

Migrants in the Recession

Scottish Migrants Network Conference

23rd February 2010, The Discovery Centre, Dundee



SMN
SCOTTISH MIGRANTS NETWORK

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Report available for download: www.scottishmigrantsnetwork.org.uk



The Scottish Migrants Network thanks The Scottish Government and the following for support for the Conference:



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Foreword



“The Scottish Government is delighted to provide support to the Scottish Migrants Network.

As Minister for Housing and Communities I have a great interest in the welfare of all minority ethnic communities in Scotland - the positive message about Scotland as a welcoming and open country remains more relevant than ever in these difficult economic times.

The Scottish Government is focused on attracting fresh talent, to live and work in Scotland to help meet the current and future skills needs of the Scottish economy. Migrant workers have added tremendous value to Scotland – financial and otherwise – by boosting local economies and reversing the trend toward a declining and ageing population.

Scotland needs to continue to attract skills and talent from overseas, to help us weather the current economic storm and flourish over the longer term - so that as the global economy recovers we have the skills from both new and existing Scots, to help us achieve that aim.

In my time as Minister, I have met a number of migrant groups and so am aware of some of the barriers they face in their lives.

The Scottish Government is committed to creating a modern Scotland where everyone has the opportunity to flourish and succeed. We are clear that there is no place for discrimination in Scotland and everyone should have the opportunity to contribute to their communities and society as a whole. I am delighted that the Scottish Migrants Network is bringing communities together to help us achieve a fair and successful Scotland and I look forward to hearing more about the work and success of the Network in the future.”

Alex Neil MSP
Minister for Housing and Communities
The Scottish Government

Scottish Migrants Network (SMN)

The Scottish Migrants Network established in 2007 recognising the need to develop a network of organisations and groups to focus specifically on new migrant issues and will maximise the use of relationships and opportunities specific to Scotland in terms of lobbying, information and practice sharing.

To date the SMN has not been funded and dependent on the goodwill and support of members especially as it moves to build profile and support organisations outside the Central Belt. Networking meetings, Conferences, Poster campaign and web site are all activities to support its Aims.

Aim

To develop an informal network of voluntary organisations, migrant community groups and statutory bodies to work at a national level focusing on issues around migration that are specific to Scotland.



The network will focus on vulnerable workers and seek to encompass all new migrants and migrant issues including: economic migrants (EU, A8, A2), asylum seekers/refugees, undocumented/irregular migrants, etc.

The network will have three strands of work focus:

- **Information:** through meeting, networking, a dedicated web-site – raising awareness of rights and migration issues; provide relevant up to date information/sign post towards existing information including that from Scotland, the UK Government and the EU
- **Supporting and Advocating:** on improving rights related to migration in Scotland with a focus on employment and ensuring rights are implemented
- **Practice Sharing:** to actively support and highlight initiatives to improve migrant.

www.scottishmigrantsnetwork.org.uk

Programme of the day



- 10:30 Coffee/registration
- 10:45-12:00 **Conference Plenary**
- Jason Bergen – Oxfam/SMN (Chair) - Welcome
 - Kamila Feddek – Money Matters
 - Chris Oswald – Equalities and Human Rights Commission
 - Ian Japp – Gangmasters Licensing Authority
 - Lorraine Cook – COSLA Strategic Migration Partnership
- Questions**
- 12:00-1:00 Lunch
- 1:00-2:15 **Workshop 1**
1. Employability and Volunteering with New Migrants (Dundee International Women’s Centre, Fife Council)
 2. Organising Migrant Community Organisations (Clackmannanshire Council, Grampian Migrant Workers Association)
 3. Community Safety and Migrants (Lothian and Borders Police, Tayside Fire and Rescue)
- 2:15-3:30 **Workshop 2**
1. Social Welfare benefits (Govanhill Law Centre, Money Matters, Unison)
 2. Enforcement of workers’ rights (Gangmasters Licensing Authority, Health & Safety Executive)
 3. Harassment and Third Party Reporting (West of Scotland Regional Equality Council, Strathclyde Police)
- 3:30-3:45 Tea
- 3:45-5:00 **Workshop 3**
1. Working with Harder to Reach Migrant Communities (Fife Council, Glasgow Southeast Community Health and Care Partnership and Oxfam Scotland)
 2. Homelessness and Destitution (Positive Action in Housing, Highland Council)
- 5:00 - 6:30 New Migrant Roundtable Discussion
- 7:00 - 9:00 New Migrant Information Event (Health & Safety Executive)

Plenary

Jason Bergen – Oxfam chaired the plenary on behalf of the **Scottish Migrants Network** and gave a background of the SMN as well as thanked the Scottish Government and other partners for funding the day. The SMN had chosen this topic for the conference due to growing concern in Scotland due to the recessions effects on migrants.

