The Tutu Foundation (UK)

Review into Institutional Racism at the Westway Trust

Executive Summary

Author

Head of the Review, Dr. Habashi FRSA

Secretary to the Review, Christine Okiya
Strategic Director, Bevan Powell MBE
Independent Advisors to the Review, Dr. Bankole Cole and Charles Crichlow QPM

Confidentiality Notice:

Foreword

This report lands at a critical juncture as the nation seeks to redefine itself in a post-Brexit world. For some this could be an exciting endeavour. For others however, there is much anxiety with the spectre of rising xenophobia and racism that has reached levels we have not seen for many decades.

In spite of all this, we must not lose sight of how our big cities, in particularly London, are seen and admired for being multicultural, cosmopolitan and international cities. One area in London perhaps above all, lays claim to a special part of this historical narrative: North Kensington. One can view a rich vein of our shared history through the prism of its civil rights and anti-racist activism, which helps in many ways contextualise this ground-breaking report.

In particular, and most relevant today for those being denied British Citizenship, it was the result of the Windrush generation from the Caribbean after the Second World War, which went on to make one of the most important contributions in the UK. Through hard work this generation helped in rebuilding the UK and transforming its cultural vibrancy in so many ways. All of this was achieved with the backdrop of everyday racism and resistance which gave us many things, not least the second biggest Carnival in the world: Notting Hill Carnival.

Westway

With the benefit of the seminal Stephen Lawrence Inquiry and its definition of institutional racism, this review set itself, a simple task; to establish whether institutional racism has existed (exists) within the Westway Trust and, if so, how it has manifested and its impact on the communities served by the Trust. To answer this question, this robust and ground-breaking review has ventured wide and deep in search of the facts. There is little doubt that over a sustained period of time, and more worryingly systemic within the organisation, racial inequality has blighted the Trust. All of this has been evidenced with clear examples of racism in its direct, indirect and overt forms. This report will therefore, undoubtedly be uncomfortable reading for some, for a variety of reasons, however, as eluded by the author, it also presents a fantastic window of opportunity.

It is somewhat ironic that the chapters of this report and its supporting Annexes lay bare the nature of institutional racism within an organisation whose very starting point was to be a counterweight for structural inequality and a beacon of hope for many. I do hope therefore, that this report is seen as a start of a new beginning for the Trust to commence a transformation process that was evoked from its starting premise so many years ago.

If anything is to be learned from the bitter experiences of minority populations in the United Kingdom, and more specifically in the aftermath of the Stephen Lawrence Inquiry, it is that there are inevitable backlashes against reports, which present uncomfortable truths about racism. The challenge, is, how do **all** the diverse stakeholders who are affected by this report come together to work towards implementing its recommendations? The answer can only be derived from collective leadership with all stakeholders.

In reading this report, and in particularly thanking the Community Advisory Group for their input and support, it is clear that this review is a watershed moment for the Westway Trust and for the community of North

Kensington. Both sides must urgently come together in the spirit of reconciliation and trust, with a clear desire to implement and embed the reparatory justice model, outlined within the recommendations.

I'm convinced that much of Black Britain today will look at this report and the actions taken or not taken by the powers that be, to see how our society can respond to the challenge that has the potential to be so transformative.

For the diverse communities of North Kensington and beyond, I deeply hope we take up the challenge.

Lord Simon Woolley CBE

Glossary of Terms

Bay
Sections of land under the A40 under the control of the Trust.

Development Trust
Independent, not for profit organisations which take action to renew an area physically, socially and in spirit. They bring together the public, private and voluntary sectors and obtain financial and other resources from a wide range of organisations and individuals. They encourage substantial involvement by local people and aim to sustain their operations at least in part by generating revenue.[1]

Flyover
A bridge, road, railway or similar structure that crosses over another road or railway.

Greater London Council (GLC)
The top tier local government administrative body for Greater London from 1965 to 1986. The GLC was dissolved in 1986 by the local Government Act 1985 and its powers were devolved to the London Boroughs and other entities. The Greater London Assembly (GLA) was established in 2000.

Institutional arrogance
The attitudes and behaviour of an organisation towards the community it serves, its staff, and / or its stakeholders. It consists of the following characteristics: an aggressively assertive approach to engagement, which is also presumptuous and overbearing. It manifests itself through being highly critical of individuals and communities, this includes being abusive, dismissive, and showing a lack of respect. Institutional arrogance can present itself as a prejudice and impact on relations between different groups.

Institutional racism
The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.[2]

Marginalisation
Treatment of a person, group or community as insignificant or peripheral.

Micro aggressions
A term used for brief and commonplace daily verbal, behavioural, or environmental indignities, which can be either intentional or unintentional and which communicate hostile, derogatory or negative prejudicial slights and insults towards any group, especially culturally marginalised groups.

Racism
Prejudice, discrimination or antagonism directed against someone of a different race based on the belief that one's own race is superior.

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[1]Department of the Environment (1987). Creating Development Trusts – Good practice in Urban Regeneration.   [2]MacPherson of Cluny, Sir William (1999). The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny. London: The Stationery Office: 6.48

Regeneration
Action is aimed at reversing industrial and manufacturing decline which resulted in inner city areas suffering from high levels of unemployment, poor housing and being socially excluded from more prosperous areas. Regeneration is focused on improving the physical structure and the economy of an area and thereby improving the quality of life.

Royal Borough of Kensington and Chelsea (RBKC)
An inner London Borough with royal status. It is the smallest borough in London and the second smallest district in England and is one of the most densely populated administrative regions in the UK.

Transport for London (TfL)
A local government body with responsibility for the transport system in Greater London.

Introduction

1. This Review was commissioned to examine concerns of institutional racism; the scope of which centres on **whether institutional racism has existed (exists) within Westway Trust (herein known as the 'Trust') and, if so, how it has manifested and its impact on the communities served by the Trust. As set out in more detail in Part 10 of the full report, this Review has concluded that, in applying the Macpherson definition of institutional racism and given all the evidence before the Review Team, the Westway Trust has been and remains institutionally racist. The legacy of institutional racism lives within the organisation in terms of the perceptions and relations with the African Caribbean community, which has led to a continuing mistrust. The Trust has failed to understand, identify and address racial disparity in terms of key functions including in relation to service delivery and employment. The use of zero hours contracts on Trust learning staff (the majority of whom are Black, Asian and Minority Ethnic (BAME) women) has engrained within the eyes of the community and stakeholders that the Trust has not changed. This is made all the more confusing given public awareness of the Trust's financial strength.**[3]

2. **Whilst there are indicators of the Trust's programme of transformation, re-establishing trust and confidence with certain sections of the community, specifically the African Caribbean community, this will take time. It is acknowledged that this is gradually being established through the role of the Community Advisory Group (CAG). Recommendations for the Trust are set out in Section 71 of this Executive Summary.**

3. As a central feature of the Trust's transformation programme[4], the current Trust leadership commissioned this Review as an opportunity to have a thorough and robust investigation into the sustained criticisms and allegations of institutional racism levelled against it by the North Kensington community. The review was established to be a partnership process involving the CAG[5] to the Review and the Trust.

4. The Trust's leadership recognized that, without an independent Review, it would be unable to identify, understand and address concerns about race that have been raised by the community. In addition, without fully understanding these concerns, the Trust would not be able to be an exemplar organisation; and an employer of choice, which provides services, funding and access to opportunities for the community of North Kensington, as Central London's most densely populated and multi-cultural area which is home to roughly 38,000 residents, from over 120 countries.[6]

5. This section of the Executive Summary sets out the background to the evolution of the definition of the term 'institutional racism' and also provides the context pertaining to 'race' in North Kensington prior to and after the establishment of the North Kensington Amenity Trust in **1971**, which later became the Trust. The aim is to provide an understanding of the significance of the Trust for BAME communities within the area, particularly for the African Caribbean community.

Racism, Black People as 'Other' and Institutional Racism

6. Racism can be defined as a force which sees, *"difference as natural not only in order to exclude, but additionally, in order to marginalise a social group collectively within a particular constellation of relations of domination".*[7] *The outcome of racism is to "deny to a racialised collectivity certain rights and resources, or sometimes all rights and resources (including the right to human life), which others within the same social formation possess".*[8] Racism can operate as:

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[3]Westway Trust Annual Report and Accounts 2017/2018.   [4]Westway Trust (2019). Strategic Priorities.   [5]Community Advisory Group to the Review was established at the start of the Review process to ensure trust and confidence in the Review. Its members are representatives of the Community and the Trust.   [6]Hatch Regeneris (2019). Westway Trust Community Research, Summary of Findings.   [7]Miles, R. (1993). Racism after Race Relations. London: Routledge.   [8]Ibid.   [9]Ibid.

a discourse which creates the Other in a particular ideological form (i.e. usually, but not necessarily exclusively, by reference to the real or alleged biological characteristics but always by reference to 'nature'). It is also a discourse of marginalisation, which is integral to a process of domination and those who articulate racism always necessarily situate themselves within relations of domination.[9]

7. This definition of racism illustrates the importance of the construction of the concept of the 'other', which operates in such a way as to marginalise racial groups from various aspects of life. This has wide-ranging consequences for BAME communities and, ultimately, for other aspects of society such as organisations, as it demonstrates the capacity of organisations to treat groups which it classes as 'other' in a less favourable manner, both in terms of access to services and the ways in which it engages with them.[10]

8. In this context, race had been constructed "as a problem".[11] The impact of the association of race with "problems" has contributed to the viewpoint that BAME people are the "enemy within" and thereby "undermining the fabric of society".[12] This viewpoint existed within an official UK crisis narrative during the 1970s and 1980s which had race at its centre, in particular the connotation of race/Black people with danger, illegality, youth, militancy and unemployment.[13] The construction of race as problematic has had two important impacts. First, it acknowledged that entrenched social issues which were associated with race, and in particular with Black people, stemmed from what was defined as "*the consequence of the encounter between deprivation and pathological immigrant cultures*".[14] *Second, race was constructed and framed within the narrative developed by Powellism*[15] *in which race was "imposed from outside*".[16] This resulted in the reconstruction of the terminology of 'nation' and 'citizen' which entrenched the urge to deny Black people access to British culture.[17] This created a situation whereby BAME people, and those with cultural differences, were viewed by some as 'other' and led to a focus on stemming a crisis and not seeking to address the root cause of problems, nor the role of those who perpetuate them.

