London Legal Support Trust –
London Specialist Advice Forum meeting

2-4pm, Wednesday 13th September 2023

Chair: Sally Causer, Southwark Law Centre

This document contains detailed notes from September's London Specialist Advice Forum meeting.

They are divided by headings so you can skip to the part most relevant to you. There is also a full recording of the Forum session available here

1. **Alba Kapoor, The Runnymede Trust:** Presentation on the *"Falling Faster amidst a Cost-of-living Crisis: Poverty Inequality and Ethnicity in the UK"* report, followed by Q&A

2. **Sheena Khanna, The Legal Education Foundation**: Overview of the Legal Education Foundation's *"Power, Culture and Inclusion"* work

3. **Franck Kiangala, North Kensington Law Centre:** Discussion on racial justice in the advice sector and how structural racism impacts community work and advice.

4. **London Legal Support Trust:** AOB

1. Alba Kapoor, The Runnymede Trust: Presentation on the "Falling Faster amidst a Cost-of-living Crisis: Poverty Inequality and Ethnicity in the UK" report, followed by Q&A

You can read the "Falling Faster amidst a Cost of Living Crisis: Poverty, Inequality, and Ethnicity in the UK report here

Presentation slides here

a) Introduction

- We at the Runnymede Trust, in partnership with our colleagues at the University of Leeds, put together a report looking at the structural and material realities facing Black and Brown communities at this time of crisis.
- There is a general rhetoric at the moment around the cost of living crisis that centres on the notion that we are all in this together - that as rents rise, as costs rise, and as people face the difficult choice between heating and eating, the experiences are universalized.
- One of the things that we wanted to focus on was centring the material and structural realities of Black people and people of colour and thinking about what gets missed in discussions on inequalities and poverty in this country.

b) Relative Poverty: Stalled progress in closing the economic gap

- The first critical finding of our report was that since the 2008 financial crisis, historical progress towards closing the economic gap between black and minority ethnic communities and their white counterparts has stalled.
- See ***Figure 3(slides 4)*** In particular Black and Ethnic minority communities continue to be 2.5 times more likely than white people to be living in relative poverty.

c) Deep Poverty: Increasing racial inequalities below the poverty line

- Whilst relative poverty gives us an indication of what and how people are experiencing the cost of living crisis, in order to understand the depth of the impact we should look at what is going on below the poverty line.
- Black and Ethnic minority people are more likely to be falling harder and faster during this cost of living crisis.
- ***Figure 4 Poverty gap by ethnicity (Slide 6)***. As this figure shows more than a quarter of people in deep poverty are from a Black and Ethnic minority background, despite just making up 15% of the British population Black and Ethnic minority communities.
- The term that we use for this rate of deprivation is deep poverty which means that incomes fall below 50% of the relative line.
- The reason for this is covered by recent crises such as the COVID-19 pandemic, the 2008 financial crash but also the issues facing Black and Minority ethnic communities within the labour market, historical wealth inequalities etc.

d) Food insecurity by ethnicity

- What we have also found in this report is that there are two critical indicators of poverty and deprivation: food insecurity and fuel poverty.
- ***Figure 1 (Food insecurity by ethnicity, slide 7)*** As this slide shows Black and Ethnic minority communities are more likely to be impacted by food insecurity.
- ***Figure 2 (Fuel Poverty rate by ethnicity from October 2022, slide 8*)** Black and Ethnic minority communities are also impacted by fuel poverty, something that will be another critical issue this winter.

e) Slipping through the gaps in social safety net

- What we also wanted to focus on in this report is the way political choices have impacted Black and Ethnic minority people.
- In our report we focused on the topic of social security and how the impact of social security measures such as austerity over the last 10 years has impacted Black and Ethnic minority groups.
- ***Figure 5 (Real terms change in mean cash benefits, slide 10)*** We have found that the impact of regressive social security measures has impacted communities worse than white people and this has been acute in Black and Ethnic minority women.
- We are aware that changes to the tax benefits system over the past decade have resulted in significant racial and gender-based disparities.
- Policies such as the two-child limit for means-tested support have disproportionately affected minority groups, particularly those living in larger families with more than two children. The reinforcement of sanctions within the social security framework has had a detrimental impact, especially on minority communities subject to these stricter regulations.

f) What drives these inequalities

- The first thing we focus on is the impact of labour market inequalities and the concentration of Black and Brown communities in low-paying insecure occupations with fewer opportunities for progression. Particularly, we think about things such as zero-hour contracts but also focus on the impact of structural racism within our labour market.
- Then of course we are thinking about the pre-existing wealth inequalities that the Runnymede Trust has done lots of work on in the last decade, looking at differential rates of home ownership of white communities versus Black and ethnic communities.

