



Race Equality First's (REF) response to the call for written evidence for the Civil Society Shadow Report of England and Wales for the 2023 Pre-Sessional Working Group Report to the United Nations Committee on Economic, Social and Cultural Rights.

Race Equality First (REF) has over 45 years of experience as the recognised lead body in South Wales for tackling discrimination and hate crime and promoting the message that race equality is a human right. REF assists victims of hate crime and discrimination, provides health advocacy to eliminate inequalities in healthcare and is committed to researching into racism and hate crime in Wales.

In 2021, REF curated the Joint NGO Shadow Report on racial inequality in Wales, to be submitted to the United Nations Committee for the Elimination of Racial Discrimination (CERD).¹ The 2021 CERD Shadow Report for Wales has been put together with feedback from the CERD Steering Group for Wales and a number of other civil society organisations (CSOs) in Wales who support ethnic minority people and know the issues they face in their daily lives. The CERD Shadow Report for Wales is endorsed by 63 signatories, comprising of organisations and individuals with interest and expertise not only in racial equality but equality for all who possess one or more protected characteristics.

We would also like to bring your attention to the organisation: Human Rights Measurement Initiative (HRMI) - a New Zealand-based organisation that monitors the human rights performances of governments across the globe, including the UK. They have extensive data on the rights to food, health, education, housing and work / income, including disparities and inequities available on their rights tracker.² Their data isn't yet disaggregated for Wales; nonetheless, you may find their data of use when writing this Shadow Report.

We understand that you are required to publish all the evidence received from this call and we consent to the evidence we have provided below being published under the name of our organisation.

¹ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#).

² Human Rights Measurement Initiative., (2022). [Human Rights Measurement Initiative \(HRMI\) Rights Tracker](#).

Our response to the Committee on Economic, Social and Cultural Rights (CESCR) concluding observations from the 2016 review of the UK:

Bill of rights (BoR):

In paragraphs nine and 10 of the Committee's concluding observations from 2016, the concern of national stakeholders with regard to the UK Government's plans to replace the Human Rights Act (HRA) 1998 with a new British Bill of Rights was noted. The Committee recommended that the state party undertake "a broad public consultation" on its plan to repeal the HRA and the proposal for a new Bill of Rights. The Committee also stated that any new legislation in this regard should be aimed at enhancing the status of human rights, including economic, social, and cultural rights.

On 14th December 2021, the UK Government launched a consultation on its proposals to replace the HRA. In its consultation document³ the government said it aims to 'update' the act. However, the proposals would replace the HRA with a 'Bill of Rights' that would dramatically weaken individuals' ability to hold the government and public authorities to account and to defend themselves when the state violates their rights.

REF, alongside numerous other NGOs responded to this call, rejecting the premise of the consultation, and stating that the HRA currently works well to protect people when their rights are violated, and thus, does not need to be changed. REF, alongside numerous other NGOs were also deeply concerned and frustrated by the highly divisive nature of the consultation. The consultation process was very complex and technical, the wording of many questions was deliberately misleading, and flawed, or in some cases, no, evidence was used to justify the proposals made.

In paragraph six of the UK's report to the UN CESCR, it is stated that the UK Government's consultation proposals, "built on the work of the Independent Human Rights Act Review panel." However, the proposals made in the consultation are in direct contravention to the findings of the Independent Human Rights Act Review (IHRAR) – an independent panel set up by the same government department to look at reforms to the HRA.⁴ The IHRAR concluded that overall, the HRA is working well. The IHRAR Report made recommendations for modest changes to the HRA and highlighted the key points that rights are not of use unless they are enforceable, and that many individuals are not aware of their rights. The IHRAR Report proposed that rights should be taught from early childhood, so people know what they are and how to use them, however the UK Government consultation does not echo the need for this and instead seeks to limit the human rights protections that we have. Alongside this, the views of over 12,800 respondents to the Government's consultation have been dismissed as have the recommendations of the Joint Committee on Human Rights (JCHR).