9. There are links between racism and health[18][19], as a recent report by the United Nations General Assembly identifies:

Harmful stereotypes […] and stigmatisation in the community, [..] workplace settings undermine healthy relationships, dismantling the supportive and inclusive environments that are required for the good mental health and well-being of everyone. Discriminatory attitudes that increasingly influence [..] policies and practices undermine the social structures required to support well-being and inclusion. [..] intolerance create[s] hostile emotional and psychosocial environments and erode[s] the quality of human relationships, bringing mistrust and disrespect in social life.[20]

10. The 1999 Macpherson Inquiry, a public inquiry into matters arising from the death of Stephen Lawrence particularly in order to identify the lessons to be learned for the investigation and prosecution of racially motivated crimes, defined institutional racism as:

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people'.[21]

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[10]Habashi, N (2013). 'The construction of race within British Public Policy: An assessment of the involvement of Black and Minority Ethnic Communities within Participatory Governance' PhD thesis. Northumbria University, Newcastle, Unpublished.   [11]Centre for Contemporary Cultural Studies (1982). The Empire Strikes Back, Race and racism in 70s Britain. Oxford: Routledge. Pp21   [12]Centre for Contemporary Cultural Studies (1982). The Empire Strikes Back, Race and racism in 70s Britain. Oxford: Routledge. Pp29   [13]Habashi, N (2013). 'The construction of race within British Public Policy: An assessment of the involvement of Black and Minority Ethnic Communities within Participatory Governance' PhD thesis. Northumbria University, Newcastle Unpublished.

[14]CCCS, 1982:29.   [15]Powellism is the name given to the political views of Conservative and Ulster Unionist politician, Enoch Powell.   [16]Centre for Contemporary Cultural Studies (1982). The Empire Strikes Back, Race and racism in 70s Britain. Oxford: Routledge. Pp29   [17]Habashi, N (2013). 'The construction of race within British Public Policy: An assessment of the involvement of Black and Minority Ethnic Communities within Participatory Governance' PhD thesis. Northumbria University, Newcastle, Unpublished.   [18]Paradies, Y., Ben J., Denson N., Elias A., Priest N., Pieterse A., et al (2015). Racism as a determinant of Health: a systematic review and meta analysis. PLoS One 10(9): e0128511.   [19]Williams, D. and Williams–Morris, R. (2000). Racism and Mental Health: The African American Experience, Ethnicity and Health 5(3-4): 243-68.   [20]United Nations General Assembly (12 April 2019). Human Rights Council, Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/41/34.   [21]MacPherson of Cluny, Sir William (1999). The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny. London: The Stationery Office:6.34

11. The Macpherson definition is critical to understanding the characteristics of institutional racism, however, it is useful to set out the nuances of institutional racism to truly understand how it permeates within an organisation. The nuances are described as follows:

> Institutional racism consists of cultural deafness and cultural blindness. All institutions have a culture and some have cultures that are more dominant than others. It is the dominant culture that in its movement and its reinforcement by social actors leaves no room for other cultures to be heard or seen. Moreover, there is the canteen culture that keeps the machinery of institutions turning with its reinforcement of racism. This machinery informs what social actors do, how they think and how they work together through the maintenance of policies and practices that are racist. Furthermore, there is the phenomenon of privilege which plays a major role in employment particularly recruitment and retention. Institutions tend to recruit like for like and provide the factors that ensure similar people are recruited and retained as one moves up the echelons. This helps to maintain the opaque glass ceiling. Institutional racism consists of racial stereotyping and that tends to be reinforced in institutional settings. There is also the 'them' and 'us' dichotomy with the assumption that somehow Black people are 'different' and that 'difference' constitutes inferiority harking back to enslavement times when Black people were made to believe that they were inferior and treated that way by most white people. There is the refusal to acknowledge that there is a need for social policies made to take into account continuing institutional racism against those people who are subject to racial discrimination and racism. There is no desire to shake up the status quo because it might be too uncomfortable in terms of challenging the dominant social order. [22]

12. Institutional racism is not a benign term. There are consequences for inaction in its wake which can affect a number of groups, staff, service users and the wider community. There are also reputational consequences of institutional racism which impact how an organisation is perceived by stakeholders, including funders, regulatory bodies and communities. This can influence recruitment, retention, progression, opportunities for funding and investment.

13. In the event that inaction to address institutional racism is systemic, the consequences for both the individual and the organisation can be more severe and its impact necessitates tangible and meaningful change. This change can be challenging, and often needs to be structural in nature, requiring a thorough understanding of organisational processes, policies and practices aimed at understanding, identifying and addressing institutional racism, whether it resides in recruitment practices, decision-making in core functions such as the allocation of funding, access to land or allocation of space.

14. The Macpherson Inquiry also identified the following prerequisites deemed essential to deal with institutional racism:

> There must be an unequivocal acceptance of the problem of institutional racism and its nature before it can be addressed, as it needs to be, in full partnership with members of minority ethnic communities. There is no doubt that recognition, acknowledgement and acceptance of the problem by [institutions] and their officers is an important first step for minority ethnic communities in moving forward positively to solve the problem which exists. There is an onus upon the [institution] to respond to this. Any Chief Officer who feels unable so to respond will find it difficult to work in harmony and cooperation with the community.[23]

15. The Macpherson Inquiry also defined a racist incident as, **'any incident which is perceived to be racist by the victim or any other person.'**[24]

16. The differences between individual and institutional racism are outlined in Table 1 on page 10.[25]

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[22]Brennan, F. (2017). Race Rights reparations – institutional racism and the law. Oxon: Routledge. [23] MacPherson of Cluny, Sir William (1999). The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny. London: The Stationery Office: 6.48 [24]MacPherson of Cluny, Sir William (1999). The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny. London: The Stationery Office. p.328. [25]Better, S. (2008). Institutional Racism – A primer on theory and strategies for social change, second edition. Plymouth: Rowman and Littlefield Publishing Group.p12

Table 1

	Individual	Institution
Beliefs	Negative stereotypes of 'people of colour' The presumption of white supremacy Acceptance of social inequality	The presumption of white supremacy Acceptance of social and economic inequality The maintenance of white skin privilege
Attitudes	Hostility Fear Prejudice Intolerance Cultural blindness and deafness to racism	Commitment to maintenance of inequality between the races/ethnic groups Individuals are personally responsible for their own economic outcome
Practices	Negative verbalisations Use of pejorative name calling Hostile action	Neglect Discrimination Isolation Segregation Exclusion Exploitation Physical attacks Genocide
Structures	Customs/traditions that reinforce inequality Informal rules of behaviour that reinforce racism Conscious and unconscious behaviour patterns Cultural blindness/cultural deafness	Laws Formal policies, practices and procedures Informal policies, practices and procedures

Source: Comparison of individual and Institutional Racism. Source: Institutional   Racism, The primer on theory and strategies for social change, Shirley Better, 2008:12.

North Kensington – History of Migration, racism and resistance

17. The settlement of migrants in North Kensington was *'amongst the white working class families in squalid and overcrowded slums. Black and white tenants alike were exploited, bullied and harassed by racketeering slum landlords'*.[26] The notorious landlord, Peter Rachman, owned 147 properties in the area and was said to have used intimidation and violence to threaten tenants who appealed to the rent tribunals.[27]

18. In North Kensington in 1956, a fascist group called the Union Movement started a series of public meetings and launched its *'Black Shirts are on their march again campaign'*.[28] Racist attacks started to become a regular feature of life in North Kensington: *'respectably dressed older men had tried to run black people down in the street'*.[29] In August 1958, gangs of armed white teenagers went 'nigger-hunting' and in one evening, six West Indians were seriously injured.[30] The police were seen as hostile to the Black community and as offering little or no protection.[31]

19. By 1958, the African Caribbean population in Britain had reached 125,000 and the numbers from the Indian sub-continent had reached 55,000.[32] The lived experience of open hostility and violent attacks experienced by the African Caribbean community of North Kensington was exacerbated by the 1958 'race riots'. In 1959, a young Black carpenter, Kelso Cochrane, was murdered in circumstances with similarities to the murder of Stephen Lawrence over 30 years later. In a response to the riots and the state of race relations at the time, a local activist, Claudia Jones, developed the 'Caribbean Carnival', a precursor to the Notting Hill Carnival (the Carnival), to celebrate African Caribbean culture and also to involve the wider community in that celebration, which took place on 30 January 1959.

20. In April 1959, Sir Oswald Mosley (the former leader of the British Union of Fascists) announced that he would stand for North Kensington in the General Election. As part of his campaign, he regularly held weekly street meetings, which attracted around 800 people. Provocatively, in July 1959, he held a public meeting attended by 500 people in the same spot where Kelso Cochrane had been murdered.[33]

21. In 1971, the population of the Royal Borough of Kensington and Chelsea (RBKC) was 70,000, of which the African Caribbean population was estimated to constitute from between 7,000-10,000.[34]

22. Long-standing tensions between the police and the African Caribbean community regarding the police's targeting of the Mangrove Restaurant in Notting Hill led to the 1970 trial of the **Mangrove Nine**. They included **Darcus Howe,**[35] **Rothwell Kentish**[36] **and Rhodan Gordon**.[37] The 55-day trial and subsequent acquittal led to the first judicial acknowledgement of behaviour motivated by racial hatred within the Metropolitan Police.[38]

The Westway A40 (M) Elevated Dual Carriageway

23. North Kensington is in North West London, north of Notting Hill and south of Kensal Green, in RBKC. RBKC was formed on 1 April 1965 (at the same time as the creation of the Greater London Council (GLC)) as part of the merger of the Royal Borough of Kensington and the Metropolitan Borough of Chelsea, under the Local Government Act 1963.