Four panelists presented different issues and implications for migrant workers and service providers in the recession.

Kamila Fedek – Money Matters (an advice centre in Glasgow) said over the past few years their service had received overwhelming interest particularly from new migrant communities mainly European. Opportunities under the ‘freedom of movement’ agreement in the EU and Scottish Fresh Talent scheme had encouraged a vision of a better life in Scotland but this has not been the reality for many. Housing and access to benefits are the key advice issues and Ms Fedek reported conditions are more acute during the recession as migrants are choosing to stay here and not return home. She stressed “a lot of work lies ahead” and encouraged improved advice and advocacy practices through the use of migrant advice workers. She cited Money Matters’ experience that 98% of their Polish clients prefer to see a Polish-speaking adviser for accurate communication, trust and cultural understanding.

Chris Oswald – Equality and Human Rights Commission recalled how at the time of the late Commission for Racial Equality there had been significant pressure placed on schools due to the influx of Portuguese migrant workers. Tensions had run high as there was no guidance available to schools.

The situation was repeated in 2004/5 when tensions rose over housing for A8/A2 migrants. Mr. Oswald cited Sarah Kyambi’s report Room for Manoeuvre as an excellent source of information on Scotland’s labour needs and how immigration and the Points-based System (PBS) affect that. He concluded that migration is a fact of the country’s future.

Ian Japp – Gangmasters Licensing Authority (GLA) then gave the background to his organisation that started after the Morecambe Bay disaster involving Chinese migrants, and the subsequent Act of Parliament. The agricultural sector is a major employer but offers poor conditions of work and pay that many Scots won’t consider. In a recession, providers increasingly use Gangmasters that helps them to be flexible. Unscrupulous employers choose not to pay NI employer contributions. Some are applying for Gangmaster licenses from international countries including India to avoid paying tax contributions in the UK. In these ways, employers exploit the public as well as migrants by not paying into the public purse. Many migrants also do not register under the Worker Registration Scheme to their disadvantage, but employers have no responsibility to ensure it happens.

Lorraine Cook – COSLA Strategic Migration Partnership spoke of their focus on migration, not just refugee issues but also A8/A2 migrants, the PBS and trafficking. They have completed a new Migration Policy Toolkit as a response to the lack of a strategic approach to migration in Scotland, aiming to support local authorities and their community planning partners with practical resources to develop their local responses, which might counteract the ageing and declining population. The Toolkit will be launched at their Executive Group shortly.

Questions to the Plenary

How can we open up the relationship between academics and community organizations?

Chris pointed out that the current debate is based on anti-immigration. He emphasized that advocates need more information from academics about the impact of migration. The panel encouraged better communication and information sharing between all, with early involvement by academics. The Glasgow Refugee, Asylum Seeker and Migrant Network (GRAMNET) initiative of University of Glasgow was a promising project and SMN is looking to support something similar in Dundee.

Why does information about migrant entitlements and immigration rules vary depending on the public?

The panel agreed it is difficult to know what's happening, largely because there are different rules for different migrants that make it complicated. It was noted that the recession makes it harder for everyone to get welfare support, not just migrants. Kamila suggested it would be a solution to drop the Worker Registration Scheme (which will happen in 2011).

What's happening with the Migration Impact Fund in Scotland and where is the evidence that it's benefiting migrants?

Chris reported the matter had been raised at the Equal Opportunities Parliamentary Committee migration inquiry discussion, but no one seems to know where this



funding has gone. Jason reminded that a Parliamentary Question had been asked on this. A Scottish Government officer confirmed that the funds were accounted for due to Scottish Government already doing work in this area – MIF allocation has been put into these various funds.

The GLA's remit is too restrictive. What will be done?

Ian said he hopes it will be expanded to cover other areas and with adequate resources. The problem of exploitation has simply now been displaced elsewhere.

What about non-EEA migrants with 'no recourse to public funds'? What support is available for them?

Jason suggested that the Equal Opportunity Committee's inquiry is taking evidence and he encouraged responses from the attendees. It is an issue for EEA migrants as well. NRPF is a human rights issue – the Committee should be made aware of this problem and the SMN will include in their response. Better guidance is needed across levels of government.

