
Foreword

I welcome this timely and detailed report by the Anti Caste Discrimination Alliance (ACDA) which shows so clearly that caste discrimination really



exists here in the UK, as well as in India and elsewhere. This is demonstrated in cases like the elderly woman needing home-care but being discriminated against by a care-worker due to her Caste, people from Asian communities being closely questioned by colleagues to discover their Caste origins, workers being discriminated against for promotion, and children at school or college being called 'chamar', the Caste equivalent of 'nigger'.

It is remarkable that ACDA has produced this report in a matter of months with only voluntary resources. It has captured with huge sensitivity the voices of a community that has, in the past, been ignored by Government and others. The findings of this study in which over 300 people participated during the summer, clearly support a case for the legal protection of victims of Caste discrimination in the UK. It confirms that it occurs in the workplace, places of education and the provision of services. Although many have argued that Caste discrimination exists in the UK evidence in this area has been limited, it is only now we have a picture of the large numbers whom it may affect.

As a Trustee of the Dalit Solidarity Network UK for almost a decade, I have been aware of the perniciousness of Caste discrimination around the world, particularly in India, but also in the UK. The report comes at a time of increasing international interest, when the UN High Commissioner for Human Rights, herself from South Africa, has recently spoken out strongly, likening Caste to the apartheid system.

This report makes a number of very important and justified recommendations to Government Departments, the Confederation of British Industries (CBI) and the Trade Union Congress (TUC), the British Medical Association (BMA) and the Equalities and Human Rights Commission (EHRC). As a first step, the Government has a perfect opportunity immediately to provide protection for all citizens against Caste discrimination within the Equality Bill 2009, and thereby to deliver on its policies for a more cohesive society. Now we have heard the *Voice of the Community*, we all have a duty to take action, to ensure they no longer remain victims, but enjoy the full protection of British law.

Rodney Bickerstaffe, former General Secretary of UNISON and DSN-UK Trustee

Having pursued respect and equality for a discriminated very minor minority group for over 30 years now, it has come as a real surprise to me, to discover a much larger minority group still being able to be legally discriminated against in ways which are completely unacceptable. I knew such discrimination was illegal in India, to imagine it is also not illegal here seems to undermine the meaning of race and ethnicity protection from discrimination completely."

Stephen Whittle OBE
Professor of Equalities Law, School of Law
Manchester Metropolitan University, November 2009

"Caste discrimination like other forms of discrimination needs to be outlawed. This is the evidence that will prove the case for its inclusion in the Equality Bill."

Lynne Featherstone MP, November 2009

"Protection from discrimination is a fundamental human right. It is essential to human dignity and guaranteed by international human rights law. Evidence indicates that discrimination on the grounds of caste exists in the UK, yet our anti-discrimination laws are lagging behind and do not provide the protection that is needed. Discrimination because of a person's caste is inherently linked to discrimination on the grounds of race and no one should have to suffer the indignity of such discrimination. The Equality Bill is a perfect opportunity to address this."

LIBERTY, November 2009

2. Executive Summary

2.1 Introduction

2.1.1. This Report sets out the results of a scoping study conducted between August and October 2009 to establish how people know that the Caste system exists in the United Kingdom (UK) and, for those who had experienced Caste discrimination, the setting it had occurred in and the impact it had had on them. Over 300 people participated in an online questionnaire and nine focus groups in England.

2.2 Background

2.2.1. Over the last 60 years, there has been a gradual increase in the numbers of people in the UK from the Indian subcontinent. These communities have settled here and brought with them their own social habits, norms and religious customs including the Caste¹ system.

2.2.2. The Hindu Council UK and the Hindu Forum of Britain have both acknowledged in their reports² that the Caste system exists in the UK. However, both bodies argue that Caste discrimination is not endemic in the UK, and only plays a role in social interactions and personal choices like marriages, conversations and friendships. A number of academics and UK organisations, including the Anti Caste Discrimination Alliance (ACDA), Dalit³ Solidarity Network UK (DSN), Federation of Ambedkarites and Buddhists Organisations (FABO) and CasteWatchUK (CWUK), argue otherwise. They say that the Caste system and the discrimination associated with it impacts in some form or other on the two million or so people in the UK from the Asian Diaspora and extends beyond social interaction.