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[26]Fryer, P. (1984). Staying Power: The History of Black People in Britain. London: Pluto Press. p378   [27]Ibid.   [28]O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p26   [29]Fryer, P. (1984). Staying Power: The History of Black People in Britain. London: Pluto Press. p380   [30]Ibid. [31]Ibid.   [32]Craig, G. (2012). "The History and Settlement of the UK's Black and Minority Ethnic Populations". In G. Craig, A. Atkin, S. Chattoo and R. Flynn (eds.) Understanding Race and Ethnicity: Theory, History, Policy and Practice, pp. 41- 71. Bristol: The Policy Press.   [33]O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p27   [34]Minutes of Evidence, 10 February 1972, p.217.   [35]Darcus Howe was a British broadcaster, writer and civil liberties campaigner, originally from Trinidad.   [36]Rothwell Kentish fought for decent housing conditions in North Kensington, played a key role in the establishment of the Notting Hill Children's Carnival and established the CAC workshop and teamwork training trust.   [37]Rhodon Gordon was the founder of the charity Unity Association, aimed at training with vocational skills which operated in Bay 45 under the Westway.   [38]Mangrove Nine: the court challenge against police racism in Notting Hill', Robert Bunce and Paul Field, the Guardian Newspaper, 29 November 2010. .   [39]RBKC (2012). Land underneath and close to the Westway, Planning Brief p6

24. Between 1964 and 1970, the Westway flyover was constructed, a 2.5 mile-long elevated dual carriageway section of the A40 trunk road in West London running from Paddington to North Kensington.[39] The construction of the Westway was part of the pro-traffic policy designed to reduce congestion at Shepherd's Bush, with the intention of linking Paddington to Ringway 1, part of the 'Motorway Box' which originated in the Greater London Plan (1944) led by Sir Patrick Abercrombie.

25. The Westway runs across **Golborne** and **Notting Dale Wards** and is close to neighbouring **Colville Ward.**[40] **These areas have historically, and continue to be, areas of deprivation.**[41]

26. The land underneath the Westway flyover stretches across the borough, from the boundary with London Borough of Hammersmith & Fulham marked by the West London Line to the west, to the footbridge that leads to Westbourne Park underground station in the east.[42]

27. In 1966, 700 houses along the route of the Westway were demolished, leaving an area two and half miles long and covering **23 acres** cutting through North Kensington.[43] [44]

The A40 (M) Westway, a 2.5 mile elevated dual carriageway in West London running from Paddington to North Kensington under construction during the period 1964-1970. It was built to relive congestion at Shepherd's Bush caused by traffic from Western Avenue.

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[40]Ibid   [41]GLA, Indices of deprivation 2010.   [42]Local Development Document – Building on Success Land Underneath and close to the Westway, Planning Brief, Decem-ber 2012, Royal Borough of Kensington and Chelsea.   [43]GLC, 1966: Minutes.   [44]O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books

Tape cutting ceremony to open the A40 (M) at Paddington Green on 28th July 1970 by Rt Hon. Michael Heseltine, Parliamentary Secretary to the Ministry of Transport. Local residents protest about the impact of the road on their living conditions and demand to be rehoused.

A local resident, Mrs Terry, shown looking at a spur road from her back garden in Oxford Gardens, North Kensington. The stub is part of the new roundabout being built for the A40 (M).

28. The construction led to the displacement of almost 1,000 residents who had to be rehoused. Roads were truncated and many people found their homes 20 feet away from the new motorway.[45] Whilst a number of residents were eligible for Government compensation,[46] those residents whose homes were more than 15 feet from the road were not so entitled.[47] A significant number of residents who were affected were African Caribbean. The GLC had no plans for the large area of wasteland under the Westway except to build a carpark. The sustained campaign by the North Kensington Playspace Group from 1968 orchestrated by Adam Ritchie and John O'Malley led the RBKC to establish the Trust in February 1971[48] with a grant of £25,000. The formation of the Trust was *'in response to a clearly stated public desire that the motorway land should be used in the interests of the neighbourhood'.*[49]

29. In 1971, the 23 acres of land under the Westway (the **"Westway Land"**) was within the freehold ownership of the GLC from which Transport for London (TfL) later emerged. In 1972, the GLC leased the Westway Land to RBKC initially for a period of 80 years. In 1975, RBKC in turn sub-leased the Westway Land to the Trust apart from some sections of land that it continues to retain and control.[50] In 1982, both the head-lease between the GLC and RBKC and the sublease between RBKC and the Trust (then NKAT) were varied to include further land and the term of both leases was extended by another 50 years ending in 2102.

30. One source of frustration with the Trust has been a view held within the community that all of the land in the vicinity of the Westway is under the control of the Trust. However, as can be seen from the map of the Trust Land, various sections of the Westway Land that were leased to RBKC have not, in turn, been leased to the Trust and so are not part of the estate owned by the Trust.

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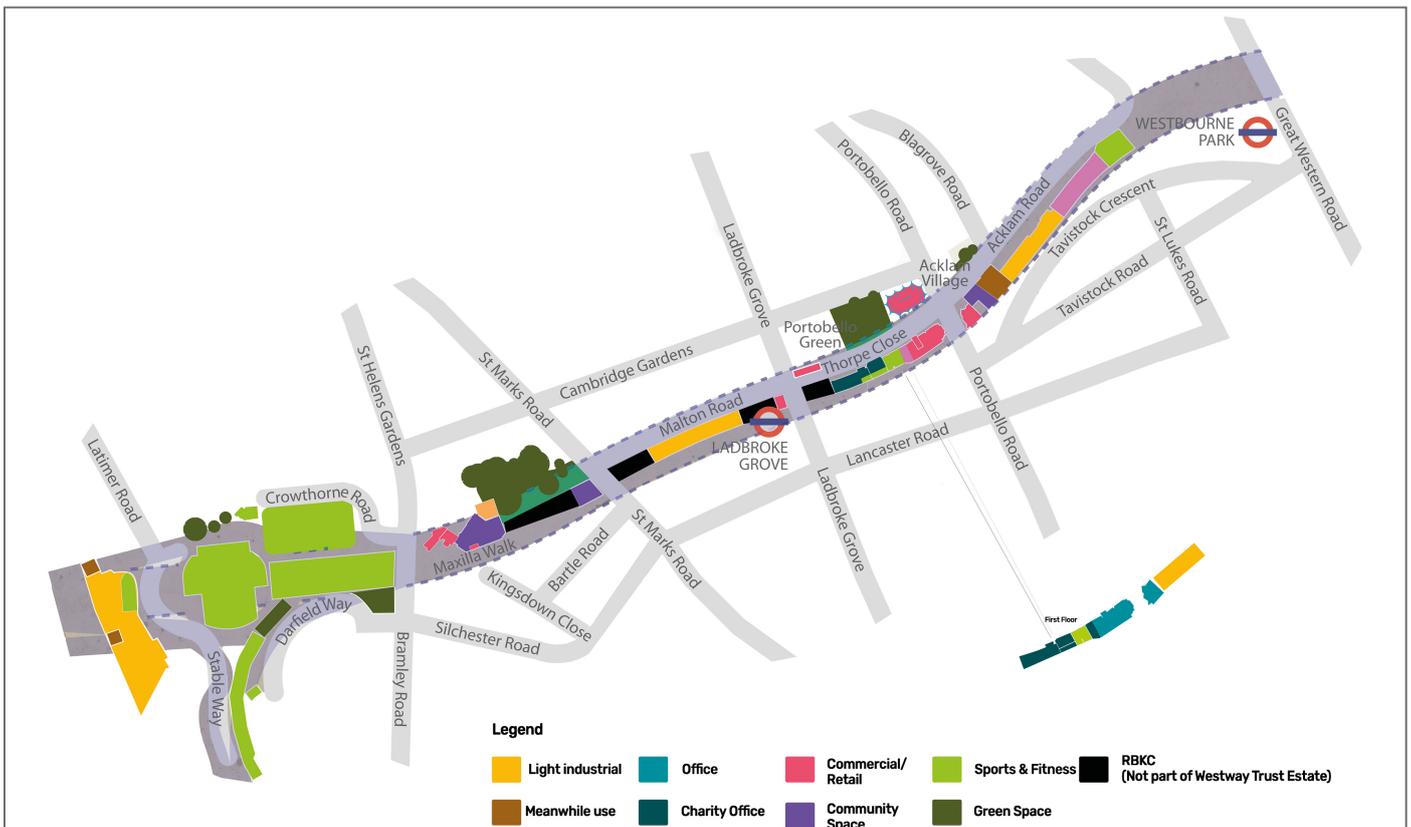
[45]GLC, 1966.   [46]Highways Agency, 1962.   [47]Travers, T. (2015). London's Boroughs at 50, London, Biteback Publishing.   [48]O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books   [49]North Kensington Development Trust – Annual Report, 1972.   [50]Please see Map below Note that the areas in black are RBKC areas and not part of the Westway Trust Estate. The map is also reproduced at Annex 3 page 282.