The Government also failed to provide accessible versions of its consultation to allow the wider population to have their say. An Easy Read and audio version of the consultation were

³ See: [Human Rights Act Reform: A Modern Bill of Rights](#).

⁴ See: [IHRAR Report](#).

published by the Government the day before the deadline, only after more than 140 organisations wrote to the Justice Secretary, more than 200 disabled people led organisations and individuals wrote to the Joint Committee on Human Rights, and a user-led disability campaign group threatened legal action.

Furthermore, not only was there a lack of engagement with the devolved administrations, but the proposals are incompatible with the devolution settlements and out of step with political and public opinion in the devolved nations. The proposals conflict with the direction of human rights law in Scotland, Wales and Northern Ireland, where the devolved administrations are considering ways to enhance the rights protections offered by the HRA.⁵ Additionally, there is no mention of Wales in paragraphs four to 10 of the UK's report to the UN CESCR, where the Bill of Rights is discussed. Moreover, in Northern Ireland, European Convention rights run through the Good Friday (Belfast) Agreement, which set the framework for post-conflict policing. As a result, there are serious concerns that the proposals risk undermining the peace agreement and the political and policing structures that flow from it.

The proposals will affect everyone but will have a disproportionate impact on those who possess one or more protected characteristics, who are more likely to already encounter difficulties accessing their rights and justice. This is a non-exhaustive list of the different ways people would be affected negatively by these proposals, taken from our response to the UK Government's consultation on the BoR, put together with Amnesty International's, The British Institute of Human Rights' and Liberty's guides to the consultation:

- The undermining of privacy rights, as outlined in questions 4 and 5 of the consultation, stands to affect LGBTQIA+ people who have relied upon these rights to resist being outed.⁶
- In relation to the proposal to introduce a permission stage, as outlined in questions 8 to 10 of the consultation, it is well-known that people with protected characteristics already experience barriers to accessing justice, especially in the aftermath of legal aid reforms.⁷ Lack of effective access to justice undermines the rule of law and good

⁵ For instance, in Wales, the UN Convention on the Rights of the Child has been partly incorporated into Welsh domestic law and the Welsh Government has also committed to incorporate the Convention for the Elimination of Discrimination Against Women and the Convention for the Rights of Disabled People. The Welsh Government has also put together its Anti-Racist Wales Action Plan – a roadmap that sets out how Wales is to become an Anti-racist nation. See: Welsh Government., (2022). [Anti-racist Wales Action Plan](#). Furthermore, the Welsh Government commissioned its own research into strengthening and advancing equality and human rights in Wales, looking at how to align existing domestic legislation with UN treaties. See: Hoffman, S. Nason, S. Beacock, R. Hicks, E., (2021). [Strengthening and advancing equality and human rights in Wales](#). Cardiff: Welsh Government, GSR report number 54/2021. The Welsh and Scottish Governments released statements, expressing disappointment at the pejorative nature of this consultation and frustration at not being involved. See: Jane Hutt MS & Mick Antoniw MS, Written Statement: UK Government Proposal to Reform the Human Rights Act 1998, 12 January 2022, <https://gov.wales/written-statement-uk-government-proposal-reform-human-rights-act-1998>. Deputy First Minister John Swinney, Human Rights Act: letter to the Lord Chancellor, 21 December 2021, <https://www.gov.scot/publications/human-rights-act-letter-to-the-lord-chancellor>.

⁶ BVC v EWF [2019] EWHC 2506 (QB).

⁷ Equality and Human Rights Commission, Following Grenfell: Access to justice, 2019: <https://www.equalityhumanrights.com/sites/default/files/following-grenfell-briefing-access-to-justice.pdf>.

administration and governance, and has a severe impact on people seeking to assert their rights. Creating new barriers will entrench these problems, with disproportionate effects on people with protected characteristics.