2.2.3. On 8 October 2009, Navi Pillay, the United Nations High Commissioner for Human Rights publicly condemned Caste discrimination which affects 270 million people world-wide.⁴ Although other countries have laws to protect against Caste discrimination – for example, the Constitution of India 1950 abolishes the practice of Untouchability and makes caste discrimination unlawful⁵ – no such protection exists in the UK.

2.3 Key Findings

- A preliminary search of the academic literature shows that this is an under-researched area. Both the online questionnaire and the focus groups confirm that the Caste system exists in the UK and the associated lack of Caste mobility is not consistent with the Government's position of encouraging a more cohesive society.

¹ 'Caste' from the Portuguese *casta* meaning 'species, race or pure breed, was first used in India by Europeans in the sixteenth century to distinguish between 'Moors' (Muslims) and non-Muslims and to denote birth-groups or communities. See Susan Bayly, *Caste, Society and Politics in Modern India from the Eighteenth Century to the Modern Age* (Cambridge: Cambridge University Press, 1999) cited in Annapurna's Waughray, 'Caste Discrimination: A Twenty-First Century Challenge for UK Discrimination Law?' (2009) *Modern Law Review* Vol. 72/2, 182-219, 185, fn1.

² *The Caste System – A Report Presented by Dr Raj Pandit Sharma* (2008) and *Caste in the UK – A summary of the consultation with the Hindu Community in Britain* (2008).

³ 'Dalit' is a South Asian term of self-identification adopted from Marathi meaning 'crushed' or 'broken'; see Waughray, (2009) *Modern Law Review* Vol. 72/2, 182-219, 185.

⁴ [http://www.dsnu.org/Manual percent20Scavenging percent20Statement.pdf](http://www.dsnu.org/Manual%20percent20Scavenging%20Statement.pdf)

⁵ Constitution of India, Articles 17 and 15, at <http://lawmin.nic.in/coi.htm>. The Constitution abolishes "Untouchability" but not Caste or the Caste system.

A Scoping Study into Caste and Caste Discrimination in the UK

- A majority of the research participants identified negative experiences of the Caste system and Caste discrimination. For some, this had a traumatising effect on them resulting in low morale, low self esteem, depression and anxiety.
- 71 percent of survey responses identified themselves as belonging to the so-called 'Dalit' community. 58 percent of survey responses confirmed they had been discriminated against because of their Caste. 37 percent stated that this had occurred on several occasions. There are an estimated 175,000 Ravidassia people in the UK.⁶ Based on the survey data, over 100,000 of this population alone may be victims of Caste discrimination in the UK.
- The majority – 79 percent – of survey responses stated they believed they would not be understood appropriately by the UK police service if they reported a 'hate crime' incident based on Caste discrimination.
- 85 percent believed there was no legislation in place to protect them as victims of Caste discrimination.
- The government's decision to not include a clause in the Equality Bill 2009 to protect citizens against Caste discrimination in the UK seems mainly to have been informed by the Hindu Forum of Britain and the Hindu Council UK's reports and representations – and an unrepresentative and restricted sample of 19 replies.

2.4 Employment

- 45 percent of people who responded to the survey stated that they had been either treated in a negative way by their co-workers (20 percent) or had comments made about them on account of their Caste status (25 percent). 25 percent indicated that they had been informally excluded from social events, informal networks in the organisation or the 'grapevine' because of their Caste. Similarly, nine percent stated that they believed they had missed promotion at work due to their Caste, with a further ten percent stating that they had been underpaid because of their Caste. Nine percent stated they had experienced verbal abuse. Five percent had been subjected to threatening behaviour because of their Caste.
- Similar experiences came to light in the focus groups. For example, there was a case of a woman who believed she had been demoted from a good position at a local radio station when her line-manager discovered her Caste. Another workplace example was that of a manager of bus company in Southampton who had to re-organise the shift system so that a "higher Caste" inspector would not need to work with a "lower Caste" bus driver.
- There are increasing numbers of Indian companies setting up in Britain. Such companies may inadvertently import Caste-based practices to the UK.

Recommendations:

1. Government to provide legal protection against Caste discrimination for victims (or possible victims)
2. The DWP, CBI, and the TUC to ensure that companies operating in Britain do not inadvertently import Caste-based practices, and put monitoring in place to support all workers and members rights.