31. The leases under which both the RBKC and the Trust control the Westway Land envisage use of the land for "community purposes", among other activities. In particular, they refer to any or all of the following purposes and activities:

> (a) community purposes; (b) athletic sporting and play activities; (c) the activities of voluntary and charitable organisations; (d) offices, shops, commerce and light industrial use; (e) exhibitions; and (f) other purposes and activities as may be approved.[51]

32. All of these purposes envisaged under the Trust's lease of the Trust Land could be said to be beneficial to the local community. Note that the lease to the Trust does not specify a particular allocation of space or proportionate use for any one of the mentioned purposes but instead it appears to allow a great deal of flexibility as to the particular uses to which the Trust Land can be put. This would also mean that the particular uses could change over time depending on the changing needs of the community.

Methods

33. The Review has utilised a mixed methods approach, including interviews (face to face and telephone), a literature review, and document analysis including statistical data.

34. The data used for this report was analysed in the following way:
   - A thematic analysis of interview data using NVIVO software; and
   - Document analysis.

35. **94 people** from a cross section of functions, including Trust staff both former and current; Trustees both former and current; representatives of the community and community members; and stakeholders, were interviewed. Please note that the breakdown of the numbers in terms of age and gender did not add up to 94. This is because some participants either declined to provide these personal characteristics in their forms or did not return their forms to the Review Team. The breakdown of participants is as follows:
   - 75 face to face interviews and 19 telephone interviews.
   - 40 women and 32 men (14 not returned/not stated).
   - The majority of participants were from the age groups 40-44 (20%), 45-49 (15%) and 65+ (15%) (excluding the Not returned/not stated).
   - In terms of ethnicity, the largest group of participants were Caribbean (26%; 24 people); British (23%; 22 people) and Black Caribbean (7%; 7 people).
   - The largest group of Review participants were community representatives (30%; 28 people); staff past/present (24%; 23 people); and Trustees past/present (15%; 14 people) (29 not returned /not stated).

[51]Underlease dated 22 September, 1975 between RBKC and North Kensington Amenity Trust.

Participants by Gender

12%

39%

49%

Male   Female   Not Returned
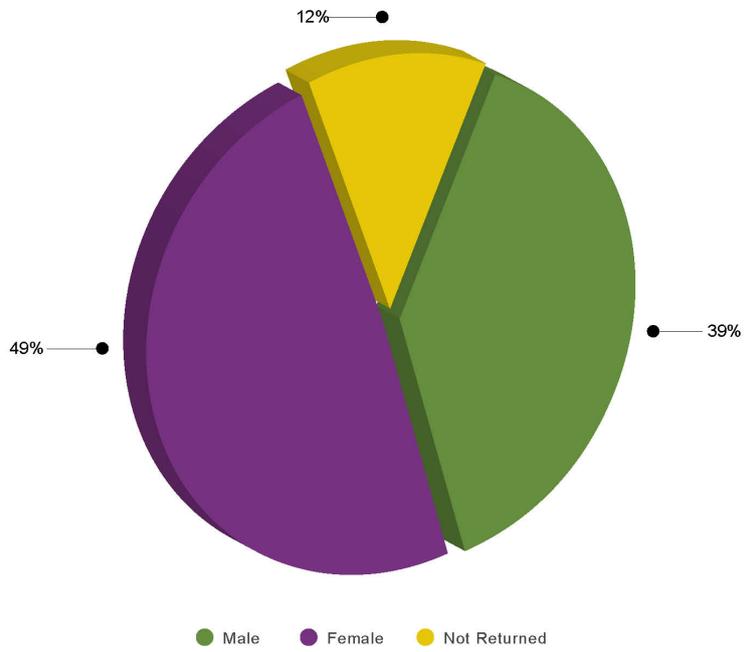
Review Participants by Interview Method

20%

80%

Face to Face Interviews   Telephone Interviews
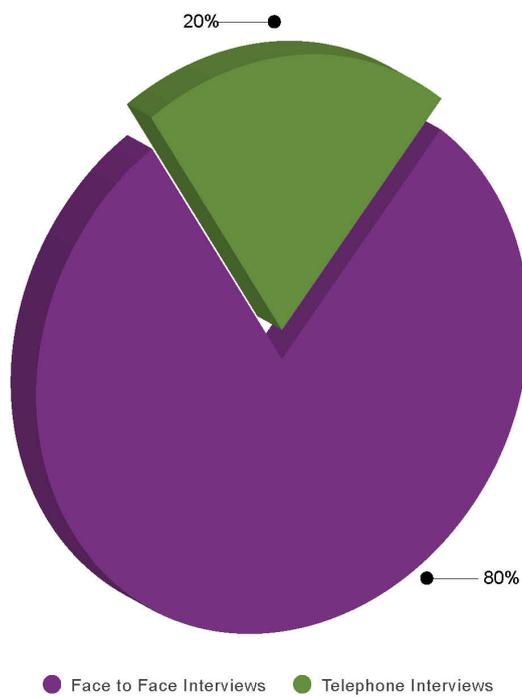
Review Participants by Sector

15%	10%	
11%	6%	
4%	30%	
24%		

- Community Representative
- Trustees Past/Present
- Stakeholders
- Member Organisation
- Staff Past/Present
- Tenants
- Miscellaneous
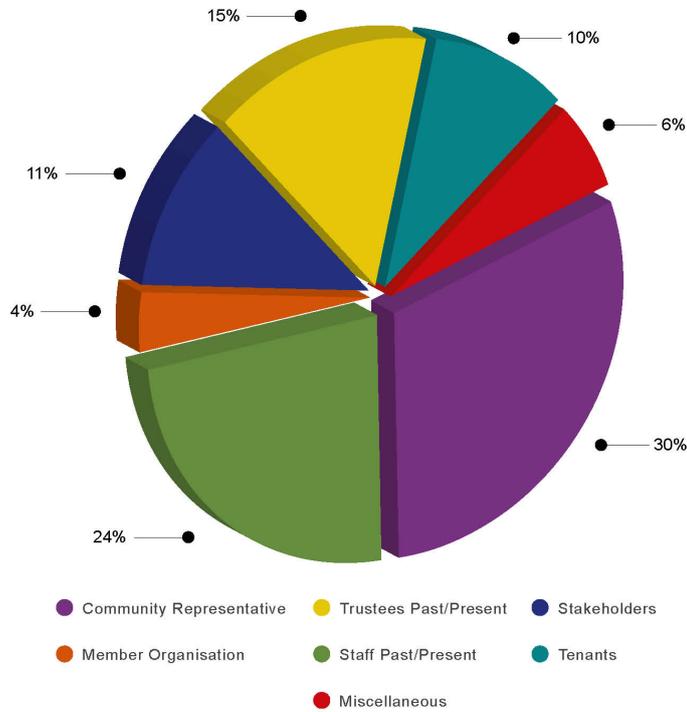
Participants by Ethnic Background

2%	24%	
11%	1%	
6%	4%	
1%		
3%		
5%	26%	
4%		
3%		
1%		
8%		
1%		

- British
- White and Black Caribbean
- Any Mixed Multiples
- African Caribbean
- Irish
- Any Other Mixed Multiples
- Any Other Black Background
- White and Black African
- Not Stated
- Caribbean
- Arab
- Not Returned
- White and Asian
- African
- Any Other White Background

Participants by Age

Legend:
- 25 - 29
- 30 - 34
- 35 - 39
- 40 - 44
- 45 - 49
- 50 - 54
- 55 - 59
- 60 - 64
- 65+
- Not Returned
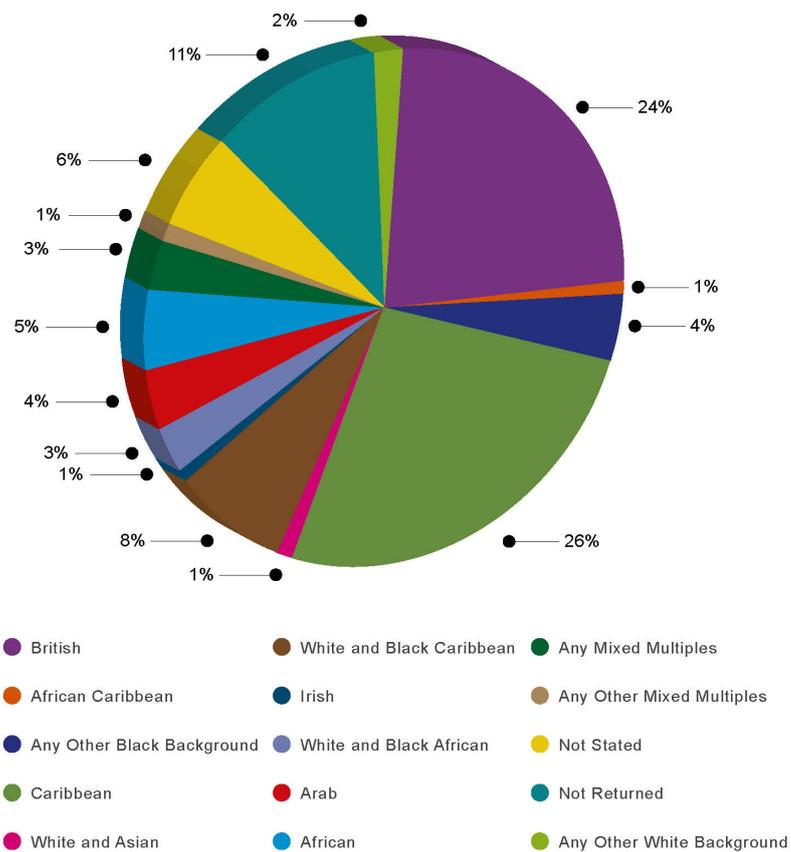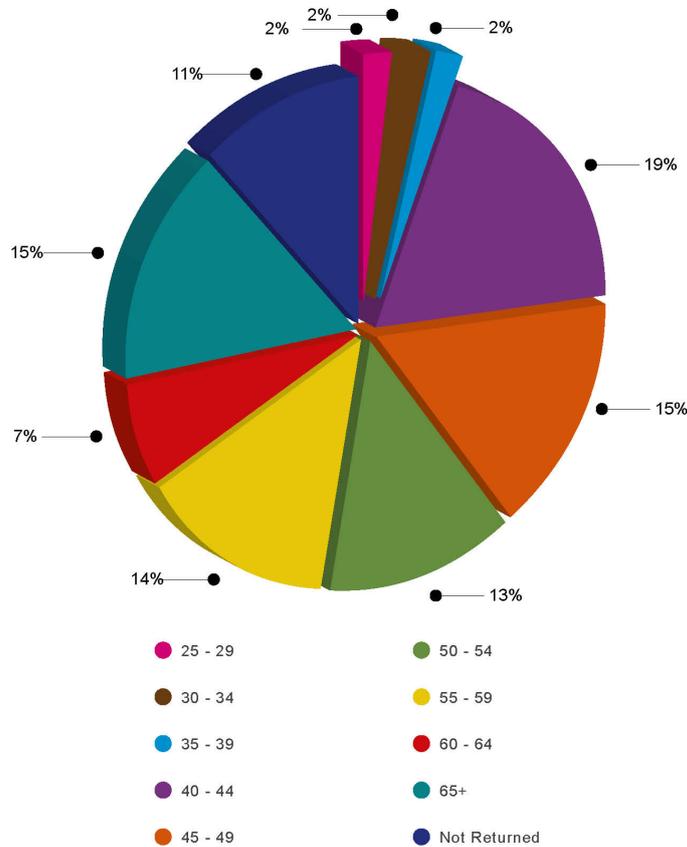
36. The Review Team approached three key ex-members of the Trust to participate in the Review but they all declined. In addition, a former member of staff of the Trust was approached, however, they did not respond to our request.