Volunteering and Employability

Joanna Davidson – Dundee International Women’s Centre & Maciej Dokurno – Fife Council

Joanna Davidson from Dundee International Women’s Centre (DIWC) began the session focusing on volunteering.

There was an interactive exercise in groups in which participants were asked to read a scenario and discuss feelings, actions as well as issues it raises. Education, integration, health, employment, housing as well as benefits were mentioned.

Some of the participants highlighted the importance of volunteering, especially for newcomers who have neither experience nor qualifications gained in the UK. It also helped with learning English.

Disclosure checks were problematic as it is not possible to obtain such a document from particular countries or an immigrant cannot do it because of their status (e.g. asylum seeker). What is more, the disclosure issued in the UK covers only the period of the residence in the UK.

‘Earned citizenship’ was discussed and how this will affect non-EEA people and will require people to do regulated volunteering before applying for citizenship.

Maciej Dokurno from Fife Council spoke about the role of Equal in Fife that provides specialist employability services to Fife’s ethnic minorities and migrants.

From June 2008 until January 2009, Equal in Fife assisted 224 clients from 39 countries, including 113 EU migrants and 11 other BME groups. More than ninety clients have successfully secured employment during this period. Some of the barriers to securing employment include language, culture, lack of relevant work experience and childcare. Equal in Fife offers case management (client centred), a work placement, pre-recruitment training, partnership working and after care to overcome these barriers.

There was discussion in both areas regards to comparability of qualifications gained abroad to the Scottish educational system, which was perceived as a long and complicated process for some migrants. ESOL classes were also a challenge.

Recommendations

1. Qualification recognition should be prioritized by the Scottish Government to ensure that migrants are able to work to their full capacity.
2. Guidance on Volunteering and Disclosure for new migrants and service providers.
3. Specialised (client centred) support around employability and volunteering for new migrants.

Organising Migrant Community Organisations

Jane Murie, Community Learning and Development Officer, Clackmannanshire Council

The Session was opened by a presentation on Organising Migrant Communities that looked at:

- Who are the Migrant Communities and what do they need/ want?
- What support is available for new Communities?
- What do you think the issues are that affect the migrant communities and what affect does that have on existing resources?

In Clacks services currently provided included work with Scottish Migrants Network (SMN) to learn what others were doing; a One Stop Shop; Language and Interpretation services; Advice and Health and Safety Surgeries; Mentoring; Community capacity building; and Policy structures and input mechanisms.

Discussion included measures to make relocation easier would include information given to migrants in 'Home Countries' through a portal/electronically as well as at the point of entry into the UK. 'One Stop' registration point would be helpful for general services such as health, education and social welfare in cooperation with migrant communities.

General discussion from the workshop acknowledged that migration would continue as it was a way out of poverty for many



people. However in many areas migrants were not recognized as a resource for the area but also as more than workers – made worse by short-term contracts. Some concern around assumptions and confidence building from both migrant and host communities.

There was a need to promote a positive image of migrants. There needed to be better uses of resources in partnership working locally and information sharing nationally to learn from others. This could also help to inform national policy.

Specific issues included registration with a doctor, access to emergency services, interpretation/confidentiality, and no recourse to public funds

Recommendations

1. Better information about basic services to people before they came to Scotland.
2. Working in partnership with migrants and the agencies that worked with them, so that resources could be shared and targeted if need be.
3. Need to engage migrant communities to be better aware of people's needs and how we can best use our resources to support them.

Community Safety and Migrants

Norman Towler and Simon Daley, Lothian and Borders Police
and Garry Brown, Tayside Fire and Rescue



The workshop focused on Community Safety from a slightly different perspective in an effort to refocus support groups and other partners to re-visit and potentially refresh their Community Safety intention. The group was asked to divide into two and give their thoughts on what a ‘community’ meant to them. The suggestions included:

- **Everybody**
- **A group who has an identity**
- **A common bond**
- **Many cultures**
- **Having a sense of family**

These answers underpin the essence of a ‘community’ in today’s multi-cultural society and strengthen our core values as a welcoming. The groups’ next task was to think about what they would want and feel if they had arrived in a country with the intention of making their life better. The suggestions included:

- Shelter
- Find a community that is similar to what you know
- Know the rules/laws and who to contact in emergencies
- Be able to communicate
- Fear of being vulnerable

These statements and thoughts are common feedback from European workers that all agencies deal with. However when the group were asked to swap their papers over and then look at who, in their opinion, is responsible for delivering these objectives there was a great deal of discussion and groups/public bodies including Local Authorities, Employment Agencies, European Union and National Government were included.