- The proposal on Positive obligations, as outlined in question 11 of the consultation could have a potentially catastrophic effect on people with protected characteristics, including but not limited to women who are survivors of domestic abuse, disabled people and LGBTQIA+ people.
- In relation to the proposal to repeal and replace Section 3 of the HRA, as outlined in question 12 of the consultation, section 3 of the HRA has been vital in the protection of rights for people with protected characteristics, for example relating to sexual orientation⁸ and religion and belief.⁹
- In relation to the proposals on qualified and limited rights, as outlined in question 23 of the consultation – the undermining of Article 8 in particular, could deprive many people with protected characteristics of necessary protections, for example relating to gender reassignment,¹⁰ sexual orientation¹¹ and disability.¹²
- The proposals in questions 24 and 25 of the consultation will have a disproportionate impact on people from an ethnic minority background, as criminal sentencing and deportation powers are disproportionately used against Black and Asian people, thus meaning that the proposals in this question are inherently discriminatory. Furthermore, these proposals will also have secondary effects, such as the further entrenchment of the hostile environment. This will have knock-on effects, for example negative health impacts on families and wider communities.¹³ The EHRC has previously found that the Home Office has acted unlawfully, as a result of its failure to comply with its duties under the Public Sector Equality Duty while developing, implementing, and monitoring its hostile environment policies.¹⁴
- In relation to the proposals in question 27 of the consultation which stipulate that damages should be reduced in part or in full on account of the applicant's wider conduct – linking rights to responsibilities and limiting remedies for claimants on the basis of their conduct is likely to disproportionately impact individuals from over-policed communities, in particular, those with the protected characteristic of race.

REF, alongside numerous other organisations, is a signatory for Liberty's civil society joint briefing on the Bill of Rights Bill, calling on MPs to vote against the Bill of Rights. On 7th September 2022, Liberty announced that the UK Government had reportedly shelved / postponed the Bill of Rights Bill, that MPs were scheduled to vote on for the first time on

⁸ See, for example, *Ghaidan v Godin-Mendoza* [2004] UKHL 30.

⁹ For example, in reading into Article 9 to encompass non-religious views.

¹⁰ See: *Goodwin v United Kingdom* (2002) 35 EHRR 18.

¹¹ See: *BB v United Kingdom* (2004) 39 EHRR 30.

¹² See: *Bernard v LB Enfield* [2002] EWHC 2282 (Admin).

¹³ Sophie Weller and Rob Aldridge, The UK government's "hostile environment" is harming public health, *The BMJ Opinion*, 23 July 2019, <https://blogs.bmj.com/bmj/2019/07/23/the-uk-governments-hostile-environment-is-harming-public-health>.

¹⁴ Equality and Human Rights Commission, Assessment of hostile environment policies, 26 November 2020, <https://www.equalityhumanrights.com/en/inquiries-and-investigations/assessment-hostile-environment-policies>.

12th September. This may be considered a victory by some, at least in the short term, however, there are great concerns, especially given the UK Government's track record, that the BoR will make a resurgence, following a re-draft containing only more concerning and damaging proposals.

Equality Act:

In paragraphs 22 and 23 of the Committee's concluding observations from 2016, the Committee expressed concern at the socio-economic duty not being in force. The Welsh Government commenced Sections 1 to 3 of the Equality Act 2010 in Wales – the Socio-economic Duty; this came into force on 31st March 2021.¹⁵ We are pleased to see this as the Duty puts tackling inequality at the heart of decision making and aims to improve decision making within public bodies and consequently outcomes for socially disadvantaged people.¹⁶ The commencement of the Socio-economic Duty in Wales further highlights the difference between the Welsh Government's and UK Government's commitment to advancing equality, particularly race equality, given the clear link between poverty and race¹⁷, as the UK Government continues to choose not to enact the duty nationally. Some Local Authorities in England are voluntarily enacting the duty.¹⁸ Nonetheless, the duty should be enacted as law in England to ensure a consistent approach across England.