- We also argue that the impact of austerity and regressive social security measures have had a negative result on Black and ethnic minority communities and the punitive sanctions regime have a disproportionate effect.
- Finally, the impact of COVID-19 is something that cannot be ignored in understanding the ways in which ethnic minority communities are being left behind in the cost-of-living crisis.

g) What it is that needs to change

- We have been advocating for a significant strengthening of social security measures for Black and ethnic communities
- We are calling for extending the cost of living payments to means tested social security recipients and enhancing their availability.
- We are also arguing for the introduction of a Windfall Tax on the excess profits of energy companies during this time of fuel poverty for Black and Brown communities and for taxes to fund progressive social measures when they need it most.
- In the longer term we have called for extended measures to better understand the depth and rates of extreme poverty and tackle income inequality.

Q&A

- *Q: I just wanted to ask if there were examples of good practice particularly around access to legal advice. What were some of the examples that you came across?*

  A: This is something we didn't really explore in the report but it wasn't something that we were thinking about. We were focussing on thinking about the structural inequalities as they stand and what kind of support is available for Black and Ethnic minority communities. We have repeatedly highlighted the impact of legal aid cuts in our communities but within this report that information is not there and something that needs to be picked up.

- *Q: In your report, there's a recommendation about "expanding measurements to gain a deeper understanding of poverty." Can you provide more details on how this includes intersectional identities and experiences?*

  A: This is a critical question, we have for a long time done a lot of work looking at how the gendered and racialized experiences impact regressive social security measures. In 2017 we did a really big piece of work that looked at how Black and Brown women were falling deeper within the poverty line. The intersectional nature of these questions was a critical part of this. Currently, the data is just not there, it's up to organisations like the Runnymede Trust sitting in the civil society space to collate what is going on and advocate for more intersectional data collation.

2. **Sheena Khanna, The Legal Education Foundation**: Overview of the Legal Education Foundation's "Power, Culture and Inclusion" work

Presentation slides here

a) Introduction

- I am the "Power, Culture and Inclusion" lead at the Legal Education Foundation also known as LEF.

- We are an independent grant-making organisation created in 2012, that distributes around £6 million pounds a year to fund charitable work that helps people and organisations understand and use the law as a tool for social justice.

b) Power, Culture and Inclusion Work: Background and Context

- As you all know in 2020 there was the resurgence of the Black Lives Matter movement following the killing of George Floyd and the Foundation, like many other foundations and organisations reflected internally on what it means to be anti-racist and what we were doing.
- In 2021 we started the DEI working group with staff across the organisation and we put together an action plan to incorporate DEI into our vision, mission and values statement.
- In 2022, colleagues who make up the Justice Together Initiative took part in anti-racism training delivered by a Justice, Equality, Diversity and Inclusion (JEDI) consultant and by December of 2022 my role as Power, Culture and Inclusion lead was created which reflected the need for dedicated capacity and time.
- We have since updated some of our grant guidelines that reflect our charitable objectives and the aims to attract more applications that are led by lived experiences. In early 2023, we had an early grant round that reflected those updates.

c) Understanding where we are

- Since I started this role, I really wanted to understand where we were in terms of anti-oppression, Power, Culture and Inclusion work. I started to do a baseline analysis by talking to people from each department across the organisation about their views and needs.
- We took on JEDI consultants who worked on the Justice Together Initiative and they sent out a survey to staff and trustees about their understanding of anti-oppression and how the organisation viewed it.
- We also looked at diversity data of staff and trustees and used existing frameworks in the sector so that we can measure ourselves.
- We used this information to inform priority areas of the next 12 months and create a short strategy paper.

d) Action Plan 1: Training at LEF

- There has been an inconsistent approach to training for staff and trustees on these topics and we took on board JEDI consultants who provided anti-oppression training looking at racial justice but also the intersections of class and disability. Trustees also took part in it.
- This anti-oppression training has been as much about learning in an academic way as well as doing some internal work on our own. We have looked at how aware we are of our own race and the levels of racism that exist in our lives from an internalised, interpersonal, institutional and systemic perspective.
- This resulted in a moment of raw vulnerability which helped cultivate a culture of sharing and develop skills on how to facilitate difficult conversations with colleagues.
- The Justice Together Initiative carried out a version of this process and since then have been meeting in small groups to work on personal development.
- Our next action is to continue finding ways to keep the conversations going from having staff reading groups to more small meetings and planning a new consistent approach for new starters and putting into action what we have learnt.

e) Action Plan 2: Diversity at LEF

- We did some diversity monitoring and it was the first time we did monitoring on the diversity of staff and trustees. We also included external committee members, the findings have been shared with senior leadership and have been used to reform changes to recruitment, such as language to attract more disabled people and those from minority backgrounds.
- We are planning to repeat this questionnaire next year in March including lived experiences which we didn't include the first time and go beyond the characteristics mentioned in The Equality Act (2010).

f) Action Plan 3: Governance

- The next area we looked at is Governance and how our board prioritises and thinks about Power, Culture and Inclusion.
- This has historically been quite low and we really wanted to increase the engagement of them and the diversity of the board. We have been making sure we have been giving them regular updates and including them in our new missions, visions and values statements.
- Trustees have also engaged with the surveys as well as signed up to training with consultants and we have Power, Culture and Inclusion as a standing item in the grants and learning committee meeting agenda.

g) Action Plan 4: Grants

- We are trying to change our grant guidelines so that we can get more user-led and applicants with lived experiences to apply.
- We are also looking at internal language and the categories used, we are updating and refreshing them to be more progressive.
- We don't have the language for lived experience (yet), as we need to be really clear and attract the organisations we want to work with and also implement changes we agreed with our grant management system.

h) Reflections

- A big part of our work has been the training and the experts who have been able to have nuanced ways to facilitate conversations have been invaluable.
- Data and learning are an important part of this work and looking at it in a more nuanced way.
- The work is uncomfortable and uncertain and although we have the next stages it is not straightforward and is dependent on the people
- Communication is a really important part of this and we have focussed on improving communication so that staff are on this journey. Equally, we want to be accountable and have measures in place.

