

UNISON Labour Link

**Submission to Labour Party
Partnership into Power 2012**

**Crime, Justice,
Citizenship and
Equalities**



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Submission to Labour Party Partnership into Power Consultation: Crime, Justice, Citizenship and Equalities

UNISON is the largest public services union in the UK with 1.4 million members including over 1 million women. We represent more than 450,000 healthcare staff employed in the NHS. UNISON is the majority trade union for Police Community Support Officers in England and Wales. We represent PCSOs in every force, with the exception of the Met, City of London and British Transport Police. Of the 11,500 PCSOs eligible to join UNISON, 6,000 have joined to date. This gives us a PCSO membership density rate of just over 50%. We therefore represent half the workforce and our membership continues to grow.

Key points on Crime and Policing

The consultation document fails to reflect the existence of police staff: It refers only to the loss of 16,000 police officers. It should say instead that 35,000 jobs are being cut from the police workforce. Alienating UNISON members is not a good strategy electorally with the PCC elections in the near future.

Protecting frontline policing sounds good, but without the middle and back offices, the front line cannot work. Labour should reflect this in the paper.

The document should refer to the Party's commitment to continue the workforce modernisation it undertook whilst in power with the introduction of PCSOs and other designated police staff posts which allowed more police officers to be deployed to the front line.

Budgetary constraints can be alleviated by more workforce modernisation – putting police staff (an economical resource) into all police roles which do not require a warrant card. Labour should commit to work towards this aim.

Priorities for Labour Police and Crime Commissioners:

- Oppose the Tory cuts to policing
- Support UNISON's 'Stop Police Privatisation' Campaign
- Commit to protect Neighbourhood Policing and the 16,000 strong PCSO workforce
- Progress workforce modernisation to ensure the most effective use of police resources
- Commit to ensure equality outcomes for the 60% of the police staff workforce who are female
- Ensure that the police service continues its work to become a diverse and tolerant workplace, encouraging the best talent from all sections of the community to apply

- Labour should value the Probation Service and the work carried out by public Probation Trusts

Labour should recognise the futility of expensive and ineffective short-term prison sentences and divert funding for the incarceration of low-risk offenders into community sentences overseen by a public probation service.

Labour should investigate the potential for more effective public/public partnerships, particularly between Probation and Local Authorities, to drive down re-offending through justice reinvestment programmes (diverting funding from prison to preventative strategies in the community)

Migrant workers

UNISON welcomes the recognition in the policy document of the contribution made by migrant workers. Migrant workers have played an important role in many areas of our society, but UNISON would particularly emphasise the essential role they have played in the provision of the NHS from its inception to the present day.

Migrant workers have also played an increasingly important role in the provision of social care for the elderly. The need for social care providers is not likely to decrease, in fact it is estimated that it will continue to grow substantially.

Current immigration rules leave migrant workers extremely vulnerable to exploitation by employers. The fact that migrant workers are dependent on their employer for their ability to remain legally within the UK and are only given 28 days to find a new employer means that workers who have faced exploitation and harassment often feel unable to challenge their employer.

As a result of the migration cap, existing migrants are vulnerable to having their existing permission to remain refused. This is unfair on migrants who came here before the cap was introduced and has led to service disruption. Overseas workers who have invested money time and emotional separation from their families to legitimately take up jobs in social care or in the hospitality industries have now found themselves deemed as unwanted and hence illegal if they stay.

UNISON's own research amongst its migrant worker members suggests that nearly three quarters of the migrants coming to this country to fill skills gaps would have been deterred from coming if they were unable to settle. All the migrant worker members UNISON surveyed work in public services, which could not simply respond by relocating abroad as some commercial firms will.

UNISON has argued that if training, pay and conditions were improved, it would reduce the number of vacancies that would need to be filled by migrant workers. However, if immigration is restricted before sufficient people are trained in the resident labour market, then this will simply lead to unfilled vacancies.

Research conducted in 2011 by Hope Not Hate found that economic anxieties about people's own position in the labour market fuelled anxieties about immigration. UNISON believes that placing a stronger emphasis on protecting employment rights and preventing a race to the bottom is not only a positive response but also effectively addresses the real source of fear and anxiety amongst low paid workers in insecure jobs.

Black workers

The policy document makes a brief reference to high levels of unemployment experienced by some BAME communities as an equality issue. For UNISON, this is a critical issue as a result of the current recession and the attack on public services.

In the recessions of the mid 1980s and early 90s, BME people became unemployed at a faster and higher rate than white people. It was expected that BME workers would be similarly vulnerable as jobs were lost in the current recession. However, the Tory-led government's attack on public services means that Black workers are likely to be in a worse position than in previous recessions, as they are heavily dependent on public service employment.

UNISON has been undertaking research using Freedom of Information requests to Local authorities to measure the impact on BME workers of job cuts. The pilot research was conducted in London and found that in 17 of the capital's councils, BME workers are unfairly bearing the brunt of the cuts. The disproportionate impact is not just in small percentages, but often significant in scale. In one council, BME workers made up just 31% of the workforce but 63% of the redundancies. These figures also have another story to tell – of the impact on BME women in particular. BME women are being disproportionately affected in 12 London local authorities, with BME women in one council constituting just 5% of the workforce but 23% of the redundancies. In another council, BME women made up 24% of the workforce but 49% of the redundancies. Even in councils where there is no 'disproportionate' impact it is clear that hundreds of BME people are still losing their jobs. In one local authority, 50% of the workers losing their jobs are Black – this does not register as disproportionate impact due to the fact that this is proportionate to the number of BME people in that authority's workforce.