The group then tied all these pieces of the jigsaw together to reaffirm that it is not just one public body or individual support groups that make a community safer. It is a role for everyone, including the new migrant, to take responsibility and play their own small part to ensure that we continue to grow and become an inclusive society.

The workshop closed with one final thought that there have been a number of Community Safety events in relation to European Migrants, and in general the Police take the lead however the Police were mentioned only once in ‘who is responsible for delivering community safety’.

Recommendations

1. Need for greater partnership working to deliver ‘Community Safety’ to new communities including migrant community, statutory and voluntary sector organizations.

Social Welfare Benefits

Lindsay Paterson – Govanhill Law Centre, Kamila Feddek, Money Matters and Marta Chaba, UNISON Inverness

Workshop participants were asked to introduce themselves and state why they were interested in attending this workshop. Participants came from a range of organizations including local authorities, voluntary sector and advice workers, and had a range of experiences of working with migrants around benefits issues.

Participants were divided into 3 groups and each group was asked to consider:

1. What do you think could be done to improve the advice currently being offered to ensure a smooth pathway to access benefit entitlement?
2. What else could be done in the home country for migrants entering Scotland to help prevent potential problems?
3. How can we support migrants in our current financial climate?

Feedback from the group work included:

1. What do you think could be done to improve the advice currently being offered to ensure a smooth pathway to access benefit entitlement?
 - Better access to interpreting and translation
 - Better staff training, both for advice workers and staff within benefits agencies and local authorities including frontline staff and decision makers
 - Improved local and national partnership working
 - A simplified benefits system
 - An end to restrictions on A8 and A2 nationals

2. What else could be done in the home country for migrants entering Scotland to help prevent potential problems?
 - More information provided in home country on restrictions facing A8 and A2 nationals in UK – how to comply with restrictions and public funds – this could be provided on Embassy websites and at Jobcentres and other public places in home countries
 - More information provided at point of entry to UK e.g. airports, ferry terminals
 - More information provided in UK including on websites, at Jobcentres, from local authorities, from advice agencies
3. How can we support migrants in our current financial climate?
 - Improved partnership working to ensure migrants are receiving expert advice on employability, access to social welfare benefits, access to housing etc.

Recommendations

1. Support agencies including Jobcentre Plus, Her Majesty's Revenue and Customs and local authorities should ensure that staff are aware of interpreting and translation policies and procedures and are putting these into practice so that their services are accessible to all migrants.
2. Benefits agencies including Jobcentre Plus, Her Majesty's Revenue and Customs and local authorities should ensure that staff are fully trained on the rights and entitlements of migrants to access benefits.

Enforcement of Workers' Rights

Ian Japp, Gangmasters Licensing Authority and Val Holland, Health & Safety Executive

The workshop focused on the importance of migration to Scotland and the ways in which migrants' concerns in the workplace can be addressed both by government institutions and the voluntary sector.

The workshop began with a summary of some of the needs of migrant workers, ranging from language lessons, information on employment rights, advice on starting a business, and help with integration.

The group was then given an overview of the Health and Safety Executive (HSE) by Val Holland. HSE provides guidance to employers and responds to complaints by workers. It was noted that complaints to HSE can be made in a migrant's native language and that information can be given anonymously (including from a third party) and will not be reported to the employer. Ian Japp then gave an insight into enforcement of employment rights by the Gangmasters Licensing Authority (GLA). The GLA was created in 2006 and is tasked with upholding employment rights in agriculture and associated sectors of the economy.

Attention was drawn to how employers were constantly developing new ways to circumvent the regulations, such as avoiding payment of National Insurance contributions and underpayment of hours worked. It was also noted that, increasingly workers are being declared self-employed, which means that people are forced to provide their own equipment and are not entitled to employment rights such as holiday pay.

Crucially, this results in the workers not making National Insurance payments, which precludes them from receiving benefits in the event of unemployment. Without having to provide for holidays, the employers make a significant saving.

Ian further noted the reluctance of migrants to come forward and stressed the need for spokespersons on behalf of migrants and the importance of migrant support networks in bringing abuses to light.