37. In applying the Macpherson definition of institutional racism, it is our conclusion, given all the evidence before us, that Westway Trust, has been and remains institutionally racist. **The legacy of institutional racism lives within the organisation in terms of the perceptions and relations with the African Caribbean community, which has led to a continuing mistrust and suspicion. The Trust has failed to understand, identify and address racial disparity in terms of key functions including in relation to service delivery and employment. The use of zero hours contracts on Trust learning staff (the majority of whom are BAME women) has engrained within the eyes of the community, in particular the African Caribbean community and stakeholders that the Trust has not changed. This is made all the more confusing given public awareness of the Trust's financial strength.**[52]

38. The report presents a window of opportunity to address issues around trust and confidence. The current executive leadership, Joint Chief Executives Alex Russell and Mark Lockhart and the interim Chair Angela Spence are steering the Trust in addressing historical issues of institutional and overt racism. This is evidenced in their commissioning of this Review, the involvement of the community in the Review from its

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[52]Westway Trust, Annual Report and Accounts, 2017/2018.

inception and the role the community have taken in the shared governance of the Review with the Trust. It is extremely important that this intent be supported fully by the Board of Trustees.

39. However, institutional racism is only one of a range of challenges, which have faced the Trust. Other challenges faced by the Trust are addressed in the following sections.

Challenges faced by the Trust

40. • Allegations of racism - direct, indirect and institutional racism.[53]
    • Historical lack of effective leadership, which values diversity, equality and inclusion.
    • Historical dysfunctionality between the Board of Trustees and the executive management team which was reported to have resulted in a lack of cohesion and a failure to deal with and 'grip' key issues which strike at the heart of equality, diversity and inclusion.[54]
    • Culture of bullying, indifference and arrogance.[55]
    • Tension in the use of the land in terms of community benefit and commercial interest.[56]
    • Structural issues - representation in the Board of Trustees and executive management team.[57]
    • A deficit of cultural literacy and understanding.[58]
    • Discriminatory practices and behaviours which have impacted BAME staff (including women) and the Black community and which were reported to have enabled a range of behaviours and attitudes to go unchecked.[59]
    • A lack of corporate memory and failure to understand and recognise the significance of the area in terms of race, race relations, civil rights and community activism.[60]
    • Certain failures to engage and consult in a meaningful manner with the African Caribbean community in the area.[61]
    • The creation and embedding of a narrative about certain sections of the community (Black, working class, women - this includes staff) based on negative stereotypes which has had a detrimental impact on treatment and interaction with the Trust.[62]
    • Unfair and discriminatory decision-making around a number of contested 'sites', which are significant to the diverse community of North Kensington.[63]

41. We set out at Table 2 the Macpherson definition of institutional racism as applied to the Trust.

Impact of institutional racism on the communities served by the Trust

42. The impacts of institutional racism on the communities served by the Trust are:
    • **Overarching Impacts** – *The belief that the Trust has not been using the land as intended and that heritage has been undermined.*
    • **Thematic Impacts** – *Social, Economic and Psychological.*

Overarching Impact

43. The community believes that the land was dedicated to the community and held by the Trust as a result of the disruption caused by the building of the Westway.

44. On the basis of the Trust's objectives as outlined in its 1970 constitution,[64] the community believed that

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[53]Interviewees ST83; S39.   [54]Report 1; Bundle 4; interviewees T55; T56; T58; T59.   [55]Bundle 4; Minutes; Report 1.   [56]Bundle 3; Bundle 4; Bundle 7; interviewees C17; C29.   [57]Documentary Evidence S +T; Submissions 3; 4.   [58]Interviewees S48; S46; S47; S48; S34; S35; M89; Bundle 5; Submission 10.   [59]Exit statements 1; 2; Bundle 1; Submission 5; 10; interviewees ST83; S39; Report 1. Minutes 1; 2.   [60]Interviewee S38; C6; C14; C2; C10; C11; C44; C45.   [61]Bundle 1; Bundle 7.   [62]Interviewees S48; S46; S47; S48; S34; S35; Bundle 5. Submission 10.   [63]Bundle 1.   [64]Please see part 3 of the full report and also Annex 3 which supports the full report to view the 1971 constitution of the Trust

the Trust would work with them and preserve their interests. It was reported that the African Caribbean community feel that the cumulative impact of historical actions of the Trust over a long period of time have been to displace Black organisations from Trust Land, thereby depriving them access to their cultural heritage and an important means of self-help and awareness. It was felt that this was because former senior leaders of the Trust did not ascribe any value to such heritage and instead, pursued a policy of increasing commercialism.

45. There is a history of challenges to the actions of the Trust in relation to areas of Trust Land that were being used by the African Caribbean community. For example, the Acklam Adventure playground and the Stables were, for a period of time, used by the African Caribbean community with the authority of the Trust. In 2004 the Trust did not renew the relevant rights of occupation and the members of the community challenged the ability of the Trust to displace them, primarily to preserve the ability for their children to play safely. There is concern that the Trust's actions at that time were driven by racial discrimination and it was felt at the time that the primary purpose for the establishment of the Trust was gradually being eroded.

46. Furthermore, the amendment to the constitution in 2002 that the Trust 'may' help charitable institutions was interpreted by certain sections of the community as further evidence of a push towards increased commercialism of Trust Land.

Undermining heritage

47. The creation of the Trust signalled an opportunity for a community who lived in an area of deprivation and suffered multiple disadvantages (as a result of structural racism and inequality)[65] to work together to develop and sustain organisations to support the community, its interests and develop skills and trades which would lead to employment opportunities, and preserve cultural heritage (for example through skills associated with the Carnival). The establishment of the Trust was, for some, a symbol of hope.

48. Many people, such as Rhoden Gordon, Rothwell Kentish, Pepe Francis, Wilf Walker and Clive Philips, tried to support the community through the establishment of charities and activities aimed at empowering the community through knowledge, trades and skills, and celebrating cultural heritage and traditions. It was reported that the African Caribbean community believes that the actions of the Trust prevented the progression of the work of these individuals and, as a result, it is felt that the wider community lost an important and vibrant cultural legacy.

Thematic Impacts

Social Impact

49. The social impact of institutional racism on the community served by the Trust has been a feeling amongst the community and in particular the African Caribbean community of a culture of indifference, marginalisation and lack of sensitivity to community matters on the part of the Trust. This is demonstrated by the levels of resignations of Black staff and Trustees who left the Trust as a result of their treatment, some of whom, as a result of their age, we understand have found it challenging to find subsequent work. This is also exemplified by a lack of effective representation on the Trust Board and we cite, in particular, the lack of Black men as Trustees. The cumulative impact of the above has limited chances and opportunities, which could be perceived as amounting to structural racism.

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[65]GLA Indices of Deprivation (2010).

Economic Impact

50. The economic impact of institutional racism on the communities served by the Trust has been seen as undermining attempts, in particular by the African Caribbean community, to develop charitable organisations and businesses which promote culture and entrepreneurialism, and provide employment, skills and trades in order to support self-advancement and economic wellbeing of the community. It is possible that this economic impact may have reinforced existing structural racism and inequalities.[66]

Psychological Impact

51. The institutional racism present within the Trust has had a negative impact on the community served by the Trust.

52. Through the interview process, we have witnessed people visibly distressed during their oral testimony and certain interviewees have been referred for counselling. A combination of the cumulative impact of racism (direct and indirect), institutional racism and an unwillingness on the part of senior leaders to deal with issues or challenges has had a significant impact on those individuals and, it was reported, on the community.