Education:

In paragraphs 63 and 64 of the Committee's concluding observations from 2016, the Committee expressed concern at the persistence of significant inequalities in educational attainment, especially for children from ethnic, religious or other minority groups. The 2021 CERD Shadow Report for Wales illustrated how the attainment of some ethnic minority children is hampered by experiences of racism in their everyday school life, by the lack of role models in an education workforce that does not reflect the ethnically diverse profile of Wales, and by a curriculum that has failed to represent ethnic minority histories and contributions to Welsh society.¹⁹

Educational achievement at Key Stage Four in Wales varies between ethnic groups. 2017 to 2019 data shows the percentage of Black / Black British pupils achieving five or more GCSEs

¹⁵ Welsh Government., (2021). [A More Equal Wales: The Socio-Economic Duty Equality Act 2010 – Statutory Guidance](#), p.6.

¹⁶ *Ibid*, p.7.

¹⁷ See: Brentnall, J., (2017). [Promoting engagement and academic achievement for Black and mixed-ethnicity pupils in Wales](#), p.26. Roberts, M., (2021). [Improving Race Equality in Crime and Justice](#). WCPP, p.9, Arday, J., (2021). [Improving Race Equality in Education](#). WCPP, p.10. Graham, K., (2016). The British school-to-prison pipeline, in Andrews, K. and L. Palmer (eds) *Blackness in Britain*. London: Routledge.

¹⁸ Greater Manchester Poverty Action., (2021). [New guide for local authorities on socio-economic duty implementation](#).

¹⁹ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.40. Williams, C., (2021). [Black Asian and Minority Ethnic Communities, Contributions and Cynefin in the New Curriculum Working Group. Final Report](#), p.4.

at grades A* to C stands at 57.7%, 60.1% for Mixed, 69% for Asian / Asian British and 56.5% for White pupils.²⁰ Chinese pupils were the highest attaining ethnic group, with 85% achieving the five A*- C standard.²¹ Whereas Gypsy / Gypsy Roma pupils were the lowest attaining ethnic group, with only 11.1 achieving this.²² The above figures are particularly worrying for those from a Gypsy / Gypsy Roma background. According to ESTYN, only around half of Gypsy, Roma and Traveller children continue their education after year six because of parent concerns about their child being bullied in secondary school.²³ Furthermore, those we consulted with for the 2021 CERD Shadow Report for Wales reported that there is a correlation between a lack of support for Gypsy, Roma and Traveller needs in schools in Wales and children from these groups being electively home educated as parents do not trust schools to keep their children safe.²⁴ We recommend the Welsh Government provide sustainable funding for designated members of staff who can support Gypsy, Roma and Traveller children and their families with their needs at school.

We are pleased to see that the learning about the cultural heritage and ethnic diversity of Wales and the wider world is now a mandatory element of the national Curriculum in Wales. This has made history; no other nation is doing this.²⁵

Nonetheless, despite this positive move, there was great concern from those we consulted with for the 2021 CERD Shadow Report for Wales on the extent to which ethnic minority pupils continue to face racial / identity-based bullying.²⁶ In workshops facilitated by Show Racism the Red Card (SRtRC), 85% of pupils stated that they had experienced racism in school or in the community.²⁷ Many of these pupils disclosed that they did not feel confident to tell their teachers of their experience, as they felt teachers did not do enough to address previous incidents.²⁸ As well as this, many pupils report that incidents of identity-

²⁰ StatsWales., (2020). [National Level results, by subject, year and ethnic background](#).

²¹ *Ibid.*

²² *Ibid.*

²³ ESTYN., (2019). [Provision for secondary school-aged Gypsy, Roma and Traveller pupils](#), p.5.

²⁴ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.45.

²⁵ Welsh Government., (2022). [Anti-racist Wales Action Plan](#), p.4.

