The importance of meaning and categorization is also crucial, and words which are analysed and used properly may result in a real change in understanding. Finally, professionals may need to consider how best to proactively promote anti-racist practice in a committed and energetic manner in order to inspire trainees and newly qualified social workers.

Although the developments in language have provided an important milestone for anti-racist practice, such dialogue requires a move towards a common understanding of communication and its impact on shared human existence.

Further examination of how communities live and work together is also worth pursuing. For example, some groups live with ease in parallel communities, sharing common practices based on culture, religion, beliefs, customs and general lifestyles (Cashmore, 1996), while others face a great deal of difficulty. In general, there is substantial evidence to suggest that human contact is often based on common and mutual understanding, rather than difference and conflict.

The points below offer the reader an opportunity to synthesize learning from this chapter on a number of issues and explore approaches which include, rather than exclude, individuals and communities. The relationship between legal and moral duties is also provided as a basis for further discussion, as is the link between holding a belief and acting on it.

implications for practice

Developments in social work often come about as a result of public pressure. In relation to anti-racist practice, professionals and students campaigning for fairness, rights and social justice have also contributed to the large stock of legal and policy frameworks available in the UK. Social workers have developed relevant knowledge and skills and implemented these multifarious statutory provisions while performing complex duties on a daily basis.

Concern about poor practice has highlighted the need for better procedures in all service areas but there is a need for a greater focus on the communication and interpersonal skills used by social workers to support service users who have a complex range of cultural needs. Professionals are key advocates for individuals, children and families and undertake sustained work to redirect individuals towards new opportunities and life chances. Social workers have a responsibility, therefore, to further examine, for example, the factors which result in the passing of poverty and deprivation from BME parents to their children.

Confident and self-assured development of personal and professional identity is a key aim for social workers and students, along with good interpersonal and communication skills. In relation to 'race' and racism, the study of language facilitates this because words can generate positive discussion on common understanding and shared knowledge, as well as complex and contradictory responses.

The oft stated but key message is that anti-racist social work practice is derived from many theoretical positions, and social workers require structured time and space in the workplace to consolidate learning and reflect on emerging concepts and ideas.

main points

- Social work practice has paid insufficient attention to the intricacies of the many complex and interesting questions about the nature, source and act of racism.

- The terms 'racism', 'racial discrimination' and 'racial disadvantage' continue to be used interchangeably. Racial discrimination is the practical criminal result of racism, which is an ideology and/or a belief system.

- The Race Relations (Amendment) Act 2000 and the Equality Act 2006 allow for a clear differentiation between racism as a belief and racism as an act.

- Racial disadvantage comes about as a result of discrimination on the grounds of colour, religious, ethnic, religious and cultural difference.

- Discrimination based on colour activates racist belief and ideology and is unlawful in many countries including the UK which, in the Race Relations Act 1976, defined direct and indirect discrimination.

stop and think

- Do white and black people need to 'reclaim history' in the process of understanding and exercising group and individual power?
- Policy and practice superficially question descriptive words such as 'black', while offensive and discriminatory words such as 'nigger' are commonly accepted within, for example, black rap music. What is your position on these differences?
- Do you believe that migrants have developed particular methods and approaches to strategically, practically and morally survive within local neighbourhoods, communities and wider society? If so, think of examples where this has occurred in your own experience.

taking it further

- Higham, P. (2006) *Social Work: Introducing Professional Practice*, Sage, London.
  The focus on practice in this book is extremely valuable, particularly in relation to contemporary thinking on international and national professional definitions of social work and underpinning professional values and principles. In particular, the chapter on values for practice defines key terminology and considers possible obstacles to successful implementation.
- Kundnani, A. (2002) An unholy alliance? Racism, religion and communalism, *Race and Class*, **44**(2): 71–80.
  This considers communal tensions among British Asian communities and how such activity is impacting on the development of cohesive and collective approaches to race and racism. It seeks answers to difficult questions on, for example, how policy and practice can be informed by approaches which empower and 'provide alternatives to the easy and simplistic sense of belonging offered by religious gangs and fanatics' (p. 79).
- Sivanandan, A. (2007) Racism, liberty and the war on terror: the global context, *Race and Class*, **48**(4): 45–50.
  This paper was part of the conference proceedings held at the Institute for Race Relations, which focused on law and civil liberties in relation to refugee/asylum issues facing Islamic communities in Britain. Immigration is related to global capitalism and the author suggested that the 'market state sets the agenda for government policies on immigration and decides who are needed for the economy and who are not' (p. 47). This provided an interesting backdrop to

the other papers, which included Gareth Peirce (2007), This historical context, David Rose (2007), The politicisation of intelligence, and Herman Ouseley (2007), The attack on multi-culturalism. The proceedings ended with a series of responses and a conclusion by Sivanandan (2007, p. 92), which called for solid, unified responses to race and racism: 'We are all in the same boat. So rock it by all means, to get it on an even keel, but don't let's sink it. Let's criticize each other, fight with each others' oppressiveness but only to make our politics more libratory and our unity organic. Criticism, struggle, unity – as the old revolutionaries used to say!'

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