53. There are links between racism and health.[67][68] Through the course of the interviews we have been made aware that certain interviewees have experienced anxiety, hypertension and depression as a result of their experiences. The recent report by the UN General Assembly Report has identified the link between discrimination and mental health:

Harmful stereotypes […] and stigmatisation in the community, [..] workplace settings undermine healthy relationships dismantling the supportive and inclusive environments that are required for the good mental health and well-being of everyone. Discriminatory attitudes that increasingly influence [..] policies and practices undermine the social structures required to support well-being and inclusion. [..] intolerance create(s) hostile emotional and psychosocial environments and erode the quality of human relationships, bringing mistrust and disrespect in social life.[69]

54. This community has experienced distress. Firstly, through the displacement caused by the creation of the Westway and secondly, through a sense of injustice resulting from the experience of a lack of engagement by the Trust. The strength of feeling experienced by the community has been brought to the fore by the Grenfell fire, which the community believes has arisen because of a culture of institutional racism, indifference and marginalisation which is felt to be prevalent in North Kensington.[70][71]

55. We stress that the psychological impact of institutional racism should not be levelled solely at the Trust and that there are other organisations, factors and events which have played a role during the Trust's history. The overall cumulative impact of institutional racism on the communities served by the Trust may be summarised by the following:

"Every race has a soul, and the soul of that race finds expression in its institutions, and to kill those institutions is to kill the soul…no people can profit or be helped under institutions which are not the outcome of their own character." Edward Blyden, 1890[72]

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[66]Resolution Foundation (2019). Tackling structural inequality in the UK should sit at the heart of boosting living standards.   [67]Paradies, Y., Ben J., Denson N., Elias A., Priest N., Pieterse A., et al (2015). Racism as a determinant of Health: a systematic review and meta analysis. PLoS One 10(9): e0128511.
[68]Williams, D. and Williams–Morris, R. (2000). Racism and Mental Health: The African American Experience, Ethnicity and Health 5(3-4): 243-68.
[69]United Nations General Assembly (12 April 2019). Human Rights Council, Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/41/34.   [70]Preston, J. (2019). Grenfell Tower – Preparedness, race and disaster capitalism. Palgrave Macmillan.   [71]Bully, D., Edwards, J., El-Elany (2019). After Grenfell – Violence, resistance and response. Northampton: Pluto Press.
[72]Blyden, E. (1890). The African Problem and the method of its solution. The annual discourse delivered at the seventy-third anniversary of the American Colonization Society, Washington, pp. 22-3.

Summary and Conclusions

56. At a point in its history, the Trust lost sight of the reason for its establishment and early focus on community and inclusivity. This resulted from an increasingly pragmatic approach as to how it viewed the land and a historical lack of diverse representation at Trustee and senior management level. The approach to the land was influenced by prevailing economic and social conditions during the period 1979-1997, which saw a shift towards neo-liberal economic policies ushered in through Thatcherism.[73] This was characterized by a rejection of government intervention,[74] an increase in public spending cuts and wage restraint.[75] This changed the landscape of the UK through the application of minimal criteria to address the needs of disadvantaged communities. This more commercial approach, coupled with a lack of representative bureaucracy, did not naturally lend itself to engaging with local communities; acknowledging the social impact of the Trust's actions; local accountability and inclusivity. It was reported that this led the African Caribbean community to question the benefits provided by the Trust to the community and, instead, feel increasingly polarized, socially and economically from the Trust in terms of access to space, land, funding and representation.

57. On those occasions where there has been a lack of ethical behaviour on the part of those who should have acted as positive role models, this has contributed to an undermining of trust and confidence. The importance of viewing race in a positive way and acknowledging that race matters is an important first step for the Trust to acknowledge the concerns raised by the community and in particular the African Caribbean community. Listening to the voices and experiences of BAME communities is important as it helps the understanding of issues of discrimination, racism and institutional racism.

Mistrust

58. Over a number of decades, there has been evidence of a range of actions instigated by individuals at the Trust, which have created a level of mistrust from both local organisations and parts of the community. It was reported to the Review that this has had a significant impact on the African Caribbean community as well as other communities.[76] We have identified that, whilst some individuals within the Trust and within the community have 'sounded the alarm', the Trust's traditional response to their concerns has been to ignore or silence them prior to this independent review being commissioned in 2018. This relates to matters of employment, service delivery, the awarding of grants, and the allocation of leases.[77]

59. The historical actions taken by certain individuals within the Trust (including a 'perceived vindictive litigious policy')[78] have given rise to a culture of fear and mistrust in the eyes of the community. This needs to be understood within the context of the history of the area and the lived experiences of the African Caribbean community.[79] Whilst this fear and mistrust has been embedded into the community memory, it has ostensibly been erased from the corporate memory of the Trust, until very recently.[80]

60. The Trust is felt, at some point in its history, to have adopted an aggressive and determined approach to planning and development, which resulted in bringing the community and activists together.[81]

61. It was reported that it has been difficult for successive leaders of the Trust to understand the strength of feeling within the community regarding the historic relationship between the Trust and in particular, its relationship with the African Caribbean community.[82]

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[73]The conservative party of Margaret Thatcher changed the landscape of the UK by removing state control and introducing the concept of 'freedom' for individuals promoting individualism and the free market.   [74]Habashi, N (2013). 'The construction of race within British Public Policy: An assessment of the involvement of Black and Minority Ethnic Communities within Participatory Governance' PhD thesis. Northumbria University, Newcastle, Unpublished.   [75]Ibid   [76]Submission 5; interviewees C9; C10; C14; Bundles 2; 3; 5.   [77]Report 1; Submission 5.   [78]See Annex 3 which supports the full report   [79]Bundle 6; Interviewee C15.
[80]Interviewees C2; C6; C10; C22; S38; ST78; MO92; Bundle 8.   [81]Interviewees C15; ST81; TN66; TN71; TN72; Bundles 2, 3, 5.   [82]Submission 5; Report 1.

Commercial Interest v Community Benefit

62. Whilst we recognise the fine balance between commercial revenue and community benefit, the intricacies of this equation have not been well communicated to the community. This has led to allegations of a skewing towards commercial revenue to the detriment of community benefit.[83]

63. As a result, there is a widely held view amongst the community that services and charitable giving have not been a primary focus of the Trust. Furthermore, there is a view amongst the African Caribbean community, campaign organisations and local stakeholders that the move towards the commercialisation of the Trust resulted in the Board of Trustees and executive management team not having the requisite understanding of issues of cultural competence and community awareness. This has likely been compounded by the Trust historically not being entirely representative of the community it serves both at Board and executive management team level. As such, it is felt that issues of race, anti-racism, community and engagement have not always been seen as important. This has been combined with a reported longstanding prevailing culture of institutional arrogance, where there has been no sharing of a common vision at Board level, between some member organisations (political and independent) and between some leaders and staff.[84]

64. The Review Team considers that this has created a culture which has enabled the pursuit of personal agendas on the part of some leaders (including political members) and undermined collaborative working and cohesiveness at both Board and executive level. In turn, this has adversely impacted the reputation of the Trust with the community and a number of stakeholders.[85]

Stereotypes - Creation of a Counter Narrative

65. There is evidence of the existence of a counter narrative used by the Trust to describe, marginalise and undermine specific interest groups and individuals who have tried to access funding, access land or challenge the Trust.[86] This comprises certain derogatory terminology, which is underpinned by indifference, hostility and a lack of empathy. This was not exclusive to race and also includes white working class, women and activists. It was reported that Black men have historically been viewed and treated as 'other', and that they have previously been viewed by certain individuals within the Trust with suspicion, mistrust and fear.[87]

Cultural Indifference

66. By way of background, cultural indifference can result in the undermining of structures, social institutions and practices which define a group. As part of this, for example, land can be seized, the movement of the targeted group can be restricted, the leaders of the community can be targeted and objects of cultural value can be confiscated and destroyed. Communities can be disrupted from being able to fully pass on their cultural skills to future generations. In its historic dealings with the community of North Kensington, (in particular, its dealings with the African Caribbean community) the Trust was seen to have acted in a culturally indifferent manner; for example, as a result of its disdain towards the Carnival and the culture it represented by physically erecting barriers, employing security and not allowing the Carnival to take place on Trust Land. Furthermore, the Trust did not act transparently in key decision-making processes relating to Trust Land, the termination of leases, demolition of buildings and plans for future developments (see section 6 of the full report). This resulted in anxiety, frustration and concern amongst service users and leaseholders, who were predominantly African Caribbean working class and disadvantaged.

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[83]Bundle 3; Bundle 4; Bundle 7; interviewees C17; C29.   [84]Interviewees M89; T55; T56; T58; T59; S38; S34; S35; S44; S45.   [85]Exit Statement 1; interviewee ST81; Bundle 2.   [86]See section 16.3 of the full report   [87]Interviewees S48; S46; S47; S48; S34; S35; Bundle 5; Submission 10.

Conclusions

67. In applying the Macpherson definition of institutional racism, it is our conclusion, given all the evidence before us, that Westway Trust, has been and remains institutionally racist. The legacy of institutional racism lives within the organisation in terms of the experience and relations with the African Caribbean community, which has led to a continuing mistrust and suspicion. By failing to gather and analyse equalities data until 2017, the Trust has failed to understand, identify and address racial disparity in terms of key functions including in relation to service delivery and employment. The use of zero hours contracts on Trust learning staff (the majority of whom are BAME women) has engrained within the eyes of the community and stakeholders that the Trust has not changed. This is made all the more confusing given public awareness of the Trust's financial strength. Whilst there are indicators of the Trust's programme of transformation, re-establishing trust and confidence with the African Caribbean community will take time. It is acknowledged that this is gradually being established through the role of the CAG.

68. This report presents a window of opportunity to address issues around trust and confidence. The current executive leadership, Joint Chief Executives Alex Russell and Mark Lockhart and the interim Chair Angela Spence are steering the Trust in addressing historical issues of institutional and overt racism.