²⁶ This was also highlighted in Children in Wales's State of Children's Rights in Wales Report, submitted to the UN Committee on the Rights of the Child (UNCRC) in December 2020 to inform their 2021-22 UK review. See: Children in Wales., (2020). [Wales Civil Society Report to the United Nations Committee on the Rights of the Child to inform their List of Issues Prior to Reporting \(LOIPR\)](#), p.15.

²⁷ n.b., SRtRC's workshops involved 52 children from 8 schools in the Rhondda Cynon Taf (RCT) LA. These findings are reinforced by a 2020 Report by SRtRC, where 80% of 428 pupils from seven schools (primary and secondary) surveyed said racism exists in their school. See: Show Racism the Red Card., (2020). [Racism in Wales? Exploring the prejudice in the Welsh education system](#), p.32. See also: EYST., (2018). [Experiences of Racism and "Race" in Schools in Wales – A collaborative paper by Ethnic Minorities and Youth Support Team Wales, Show Racism the Red Card, Race Council Cymru, Tros Gynnal Plant](#), p.9 and 11. n.b., Consultees felt that statistics do not show the full picture, as, if children experience racism whilst out playing sports, or with friends on the street, this is not captured. Nonetheless, it is important to note that the findings of SRtRC's 2020 Report do not differ greatly from the findings of their 2016 Report, suggesting that there has been very little positive change on the matter in past four to five years. See: Show Racism the Red Card., (2016). [Racism and antiracism in the Welsh education system](#).

²⁸ These findings are supported by the National Society for the Prevention of Cruelty to Children (NSPCC) and Victim Support, who found that most children and young people who are victims of racial hate crime and identity-based bullying in England and Wales often do not confide in teachers or parents. See: Victim Support.,

based bullying against Gypsy, Roma and Traveller pupils – such as name calling – are common.²⁹ Consultees also raised concerns about Islamophobia within schools, particularly at times when tensions towards Muslims were heightened, e.g., following terror attacks in Britain.³⁰

Our consultations also raised concerns surrounding many teachers feeling ill-equipped to respond to racism effectively and robustly.³¹ According to SRtRC, 47.7% of over 1000 teachers surveyed did not feel confident in recognising incidents of racial discrimination and only 32.4% said they had received training on how to recognise and respond to racism.³² Most of this training had been delivered by SRtRC, meaning that such training is not delivered as part of core teacher training.

ESTYN also found that only a minority of schools in Wales keep useful records about bullying, with schools often only recording what they regard as serious.³³ This can lead to a huge reporting gap, where many racist incidents go unrecorded. We are therefore concerned that there are inadequate procedures in place to record such incidents in Welsh schools.

We recommend Welsh Government:

- Provide mandatory training for all teachers on racism (including Islamophobia and Anti-Semitism), how to recognise it and how to respond.³⁴
- Impose a legal duty on schools and LAs to collect data on school exclusions with a full ethnicity breakdown and ensure this data is publicly available so we understand the extent of ethnic disparities in school exclusions across Wales.

Unemployment:

In paragraphs 29 and 30 of the Committee’s concluding observations from 2016, the Committee expressed concern at how those from ethnic, religious and other minority groups continue to be disproportionately affected by unemployment.

(2020). [Children and young people affected by hate crime in Wales. Current provision of services](#), p.38. See also: Children and Young People Now., (2019). [Rise in Child Race Hate Crimes](#).

²⁹ ESTYN., (2019). [Provision for secondary school-aged Gypsy, Roma and Traveller pupils](#), p.11

³⁰ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.41-2. Muslim parents reported needing to be especially vigilant to recognize when their child was experiencing Islamophobic hate in school and to safeguard them from such abuse; this included being called a terrorist and other children throwing fake bombs and making explosive sounds, which left their children distraught.

³¹ *Ibid*, p.42.