Participants were then split into groups to discuss a scenario involving overcrowding in tied accommodation, where rent is deducted as part of wages. There was a general recognition that there should be more information in countries of origin about basic rights in the UK, so that workers are aware of their rights and routes of redress before they come to the UK. It was further highlighted that the community impact must be assessed before Gangmasters are prevented from operating – as there is a clear duty of care to the local community, farmers and the migrants themselves. Evidently, employment rights enforcement bodies, like the GLA and HSE, must be careful to ensure that eradicating abuse does not result in workers losing their jobs or home.

Language clearly remains a barrier for many migrants facing employment rights abuse to seek redress. Migrants must also be better informed of their rights, entitlements and

routes of redress, before coming to the UK. Links between migrant communities and support networks and bodies tasked with protecting workers' rights must also be strengthened.

Recommendations

1. Resources allocated to employment rights enforcement bodies should be increased to ensure that efforts to exploit workers in the downturn are prevented.
2. Ensure migrants have greater access to information regarding their employment rights and routes of redress before
3. Support for migrant support networks to become spokespersons for migrants, with better links to employment rights enforcement bodies, such as the GLA and HSE.
4. Information on workers' rights and health and safety requirements should be made readily available by the employer and translated into appropriate languages.



Racial Harassment & Third Party Reporting

Drew Pryde - Strathclyde Police and Joanna Wisniewska, West of Scotland Regional Equality Council

Participants were introduced to Third Party Reporting Procedures, who are Third Party Reporting Centers and how to become one. Then were shown examples of how third party reporting can help the victims of harassment, and how it can lead to positive outcomes i.e. supporting a victim, preventing future crime and involving agencies.

In addition this kind of reporting a crime can encourage people who don't feel confident enough to speak to Police Forces directly for various reasons. Specific outreach such as WSREC drama project with Polish communities to better inform communities were mentioned.

During the discussion the following emerged:

- Scheme requires to be publicised better
- Police need to provide relevant feedback to victims and reporting partners
- A quarterly update via email should be sent to partner agencies/groups

Recommendations

1. Third party reporting partners in each locality should work together to ensure that the scheme is well publicised to service users and other agencies.
2. Police forces should agree timescales for providing feedback to victims and reporting partners and ensure that these timescales are met.

Homelessness and Destitution

David MacIver – Highland Council and Seonad Forbes – Positive Action in Housing (PAIH)

The workshop began with an overview of the reasons behind homelessness and destitution of A8 and A2 nationals in Scotland – increasing numbers of migrants are losing work and becoming homeless due to the recession and temporary restrictions on EU rights which have been imposed on nationals of these countries restrict eligibility to access homelessness assistance. Seonad gave a general overview of the problems that migrants without access to homelessness assistance face – destitution, difficulties getting back into work, and difficulties in affording to return to their home country – and some types of support that are available to destitute migrants – information and advice, food and clothing from charities, and social work support for children. It was noted that support is variable across Scotland.

Destitution is a difficult problem to tackle both because of the restrictions that have been imposed on EU nationals by the UK government and because there is no hard evidence on the scale of the problem. PAIH has used Freedom of Information requests to gather some data from all Scottish local authorities. This data demonstrates that 1238 A8/A2 national households presented as homeless in Scotland between August 2008 and December 2009. Forty-nine households were recorded as being ineligible for assistance and are thus likely to have become destitute. However, this number is artificially low because 8 local authorities were unable to provide data on ineligibility,

including some of the local authorities with the highest populations of new migrants. Furthermore, many new migrants are unaware that local authorities provide a homelessness service, so even when they face destitution they are unlikely to approach their local authority for assistance unless they are informed of this service by another agency or friend and many are therefore not recorded in these figures.

David provided information on the issues of homelessness and destitution in Inverness where the Streetwork Project is based. Streetwork Project observed migrant workers accounted for 20% of the individuals who slept rough during the past year and usually over half of those sleeping rough on any given night are migrant workers - mostly Polish. Migrants account for longer periods of time spent on the street and the average episode lasted for 27 days, substantially longer than that of other rough sleepers. Streetwork have worked with at least 40 migrants over the last 2 years who were experiencing destitution. Selling the Big Issue as a registered self-employed person can be a route out of destitution for migrants.

This was followed by discussion about some ways that destitute migrants can be supported, for example referrals to NHS services, ESOL classes, Consulates, assistance to become self-employed, provision of clothes and food, support from community groups and churches and the importance of partnership working.