69. In their commissioning of this Review, and by involving the community in the Review from its inception (including in relation to the governance of the Review), the current executive leadership have demonstrated that they have understood the prerequisites essential for dealing with institutional racism identified by Macpherson 1999, *'there must be an unequivocal acceptance of the problem of institutional racism and its nature before it can be addressed, as it needs to be in full partnership with members of minority ethnic communities'.*[88]

70. It is clear that there has been progress by the Trust as a result of the leadership, direction and personal commitment of the Joint Chief Executives and the acting Interim Chair. This has produced early signs of a change in organisational culture which has contributed to a greater deployment of resources, a maximization of spaces, a greater commitment to equality and diversity and community engagement. There are encouraging signs that staff are more confident and feel more able to raise issues with the executive management team around decision-making in key areas of the Trust's core business and more confident to challenge behaviours which undermine equality, diversity and inclusion. There are also signs that the Joint Chief Executives and senior leaders are listening and acting. It is important to recognise that the drive and commitment of the Joint Chief Executives and Interim Chair must be supported fully by the Board of Trustees.

Recommendations

71. There is an awareness of the potential impact of this report on the Trust, staff, Trustees, service users and stakeholders in North Kensington and beyond. As such, it is important that the Trust, Trustees and staff, **own the report** and its **findings** and that there is an acknowledgement that the Review and the programme of change led by the Joint Chief Executives and Interim Chair are fundamental parts of the transformation process.

72. This Review should signal to the staff, Trustees, the community and stakeholders that the current Joint Chief Executives, and the Interim Chair are leaders of an important organisation in North Kensington which has opened itself up to a Review without legal compulsion, with no time bar, full access, and which has involved the community from the outset in a participatory review process, as they view it as a healthy form of governance. This illustrates a determination to transform so that the full potential of what the Trust has

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[88]MacPherson of Cluny, Sir William (1999). The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny. London: The Stationery Office: 6.48

to offer as a positive force for change to the diverse communities of North Kensington is realised. This is a sign of organisational maturity, leadership and vision and a clear break with the past.

73. It is important that the leadership of the Trust is provided with support from its Board of Trustees. It is also important that, whilst Trust staff continue their work as usual, they are mindful of the potential impact of the report on how they and their work is perceived. Trust staff need to continue to ensure that their decision-making is objective; that accountability and transparency are still at the core of what they do and that they continue to be fair and respectful in the work they undertake and their relations with the community they serve and with their colleagues.

74. Following some initial uncertainty, Trust staff have gradually come to see the Review as a positive force for change and many have engaged proactively and helpfully with it. It is important that Trustees support Trust staff, including the Joint Chief Executives and that they recognise the important roles which they all play in this important organisation. Some staff feel that they have previously been let down by Trustees and this should not happen again. In the light of this Review, Trust staff should have assurances that they will be supported, as it is they who are the ambassadors for the organisation. The well-being work currently being undertaken is a key part of this.

75. The current leadership of the Trust has expressed to us that they are determined to right any wrongs of the past in a sensitive, inclusive and transparent manner. The determination of the Trust to identify, understand and address institutional racism is a signal to other organisations in North Kensington that they should also consider taking the Trust's lead.

76. The following three levels of recommendations are provided:
    • Reparatory Justice Framework.
    • Creation of a Centre for Civil Rights and Culture.
    • General recommendations.

77. In developing these recommendations there is an awareness that historically, the Trust has not always followed through on its commitments relating to community engagement. It is important that the Trust genuinely and systematically implements its present commitments and does so in partnership with the CAG. Not to do so could undermine the delicate relationship between the Trust and the community.

78. Whilst the Trust's future is challenging, it is exciting. There is a genuine opportunity for the Trust and the CAG to demonstrate what is possible. It is very clear that the Trust is an important and necessary organisation in North Kensington and that, as one of its own members of staff stated, it *'should and can do so much more'*. That *so much more* must be grounded in recognising that people, like land, are also assets and are at the heart of communities.

79. The Trust could usefully acknowledge that this is a resilient community and that the African Caribbean community feel historically and systematically marginalised and disenfranchised. Therefore, work initiated by the Trust should be meaningful, transparent and in a spirit of genuine partnership. Otherwise it may not work. There are no quick wins. The Trust, leaders, Trustees and staff should be in this for the long haul. There is the very real potential for the Trust to become an exemplar organisation and a model of best practice in understanding, identifying and addressing institutional racism and working with the community to do so. This is a goal and the Trust has established a solid foundation to reach it. Together with the CAG, the Trustees and the Trust's staff can help deliver this goal. The Trust's new priorities of economic

participation, tackling isolation, young people, physical and mental well-being, environment, art and culture will all add value to this goal.

The Way Forward – A Reparatory Justice Approach

80. Given the history of the Trust and the findings contained within this report, we recommend a **Reparatory Justice Approach** as the way forward which could include the following:

- **A Formal Public Apology**
  That the Trust develops and delivers a genuine formal and public apology which acknowledges historical institutional racism to the community of North Kensington, especially to the African Caribbean community.

- **Guarantees of non-repetition**
  That the Trust outlines the reforms it will make which will contribute to guaranteeing the non-repetition of previous acts.

- **Restitution – Individual and Institutional**
  That the Trust outlines how it will repair the damage done to individuals, communities and organisations where they have been restricted, inhibited or undermined.

- **Compensation**
  That the Trust consider the question of compensation to impacted communities, including the African Caribbean community. The nature of the compensation to be negotiated and agreed with the community and demonstrate the Trust's commitment to the community.

- **Rehabilitation**
  That the Trust considers the scope of rehabilitation required in order to support those individuals, organisations and communities who have been impacted by its decisions and actions, and gives careful consideration as to how such intended rehabilitation can be best communicated and its impact monitored.

- **Satisfaction**
  In partnership with the CAG and in consultation with the community, the Trust should consider how it can best memorialise what has happened in relation to institutional racism and its perception as a historical legacy of the Borough. In doing so, the Trust should develop and sustain creative and robust mechanisms to monitor and measure community satisfaction with its programme of reparatory justice. It is recommended that this be undertaken over a period of five years and include annual public progress reports.

Centre for Civil Rights and Culture

81. Given the important history of the area, a positive step could be for the Trust to work with the CAG to develop a Centre for Civil Rights and Culture. This Review has highlighted a number of seemingly missed opportunities to create a cultural centre and now is an opportune moment for change. The creation of the

centre could include the consideration of the following:
- Cultural renaissance and access.
- Economic Justice.
- Education.

82. The centre could be a way for the rich history of the area to be preserved and curated for future generations. In a geographical area of Kensington and Chelsea which is home to internationally renowned museums and cultural centres, a centre which presents and preserves the rich civil rights and cultural history of North Kensington seems entirely appropriate

Education

Civil Rights and Cultural Centre

Cultural Renaissance and Awareness

Economic Justice and Empowerment

Recommendations - General

83. That the background to the grant of the Westway leases to the Trust be reviewed (in conjunction with the charitable purposes for which the Trust was established) to ascertain if the Trust has acted consistently with its charitable objects or, to the extent applicable, its public law duties through certain steps taken in relation to people or groups that, from time-to-time, have occupied or been granted rights to use the Trust Land.

- **Governance**

    That the Trust becomes independent of RBKC. That the Trust retains and expands the CAG and that its role for the next three years is focused on the implementation of the Review recommendations. That the CAG and the Trust report annually on progress against the Review recommendations.

- **Development**

    As the issue of the land and the plans for development under the Westway have been central to the underlying concerns of the community of North Kensington, consideration should be given to the Trust and RBKC outlining in a timely and accessible manner for all current and future proposals for the development of the land under the Westway, including Acklam Village and Stable Way.

- **Land under the Westway**

    That the Trust utilises space for the wider community.

    Consideration is given to the Trust developing a property strategy which clearly outlines in an accessible manner the use of each of the buildings (commercial and community) under its control. That this information is provided as a matter of course in all Trust public-facing publications and on the internet.

That RBKC outlines in an accessible manner the use of all the buildings under the Westway which are under its control.

That the Trust takes steps to preserve all historical documents which pertain to its establishment and history and that it develops an effective archive function which is publicly accessible.

- **Human Resources**

  That the Trust ensures that exit interviews are used for all leavers and that any issues of bullying or racism are investigated in a sensitive and timely manner.

  That the results of all exit interviews are reviewed annually and thematically and that issues are investigated and addressed.

  That the Trust reviews its use of zero hours contracts.

- **Equality and Diversity**

  The development of a suite of indicators to support the Trust progress issues of equality and inclusivity (to be overseen by the CAG).

  As part of the development of professional competencies of Trustees and staff, consideration should be given to develop and implement a cultural competency framework (to be overseen by the CAG).

  That the Trust publishes on an annual basis its equalities data and analysis relating to staff, Trustees and core functions and include this in the Trust's annual report.

  That the community be recognised and valued for the contribution it can make as community researchers and for this to be rewarded financially.

- **Trustees**

  That all existing and new Trustees are inducted in the history of the area as it pertains to race, inequality and community and that they are taken on a tour of the area which includes those sites which are referred to in this report.

  That Trustees meet with staff to understand work streams and priorities.

  That the interview of all prospective Trustees includes questions which pertain to community and equalities.

Recommendations of the CAG

84. The recommendations of community representatives of the CAG were presented at the August 2019 meeting. These can be found at Appendix 2 of this Executive Summary.