³² Show Racism the Red Card., (2020). [Racism in Wales? Exploring the prejudice in the Welsh education system](#), p.24-5.

³³ ESTYN., (2019). [Healthy and Happy. School Impact on Pupils’ Health and Wellbeing](#), p.19.

³⁴ It is very important for this training to be worthwhile and not tokenistic, therefore, Welsh Government should consult with race equality CSOs and religious representational bodies on the content of such training. Teacher training should include awareness and reflection on race / religion-based prejudices and stereotypes, and their impact on attitudes and behaviour. Training should also equip teachers to effectively support pupils targeted by racism. See: Arday, J., (2021). [Improving Race Equality in Education](#). WCPP, p.8-9.

In Wales, whilst more ethnic minority people were in employment in 2021 compared to 2016, the employment rate for ethnic minorities in Wales remains lower than the rate for the White population.³⁵ Ethnic minority employees also remain more likely to be in poorer paid, more precarious work, such as zero-hour contracts.³⁶ Furthermore, the pandemic has had a disproportionately negative impact on ethnic minorities in relation to employment, and, as these groups are more likely to be employed in precarious jobs and sectors affected by the lockdowns, they are more likely to have lost income or become unemployed.

Alongside this, ethnic minorities find it harder to obtain a job in the first place and face discrimination in the selection process – one UK-wide study found that minority ethnic applicants send in around 60% more CVs to get a job interview than White applicants.³⁷ Furthermore, a BBC test found that CVs submitted under a non-Muslim name are three times more likely to be offered an interview than those with a Muslim name.³⁸

We recommend Welsh Government:

- Ensure the recording of ethnicity pay gap data is mandatory across the public sector in Wales and encourage similar action in the private and voluntary sectors. Ensure organisations publish data on pay, progression and hiring by ethnicity and migration status.³⁹
- Ensure the implementation of a combination of approaches, including blind applications, which hide personal details that are known to elicit bias, such as name and address to remove bias from all stages of recruitment processes; ensure the involvement of ethnic minorities in the design of these approaches.⁴⁰

Furthermore, ethnic minority individuals also experience racial discrimination at work in both the overt and covert sense. A recent ITV Wales and UNISON survey found that two thirds of ethnic minority NHS workers in Wales have experienced racism at work, with some patients using the ‘N’ word and telling staff to go back to where they came from.⁴¹ Many ethnic minority workers also reported being treated differently from other colleagues, having fewer training and development opportunities.⁴² Those we consulted with for the 2021 CERD Shadow Report for Wales stated that ethnic minority employees also

³⁵ StatsWales., (2022). [Summary of economic activity in Wales by year and ethnicity](#).

³⁶ Hatch, S., Woodhead, C., Rhead, R., and Connor, L., (2021). [Improving Race equality in Employment and Income](#). WCPP, p.7. See also: Institute of Fiscal Studies (IFS)., (2020). [Are some ethnic groups more vulnerable to COVID-19 than others?](#) Khan, O. (2020). [The Colour of Money: How racial inequalities obstruct a fair and resilient economy](#). Rodriguez, J. (2020). [Covid-19 and the Welsh economy: shutdown sectors and key workers](#). Wales TUC Cymru., (2020). [Mental Health and the Workplace: A toolkit for trade unionists](#), p.21.

³⁷ Di Stasio, V., and Heath, A., (2020). [Are employers in Britain discriminating against ethnic minorities?](#) p.1.

³⁸ BBC News., (2017). [Is it easier to get a job if you're Adam or Mohammed?](#)

³⁹ Hatch, S., Woodhead, C., Rhead, R., Connor, L., (2021). [Improving Race and Equality in Employment and Income](#). WCPP, p.32.

⁴⁰ *Ibid*, p.8. See also: Race Alliance Wales., (2020). [From Rhetoric to Reality, Our Manifesto for an Anti-racist Wales](#), p.9.