Black young people – research by IPPR in 2010 suggested that 48% of young Black people are unemployed, more than twice the rate of unemployment for young white people. Many young unemployed people are dependent now on their parents for support – when the high level of Black youth unemployment is coupled with high rates of unemployment for BME workers along with a history of disadvantage and poverty, there are many alarming implications not just for equality, but also citizenship and tensions within local communities.

The disproportionate impact of job losses on BME workers highlights the need to oppose plans by the Government to water down the Equality Act and in particular, their review of the public sector equality duty. Any further loss of

employment rights and workplace protection will only compound the very serious issues currently being experienced by BME workers. It also emphasises the need for the Labour party to consider issues of access to the labour market and for decent jobs for disadvantaged groups. BME people still experience high levels of occupational segregation and are still concentrated in low paid jobs – this was marked even before the current recession & public service job cuts.

Violence against Women

There are concerns about how the appointment of Police and Crime Commissioners will impact on violence against women services. Central funding for Independent Domestic Violence Advisers, Independent Sexual Violence Advisers and Multi Agency Risk Assessment Conference coordinators and national helplines is guaranteed until 2015, but after that the position is less clear. There needs to be consultation with the service providers and women's organisations, and clear quality standards for future provision.

The consultation document highlights the impact of the cuts on violence against women's services – rape crisis, women's refuges, specialist advice services for BME women etc – are all suffering from cuts in funding. Not only does this impact on the victims of crime, it also impacts on those providing the services, including UNISON members working in the voluntary and public sector.

It should also be noted that there is a strong correlation between poverty and domestic violence : research has shown that women in households with an income of less than £10,000 were 3.5 times more likely to experience domestic violence than those living in households with an income of over £20,000. Women in poverty have fewer options and greater need of the services which are being cut, if their personal safety is to be safeguarded.

Government attacks on public sector workers ' jobs, wages and benefits therefore contribute to undermining the safety of women.

Women's safety is also being compromised by cost cutting measures such as switching off street lighting, irregular public transport, unstaffed stations and cuts in community policing. Visible security measures are essential if women are to feel safe and able to move around freely. For women working shift patterns this is even more essential. Statistically women, particularly older women, are less likely to have access to their own car or to be able to drive, and their ability to work and to participate in their community is severely compromised if services are reduced or by the fear that lone travelling is unsafe.

The government has recently announced changes to legal aid provisions, and has responded in part to the call for women in domestic violence situations to be allowed recourse to legal aid. However, there are restrictions proposed

which will mean that many women experiencing domestic violence will still not be able to access legal aid and will therefore be forced to continue in a violent relationship.

On immigration, the government's cuts are failing to protect vulnerable women, particularly those trafficked for sexual purposes and those working in care homes and in private domestic situations who are exploited by the employers. These women find it difficult or impossible to access support, and further cuts in both services and legal funding will make their situation more perilous.

LGBT issues

Cuts to police services mean that dedicated LGBT liaison officers and hate crime officers are disappearing. It has taken years to build recognition of homophobic and transphobic hate crime in the law and in the police and justice services and even longer to build confidence amongst LGB and trans people about reporting hate crime. All this is unravelling now, just as the pressures on communities and on individuals increase the likelihood of hate crimes being perpetrated.

The watering down of the Equality Act is proceeding apace, with recent announcements that even the public sector equality duty itself is now to be subject to review, the repeal of the socio-economic duty and an end to the employment tribunal questionnaire procedures for discrimination and equal pay cases.

UNISON is extremely concerned about the government's announcement on its response to the Red Tape Challenge on equality. They are consulting on:

- repealing the third party harassment provisions in Equality Act 2010 - these protect employees who have been subjected to repeated harassment by customers, clients or service users which the employer knew about but failed to take reasonable steps to prevent;
- repealing the wider powers for tribunals to make recommendations following a finding of unlawful discrimination or harassment against an employer to prevent others being put at risk;
- getting rid of the statutory discrimination question forms and equal pay question forms which enable potential claimants to seek information from an employer to establish whether there may have been an unlawful act against them;
- commitment to carry out a review of the public sector equality duty – both the general duty in s.149 of Equality Act 2010 and the specific duties – to see if they are 'operating as intended' and again it refers to its 'strong desire to reduce unnecessary bureaucracy'.

The government has also confirmed that it is repealing the socio-economic duty in s.1 of Equality Act 2010 and not commencing the dual discrimination provisions which it had previously announced.

It has decided to go ahead with amending Equality Act 2006 as set out in the consultation last year and it will be recruiting a new chair and a smaller board of commissioners, conducting a comprehensive review of the Equality and Human Right Commission's (EHRC) budget. It will also carry out a further review of the EHRC's performance in autumn 2013 which could mean further cutting back or contracting out of its functions.

We urge that Labour pledges to restore the Equality Act as it intended at the first opportunity.

We welcome Labour's support for same sex marriage, including allowing religious organisations the option of celebrating 'gay' (could this be amended to 'same sex'?) marriages. It is not just an opportunity for those couples who want to marry: denying same sex couples the right to marry perpetuates homophobia, suggesting same sex relations are necessarily inferior, which impacts on all LGB people.