Q&A

- *Q: We have some questions about data collection, and I'm aware that it's an area where my Law Centre struggles with asking questions and collecting accurate data. Could you please elaborate on the work you are doing regarding the definitions of lived experiences?*

  A: Currently, we categorise it ourselves and determine whether an organisation is user-led. We've reached a point where the term is becoming more nuanced and less quantified, but it's still a work in progress. Justice Together has followed a similar process in developing their own example and definition. They took the approach that, in addition to representation, it's about the nature of the work they are doing and

have put measures in place to improve this.

- *Discussion Point 1: In our Law Centre, we cover a wide range of areas when considering the concept of lived experiences. Sometimes, it's challenging to come across lived experiences. One approach we've taken to address this is when developing specific projects, we involve advisory groups and community members in the project.*

- *Discussion Point 2: When trying to engage policymakers on the issues of data collection, they don't know to what extent Black and Ethnic minorities are overrepresented among legal aid clients given that legal aid is a targeted service. There is a big gap in reporting and they don't know what ethnicity there is to report and whether saying "prefer not to say" contributes to the legal aid system. What we have at the moment is prescriptive and not responsive to the needs and disadvantages that should be addressed. It is an ongoing issue at a policy level.*

3. **Franck Kiangala, North Kensington Law Centre:** Discussion on racial justice in the advice sector and how structural racism impacts community work and advice.

a) Introduction

- North Kensington Law Centre has existed since the 1970s and we hope to continue our work for many more years.
- The subject of racial justice in the advice work is a vast subject and a conversation that is never-ending.
- It is an unfortunate and sad reality that race plays an important part in our social realities. It can be positive and also be negative, sometimes it can be deliberate and other times it is covert and subconscious.

b) Structural racism

- As you may know, structural racism encompasses the social, political, and economic systems in our society. This systemic oppression of racial minorities leads to disparities in income, housing, justice, and education.

c) The Legal Advice Sector

- We have a prime and important role to play in equalising racial justice in society and we should be the ones leading from the front.
- In 2019, Citizens Advice found itself in hot waters when reviews showed that training materials ignored the impact of class race and intersectionality in the charity sector. This incident supported the view that structural racism is present in the advice sector and was at the time an unresolved issue within the sector.
- Since then progress has been made with an increased focus on diversity in recruitment. However, diversity at senior levels within staffing profiles must be improved.
- The impact of structural racism also affects the quality of services we provide to ethnic and marginalised communities, jeopardising our integrity and our ability to empathise with clients. We must not only champion diversity and inclusion in our words but also through our actions.

d) What are the consequences of not addressing structural racism and its impact on community work and advice

- The consequences would be a cataphoric failure of what community work and advice should be and we would be failing present and future generations.
- Not addressing these issues will also deter the talent that we need to attract people to these organisations.

e) How do you address this issue?

- We need to ramp up diversity and inclusion within the sector, this includes the sector addressing structural racism within our organisations. Tackling structural racism will not only garner the trust of the various communities we support but also enable us to develop more targeted and effective advice services.
- At the end of the day, we are all losers when the issues of structural racism and social inequalities are not addressed head-on.
- To find out more you can read this article here, about racism in the advice sector and what we could do to ensure racial equity.

Q&A

- *Q: When it comes to the Equality and racial justice language and as our work is "access to justice," should we consider using "JEDI" instead of "EDI"?*

  A: When it comes to terminology, it's crucial to ensure that it respects and accurately represents the individuals it seeks to describe, and that it serves its intended purpose effectively. Sometimes, we may get caught up in extensive characterization and acronyms, which can create the illusion that naming something is equivalent to making a real difference. While naming is important, I believe it's even more critical to drive fundamental change.

  A: In relation to the question about language, it's something we should be mindful of. Whatever terminology we choose to adopt within our organisation, it should be consistent and implemented from the top down. In our DEI working group, we're currently developing a glossary to be used universally across the organisation, and I believe this is an important step. Additionally, whether we're using this language internally or externally, it's essential to approach it with sensitivity and give it the extra care and attention it deserves.

4. **London Legal Support Trust**: AOB

- Forum members will all receive an email with notes from this session.
- Next Forum date is Tuesday 28th November. This will be an in-person session (option for hybrid), followed by a sector social. Invites will be sent out to everyone, all you need to do is RSVP sundus@llst.org.uk
- If anyone would like to join the forum steering group to help shape plans for 2024, or volunteer as a rolling chair, please get in touch.