⁴¹ UNISON Wales., (2020). [Two thirds of Black NHS Wales workers have experienced racism at work](#).

⁴² *Ibid*.

experienced microaggressions and unconscious bias at work and also stated that they worked two to three times harder than their White counterparts to gain recognition.⁴³

Access to health:

In paragraphs 55 and 56 of the Committee's concluding recommendations from 2016, the Committee expressed concern that Gypsy, Roma and Traveller populations continue to face discrimination in accessing health services.

Gypsy, Roma and Traveller populations in Wales continue to face distinct barriers to accessing health services and still have the poorest health outcomes of any ethnic group.⁴⁴ Poor access to health provision combined with a mistrust of health professionals has compounded the health and wellness of these populations.⁴⁵ Issues relating to accessing GP services, such as discrimination from receptionists and issues with literacy, were identified as the main barriers.⁴⁶

In paragraph 143 of the UK's report to the UN CESCR, it is stated that "everyone living in the UK is entitled to register and consult with a General Practitioner (GP) free of charge, including temporary and undocumented migrants, asylum seekers, refused asylum seekers, travellers." It is also stated that "GP practices must ensure their policies and practices are in line with NHS England guidance and consider the needs of potentially excluded members of their local population." Many Gypsy, Roma and Traveller individuals have no fixed address and although GP surgeries across the UK are required to provide healthcare to those with no fixed address, many surgeries are unaware of this, resulting in these individuals being turned away.

In 2015, Welsh Government developed '*Travelling to Better Health*', a document designed to provide healthcare practitioners in Wales with guidance on how to work effectively with Gypsy, Roma and Traveller populations.⁴⁷ In 2018, Welsh Government introduced another action plan relating to improving the experiences of these groups: '*Enabling Gypsies, Roma and Travellers*'.⁴⁸ As reiterated in paragraph 144 of the UK's report to the UN CESCR: these plans contain actions to facilitate access to healthcare for individuals from these ethnic

⁴³ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.53. See also: EYST., (2018). [Experiences of Belonging and Living in Wales: Findings from the All Wales Survey for Ethnic Minority People](#), p.23- 5. n.b., the survey received 143 responses.

⁴⁴ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.59. EHRC., (2018). [Is Wales Fairer?](#) p.76.

⁴⁵ Marsh, A., (2017). [Stories of health and wellness amongst Romani and Traveller communities in Wales](#), p.21. Those we consulted with for the 2021 CERD Shadow Report for Wales also attributed the poor health outcomes for Gypsy, Roma and Traveller populations to health provision being designed from a settled perspective with no awareness of Gypsy, Roma and Traveller lifestyles, health needs or cultural traditions.

⁴⁶ EHRC., (2018). [Is Wales Fairer?](#) p.74. Consultees also outlined online registration at GP surgeries as an additional barrier, further highlighting the impact of digital exclusion within Gypsy, Roma and Traveller populations.

⁴⁷ Welsh Government., (2015). [Travelling to Better Health. Policy Implementation Guidance for Healthcare Practitioners on working effectively with Gypsies and Travellers](#).

⁴⁸ Welsh Government (2018). [Enabling Gypsies, Roma and Travellers](#).

backgrounds. However, it is unknown how many healthcare professionals in England and Wales are aware of this guidance and have read it: that number is very low according to those we consulted with for the 2021 CERD Shadow Report for Wales.⁴⁹

We recommend Welsh Government:

- Ensure all healthcare professionals receive training on Gypsy, Roma and Traveller needs, so they are able to care for these groups.
- Engage Gypsy, Roma and Traveller individuals in meaningful consultation on their health needs.
- Ensure all GP surgeries are aware that they are required to provide healthcare to those with no fixed address.
- Implement the actions in the *'Travelling to Better Health'* and *'Enabling Gypsies, Roma and Travellers'* guidance documents in all healthcare practices in Wales.