Recommendations

1. The Scottish Government should commission a more in-depth study to establish the scale of destitution of A8 and A2 nationals in Scotland, and the impact that this is having on migrants, local authorities and voluntary sector organisations.
 2. Scottish local authorities should ensure that all staff in housing and homelessness departments have been provided with appropriate guidance and training on the rights and entitlements of A8 and A2 nationals so that they are able to make the correct judgment on eligibility to access services and signpost and refer clients who are ineligible for assistance to other organisations.
 3. Guidance from Scottish Government and Local Authorities on 'No recourse to public funds'
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Working with Harder to Reach Migrant Communities

Jason Bergen, Oxfam and Colm Wilson, Fife Council



Jason Bergen from Oxfam presented to begin with and introduced himself and Colm Wilson from Fife Council as well as apologies for Roma Development Worker from Glasgow who was ill. He asked the 30 or so people to write issues on post-its of who they thought were hard to reach groups while Colm and he presented briefly.

Jason discussed that certain communities such as the Roma are difficult to reach and there were challenges due to English knowledge, experiences of discrimination from home countries and poverty – this also made them more vulnerable to exploitation. In Govanhill, Glasgow there has been a strong partnership response by the Community Health and Care Partnership, and

voluntary sector to support this community but there remained challenges and the need to develop new ways of working. Providing signposting and advice support through migrant community workers had helped build trust in the community – it was acknowledged that this required adequate resources.

In reality new migrants were generally hard to reach and we need to be careful not to assume contact with a migrant community organisation or existing resources such as websites meant information would be disseminated to all and as with any other community organisation it was important to be conscious of representation. In Glasgow there had been challenges in engaging



some communities such as the Roma because service providers expected them to organise as other communities that had come previously and this was not always the case. The SMN had noticed more issues being presented by migrants such as trouble accessing social welfare and or information around their rights that was felt to be worsening due to the recession.

Colm agreed with Jason and said service providers needed to remember that while communities such as the Polish had more resources than other new communities (partly due to their numbers) such as organisations and web-sites we should not assume that information was disseminated or known to all. As with any Scottish Community organisation people got involved for diverse reasons and at the same time many chose not to.

Some of the issues raised by people included employability and qualifications recognition as well as benefit support and advice. These issues were being raised more often as people were settling or staying longer and or needed more or different types of support.

There was discussion around lack of service support, or reducing service support, for new migrants in certain areas and this implied greater difficulties for certain communities especially smaller migrant groups or those in rural areas. There was also some discussion of decreasing resources and questions about the Migration Impacts Fund.

The perceptions of migrants and misinformation that influenced public attitudes were noted as an issue for host communities and service providers as well as for migrants themselves who might be reluctant to engage and or face prejudice or racism.

Poor interpreting and or translation (or lack thereof) was also an issue in trying to engage migrants that needed to be addressed. This was particularly problematic for smaller communities and or in certain service areas like criminal justice or social welfare.

Recommendations

1. Need for continued targeted funding for migrant support work and advice.
2. Work around positive public attitudes to migrants and migration in order to combat prejudice and racism.
3. Improved interpreting and translation services.

Migrant Roundtable Session

(Full minutes available from SMN)

Professor Zhelev (chair of the Slavic and Eastern Europe Institute and Bulgarian Honorary Consul) welcomed all present to the roundtable and introduced the different communities, Scottish and Dundee Government officials, and representatives of organisations present. He explained that two key issues had arisen in discussion with the local communities prior to this roundtable, namely:

1. Availability of qualified interpreters, specifically within the legal system; and
2. Provision of support to migrant communities within Dundee, perhaps by way of a Central and Eastern European cultural information centre.

Interpreting and Translation

Professor Zhelev introduced this issue, stating that very few qualified interpreters are being employed by public sector agencies across Scotland – most interpreters who are working within the legal system and for other public services do not hold interpreting and translation qualifications. There is also a lack of disclosure checks for interpreters, which is a matter of concern because interpreters are often working with vulnerable people.

There are particular problems especially for the provision of interpreters for defense solicitors as they cannot access an interpreter until legal aid has been granted. In practice this means that solicitors are unable to access

interpreters immediately because they must wait until the legal aid position is clarified – this has led to a situation which is now endemic ie. defense lawyers are reluctant to involve interpreters.

Interpreters and translators complained that payments of linguists for their services for solicitors have been delayed in many cases for more than a year. The explanation given by solicitors is that this is a result of the procedure used by the Scottish Legal Aid Board (SLAB).