⁶ 'Sikhs in Britain' 2006 Singh and Tatla state that this is a substantial under-representation of Sikhs in Britain, and it is more likely to be around 500,000. One third of this number (at least 167,000+) are Sikhs who have traditionally belonged to the Dalit category.⁶ We believe it is up to 175,000 is based on the numbers of people visiting the 21 Guru Ravidassia Gurdwara in the UK.

2.5 Education

- Seven percent in the survey said that when they were under 12 years old they had been subjected to threatening behaviour and 16 percent to verbal abuse because of their Caste.
- 10 percent of the perpetrators of Caste discrimination for the under 12s were said to have been teachers, and 42 percent fellow pupils. These survey results were supported by the numerous examples that came to light in the focus groups including Caste-related bullying.

Recommendation:

Department for Education and Schools to provide guidance to statutory and voluntary organisations and Local Education Authorities (LEAs) for teachers in schools to improve their understanding and skills in recognising Caste-based bullying and discrimination.

2.6 Provision of goods and services

- Although the survey focused on the areas of provision of healthcare and social care services, other aspects of service provision including access to goods and facilities in places of worship (which often double as community centres) were highlighted during the focus groups.
- Of the 43 out of the 101 people who responded to the online survey question about healthcare provision, 25 percent stated their family doctor had asked them directly or indirectly about their Caste and 16 percent had experienced the same questioning from a nurse at their Doctor's surgery, and 13 percent from a community nurse. A significant number of doctors practising in the NHS are from overseas (the vast majority from the Indian subcontinent).⁷ This indicates a potential for Caste discrimination occurring in the healthcare sector which was highlighted in the focus group cases, one relating to an elderly woman's care worker discriminating against her because of her Caste, and the second case about a physiotherapist refusing to treat someone of a low Caste.

Recommendation:

The British Medical Association to review the Caste issue within its wider equality agenda for patients

places of worship specific to particular Castes.

- In one focus group a man told ACDA about how he had booked his daughter's wedding to take place at a hall in a Sikh gurdwara, and a few days before the wedding he was informed by the gurdwara that he could no longer hold the wedding there. He believed this was due to his Caste. Another focus group attendee said, "*We had a photo of Guru Ravidass at a Sikh temple and they [the temple priests] repositioned it in front of the toilets.*" This caused considerable offence to the followers of the Guru in a Sikh place of worship, given that Sikhism is considered an egalitarian faith.

Recommendation:

The Equality and Human Rights Commission to commission an in-depth academic study into the Caste system, Caste mobility and Caste discrimination in the UK, and to research the associated impacts on the health and well-being of victims of Caste discrimination.

2.8 Conclusion

2.8.1. There is clear evidence from the survey and the focus groups that the Caste system has been imported into the UK with the Asian Diaspora and that the associated Caste discrimination affects citizens in ways beyond personal choices and social interaction. There is a danger that if the UK Government does not effectively accept and deal with the issue of Caste discrimination, the problem will grow unchecked. This will be against the Government's values of fairness and equality of treatment so robustly promoted here.

2.8.2. The following recommendations are made to Government Department's and representative organisations, in the context of the Government's policies on encouraging a more cohesive society and the increasing international interest in addressing caste-based discrimination:-

- i. **Government to provide legal protection against Caste discrimination for victims (or possible victims), we believe an amendment clause in the Equality Bill 2009 is the right vehicle;**
- ii. **Department for Children, Schools and Families to provide guidance to statutory and voluntary organisations and Local Education Authorities (LEAs) for teachers in schools to improve their understanding and skills in recognising Caste-based bullying and discrimination.**
- iii. **The Department for Work and Pensions, Confederation of British Industry (CBI), and the Trade Union Congress (TUC) to ensure that companies operating in Britain do not inadvertently import Caste-based practices, and put monitoring in place to support all workers and members rights;**
- iv. **The British Medical Association to review the Caste issue within its wider equality agenda for patients**
- v. **The Equality and Human Rights Commission to commission an in-depth academic study into the Caste system, Caste mobility and Caste discrimination in the UK, and to research the associated impacts on the health and well-being of victims of Caste discrimination.**