Table 2

Evidence of institutional racism by the Trust through an adoption of the Macpherson definition

Macpherson Definition Features of institutional racism	Trust actions, including allegations made and supported	Evidence
Appropriate and professional service	Appropriate and professional service not experienced by all sections of the community. Failure to recognise the importance of cultural competency.	Bundles: 1; 4; 5; 7; 8; 12; 13; Submissions: 4; 5. Interviewees: 9C; 14C; 55T; 61T; ST82; ST81; T68; T67; T74. Hansard 06 June 2019 v661; Minutes 05/04/2017:3 relating to the period 1997-2005.
Processes	Lack of transparency and accountability in key decision-making functions; allocations of space and use of land, awarding of funding, treatment of staff.	Bundles: 1; 4; 5; 6; 8; 10; 12; 13 Submissions 5; 10. Interviewees: 3C; 9C; 10C; 14C; 55T; 61T; 62T; 66TN; S47; S45; S37; T23; T74; 92MO; 44S. Report 1; Email exchange and document supplied by C16.
Attitudes and behaviour	Undermining, ignoring, disinterest, vindictive, bullying, insular, corporate and not community focussed, arrogance, not engaging in a participatory manner.	Bundles: 2; 4; 5; 7; 8; 10; 12; 13; 14. Submissions: 1; 2; 3; 4; 5. Report 1. Interviewees: 9C; 62C; 61T; 62T; 36S; 38S; 44S; 54S; 62T; 66TN; ST83; T64. Minutes 05/04/2017:3 relating to the period 1997-2005.
Discrimination	Against specific groups, communities and staff.	Bundles: 4; 5; 8; 10. Submissions; 1; 4; 5; 10. Interviewees: 9C; 62C; 55T; 61T; 36S; 92MO; S47; S46; T74. Minutes 05/04/2017:3 relating to the period 1997-2005.
Prejudice	Against specific groups, communities and staff.	Bundles: 8; 10. Submission 1; 2; 5; 10. Interviewees: 3C; 9C; 14C; 55T; 61T; 34S; 38S; 44S; 55T; S47; S46; TN74; S36; T56; T62; T84; 92MO. Minutes 05/04/2017:3 relating to the period 1997-2005. Hansard 06 June 2019 v661; Minutes 05/04/2017:3 relating to the period 1997-2005.
Ignorance	Not appreciating the historical significance of the area in terms of race and civil rights. Not understanding what institutional racism is, not realising the significance of the cumulative impact of complaints by the community and staff. Not understanding the cumulative impact of the failure to deal with race issues, relating to land use, treatment of staff, communities, awarding of leases, funding; lack of understanding of Equalities legislation.	Bundles: 4; 5; 7; 10; 14. Submissions: 1; 5; Report 1. Interviewees: C2; C10; C14; C23; C20; ST83; ST85; T54; 38S; 53T; 61T; ST83.
Thoughtlessness	Failure to consider the needs of certain sections of the community and staff. Failure to recognise that the Trust is part of the community.	Bundles: 2; 3; 5; 7; 12; 14. Submissions 2; 5. Interviewees: 38S; ST79; ST80.
Stereotyping Race, Age, Gender, Class	Negative and derogatory perceptions of certain sections of the community, Black, working class, women, young people, people with disabilities.	Bundles: 10; 11; 12; 14. Submission 2; 4; 5; 10. Interviewees: 3C; 61T; 34S; 38S; TN74; S36; T56; T62; M89.Minutes 05/04/2017:3 relating to the period 1997-2005. Hansard 06 June 2019 v661.

Key

C – Community;   S – Staff past /present;   St – Stakeholders;   TN – Tenant;   T - Trustee;   Misc – Miscellaneous;   MO - Member Organisations.
Submissions - sent to the Review team as part of the call for evidence.
Bundle - bundle of documents sent to the Review team via either of the following methods: secure portal, handed over at interview, Freepost.
Exit Statements - statements written by former staff on their departure from the Trust.
Reviewer Observations - observations of members of the Review team during the course of the Review.
Report 1 - report provided to the Review Team by T55 and T62. Minutes - minutes of meetings provided to the Review Team by the Trust.

Appendix 1

TABLE 2
Timeline - Putting the development of the Trust into context

Date	Event
1948 (22 June)	Empire Windrush arrives at Tilbury Docks
1950's	First phase of African Caribbean settlement in North Kensington
1950's	Spanish and Portuguese settlement in North Kensington
1958 (5 September)	**Notting Hill race riots**
1959	**Murder of Kelso Cochrane**
1959 onwards	Development of a Black civil rights movement
1959	Claudia Jones develops Caribbean Carnival as a response to the riots and the state of race relations in the UK
1960's	First phase of significant Moroccan migration to the UK – mostly unskilled workers, mostly from Northern Morocco
1960's	Spanish and Portuguese settlement in North Kensington
1960's	Second phase of African Caribbean settlement in North Kensington
1964 - 1970	**Westway A40 developed, 600 families permanently displaced from their homes and 1,000 homes demolished**
1970s	Third phase of African Caribbean settlement in North Kensington
1968	North Kensington Playspace Group created and campaigns for the space under the land to be used for the benefit of the community
1970	Trial of the Mangrove Nine
1970's onwards	Second phase of Moroccan migration to the UK – family reunification, a large number of women also came as independent migrants
1971 (February)	North Kensington Amenity Trust (NKAT) established by Royal Borough of Kensington and Chelsea (RBKC)
1971	First constitution of Westway Trust - Anthony Perry appointed first Director
1976	Roger Matland appointed as Chief Executive of the Trust
1980's	Third phase of Moroccan migration to the UK – young semi-professionals and entrepreneurs, mostly from Casablanca and other larger cities
1980's	Fourth phase of Moroccan migration to the UK – emigration of highly skilled Moroccan professionals, both from Morocco itself and France
2001 (June 17)	Brian Deer article about North Kensington Amenity Trust published in the Sunday Times
2001 (13 June)	Brian Deer writes to the Chief Commissioner of the Charity Commission outlining his request for an inquiry into NKAT under S8 of the 1993 Charities Act
2001 (25 July)	Royal Borough of Kensington and Chelsea commissions Pricewaterhouse Coopers to investigate its national non-domestic rates and licensing arrangements with NKAT
2001 (12 October)	Pricewaterhouse Coopers submits its report to RBKC.

TABLE 2 - CONTINUED

Timeline - Putting the development of the Trust into context

Date	Event
2002	Second constitution of the Trust
2005 (March)	Roger Matland leaves as Chief Executive of the Trust
2005 (April)	Nic Durston appointed as Chief Executive of the Trust
2006 (August)	Jonnie Beverley appointed as Acting Chief Executive
2007 (January)	Martyn Freeman appointed as Chief Executive
2007 (November)	Trust publishes its Draft Property Regeneration plan to 2020
2011 (April)	Mayor of London publishes White City World City – Opportunity Area Planning Framework Public Consultation
2012 (March)	Ken Scott appointed as Chair of Trustees
2012 (December)	RBKC publishes Local Development Document – Building on Success -Land Underneath and Close to the Westway Planning Brief
2013 (April)	David Oliver appointed as Interim Chief Executive
2013 (September)	Westway Trust completes its Governance Review
2013 (December)	Angela McConville appointed as Chief Executive
2014 (14 May)	Westway Trust publishes Destination Westway 2030
2015 (May 2015)	Equestrian Survey does not include the category of Black, African and African Caribbean
2015 (21 September)	Alan Brown appointed as Chair of Trustees
2015 (29 September)	Westway Trust hosts the Arts and Culture Conversation at the Tabernacle
2015	Flyover closes
2015	Maxilla Children's Centre closes
2015	**Westway23 is established**
2015 (23 November)	Westway Trust AGM taken over by local residents, protestors and W23
2015	Trust commissions Equestrian Centre Feasibility Report
2015	Trust releases Portobello scheme consultation plans which do not feature the diversity of North Kensington
2015 (July)	Naami Padi appointed as Trustee
2015 (November)	Naami Padi resigns as Trustee
2015	**Allegations of Institutional Racism raised at AGM**
2015	Westway Trust terminates the lease for the Stables
2016 (January)	Fiona Ramsey appointed as Trustee

TABLE 2 - CONTINUED

Timeline - Putting the development of the Trust into context

| Date	Event
2016 (May)	Sheraine Williams appointed as a Trustee
2016 (November)	Executive team of the Trust declines invitation to attend a Westway 23 organised community event at a late stage, citing safety of staff and lack of clarity/confidence in the process
2016	**Allegations of Institutional Racism raised at AGM**
2017 (June 14)	Grenfell Fire
2017 (September)	Angela McConville leaves the Trust
2017 (September)	Alex Russell and Mark Lockhart appointed as Interim Chief Executives
2017	**Allegations of Institutional Racism raised at AGM - The minutes record that Mark Lockhart, the joint CEO,** *'in agreement with the Board, to engage an external equalities expert body to review the accusations of institutional racism and advise on a course of action'*
2018 (January)	Fiona Ramsey resigns as Trustee
2018 (April)	Sheraine Williams resigns as Trustee
2018 May	**Alex Russell and Mark Lockhart appointments as Chief Executives made permanent**
2018 (June)	Trust commissions review into Institutional Racism
2019 (04 March)	**Alan Brown announces his resignation as Chair of Board of Trustees**

Appendix 2

Reclaiming and Rebuilding Community

Recommendation for the Westway Trust
- Community Advisory Group to the Review

People:

Places:

Nursery Crèche and Parenting Centre

Community Development Mentoring & Enterprise

Youth Theatre and Dance Space

Community Healing and Restoration Centre

Library and Local Cultural Archives

Music Studio rehearsal and Performance Space

Creative Arts Studios

Needs met:

Safe Learning Spaces

Recording Recognition and honouring of the past

Natural Green Spaces

Healing Spaces

Space for celebration of community needs culture and values

Positive Engagement of youth

Space for expression of community needs culture and values

Needs met

1. Safe spaces for learning and expression of culture

2. Provision of natural green environments encouraging engagement in traditional healing methods

3. Engagement and occupation of young people in positive creative expression

4. A space where the voices and values of the community can be expressed through creative arts

5. A space where the culture, and values of the communities can be celebrated and shared with each other

6. Recognition of past contribution of African and Caribbean Communities to the cultural, social and economic life of the borough

7. Healing spaces: cultural, environmental, socially and psychologically healthy environments

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