A participant expressed the view that there was a lack of political will to resolve this issue – perhaps due to a lack of understanding of the seriousness of the implications for migrants who are accused of a crime and are not able to communicate their version of events clearly because the interpreter is not sufficiently fluent in English. The use of unqualified interpreters could potentially lead to miscarriages of justice for migrants because their version of events has not been correctly explained and understood.

Several participants expressed concern that the Scottish Government's Framework Contract for the Provision of Interpreting, Translation and Transcription Services had created a monopoly in the provision of interpreting services and that conditions for interpreters had deteriorated because of this.

Participants expressed concern that migrants who speak little or no English are unable to complain if they do not believe that the interpreter is representing them fairly – they rely on the interpreter to express their concerns and if their complaint is about the interpreter, the interpreter is unlikely to communicate it. The problem of unqualified interpreters applies to interpreting in police stations as well as in courts. A participant stated that sometimes there is no interpreter present when a migrant is arrested and migrants who speak very little English are sometimes not offered an interpreter and are expected to communicate in English.

Less prosecutions would be required if more preventative work was done, for example distributing translated information leaflets to migrant communities about the law in Scotland. Savings could also be made if interpreters were available in each locality so that interpreters would not have to travel long distances for jobs. A participant expressed concern about the lack of provision of interpreters for migrants attempting to access NHS services such as appointments with GPs.

Dundee Cultural Information Centre

Professor Zhelev introduced this issue, stating that many migrants living in the Dundee area are keen for a Central and Eastern European cultural information centre to be established. One of the main services which has been providing information, advice and support to new migrants in the area for several years has had a change in funding which has meant that only housing association residents can access its services, so there is a significant gap in advice provision for new migrants in the area.

Participants had several suggestions for services that a Central and Eastern European cultural information centre could provide and believed that there was a local need for these services. This included providing:

- information, advice and support for new migrants;
- language classes for new migrants;
- cultural information and events to assist integration of new migrants with Scottish people;
- a meeting place/hub for active migrant community organisations;
- a one stop shop to assist in accessing local mainstream services;
- a point of contact for distributing information to new communities; and
- an educational programme.

Bilingual staff and volunteers from new migrant communities could run the centre, breaking down language and cultural barriers which may prevent new migrants from accessing local mainstream services.

Concluding Remarks

Councillor Dawson (Dundee Council) expressed his willingness to meet with a group of representatives from the migrant communities in Dundee to discuss this idea and look at the logistics of developing it. Participants have some ideas for potential premises and funding ideas for the centre. Paul Wood from the Scottish Government Equality Unit thanked participants for sharing their views. A participant asked if any action had been taken based on work that COSLA was doing in relation to interpretation and translation in 2008 and Paul stated that he would check this. Professor Zhelev thanked all attendees for their participation in the discussion.

New Migrant Information Event

Health & Safety Executive

This information event attracted 30 delegates from Poland, Bulgaria and Lithuania. Pamela McKenzie of Health and Safety Executive and Tom Neilson of Scottish Centre for Health Working Lives (SCHWL) shared the podium to present rights and duties of employers and employees, as well as how both organisations could help with complaints and information.

The event was chaired by Professor Nikolai Zhelev of Abertay University. He is a trusted by migrants in the area due to his work with migrant communities and was instrumental in providing delegates for the round table discussion and the HSE part of the seminar.

Information services for the Dundee area was presented by Craig Mason, Welfare Rights, on behalf of a local forum chaired by Dundee Council. His provision of information particular to a migrant workforce proved to be helpful to the majority of attendees. Berenice Hunter of Dundee College spoke on behalf of local English for Speakers of Other Languages Services (ESOL). She gave a full description of available learning for students of all levels of ability to speak English.

Interpreters were available throughout the event. Simultaneous interpretation was used for the presenters in Polish, and Russian and Bulgarian interpreters were in the audience ensuring that local workers could understand the speeches. Information was provided in several languages, as well as copies of all the presentations to take away.

Feedback forms were used to measure the success of the event. The overall response was very positive. Delegates left with information in their language displayed by SCHWL, Dundee College, ESOL and Citizens Advice Bureau.

The Health and Safety Executive hope to continue to work with migrant workers via the Scottish Migrants Network. Partnership working has proven to be the most positive way forward in contacting hard to reach employees in Scotland.