Termination of pregnancy:

In paragraphs 61 and 62 of the Committee's concluding observations from 2016, the Committee expressed concern at the criminalisation of abortion in Northern Ireland. Positively, abortion was decriminalised in Northern Ireland in 2019, and from 31st March 2020, The Abortion (Northern Ireland) Regulations 2020⁵⁰ came into effect, allowing Northern Irish women to access abortion in Northern Ireland, rather than having to travel elsewhere in the UK to have the procedure, as was previously the case.

Despite the above positive move, the recent reversal of *Roe v. Wade* in the US has highlighted the fragility of abortion rights. The UK Government's plans to replace the HRA with a BoR could affect women's access to abortion in England and Wales. The 1967 Abortion Act⁵¹ decriminalised abortion in England and Wales, exempting women from prosecution for the procedure if signed off by two doctors. However, abortion rights in the UK are more fragile than people realise as women in England and Wales do not currently have the guaranteed right to an abortion and there are concerns that the reversal of *Roe v. Wade* will provide momentum for UK anti-choice organisations and an increase in funding coming from the US.⁵² As a result Labour MPs have pushed for the right to an abortion to be enshrined in the BoR; this has been met with opposition from the current UK Government.⁵³

Furthermore, the new Secretary of State for Health and Social Care in Liz Truss's Cabinet, Therese Coffey MP, also poses a threat to women's access to abortion in the UK; she has a history of voting against abortion rights and has previously said she would "prefer that people didn't have abortions."⁵⁴ It is thus a concern that an individual with such views is

⁴⁹ Race Equality First., (2021). [Joint NGO Shadow Report on Racial Inequality in Wales](#), p.59.

⁵⁰ UK Government., (2020). [The Abortion \(Northern Ireland\) Regulations 2020](#).

⁵¹ UK Government., (1967). [The 1967 Abortion Act](#).

⁵² Kobayashi, A. and Thomas, M., (2022). [Does access to abortion vary across the UK?](#) Oppenheim, M., (2022). [Roe v Wade: UK anti-abortion activists use US reversal to build support](#), *The Independent*.

⁵³ Elgot, J., (2022). [Dominic Raab says right to abortion does not need to be in bill of rights](#), *The Guardian*.

⁵⁴ British Pregnancy Advisory Service (BPAS), (2022). [Abortion in Healthcare](#).

now in charge of the NHS and has the power to make key decisions that could dramatically impact abortion care in the UK.

There is strong support for abortion rights in the UK, however: a recent survey indicates that 90% of UK adults think that women should have access to abortion services.⁵⁵ The UK Government (and devolved institutions where they can) thus must protect and enshrine women's access to abortion into law.

Additionally, research has also shown that women living in rural areas face greater barriers to abortion than those living in urban areas, due to longer travel distances, lack of abortion services and the requirement of two doctors' approval causing delays in rural settings where there tend to be lower availability of doctors.⁵⁶ The UK Government (and devolved institutions where they can) thus must ensure consistent access to abortion services across the UK.

⁵⁵ MSI Reproductive Choices UK., (2020). [9 in 10 UK adults now identify as pro-choice - #SmashAbortionStigma campaign.](#)

⁵⁶ Berny, E. and Calkin, S., (2021). [Legal and non-legal barriers to abortion in Ireland and the United Kingdom](#), *The Journal of Medicine Access*, Vol 5. Carid, L. Cameron, S.T. Hough, T. Mackay, L. and Glasier, A., (2015). [Initiatives to close the gap in inequalities in abortion provision in a remote and rural UK setting](#), *Journal of Family Planning and Reproductive Health Care*, Vol 42, pp.68-70. Heller, R. Purcell, C. Mackay, L. Caird, L. Cameron, ST., (2016). [Barriers to accessing termination of pregnancy in a remote and rural setting: a qualitative study](#), *Journal of Obstetrics and Gynaecology*, Vol 123, pp.1684 – 1691.