

The Tutu Foundation (UK) Review into Institutional Racism at the Westway Trust Report



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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



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Finally, we would like to thank each other, as members of an exceptional Review Team who have worked so hard to undertake this Review. We have been able to tell the story which underpins this Review as we share common values and attributes; humanity, courage, steadfastness, knowledge, attention to detail and understanding; Christine Okiya, Charles Crichlow QPM, Bevan Powell MBE, Dr Bankole Cole and Dr. Habashi FRSA, thank you.



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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.

¹Department of the Environment (1987). Creating Development Trusts – Good practice in Urban Regeneration. ²MacPherson 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.



Part 1

Introduction

- 1.1** 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 6, 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
- 1.2** 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 Part 11 of this Report.
- 1.3** 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 CAG⁵ to the Review and the Trust.
- 1.4** 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
- 1.5** The report is supported by a number of annexes, which underpin the Review process and findings. For the purposes of transparency, we have included minutes of the CAG (**Annex 1**). This includes closed minutes of meetings, which took place after the release of the interim report. The Governance framework for the Review is contained at **Annex 2**. All documents, which support the Review’s conclusions and findings have been redacted to maintain confidentiality and are contained at **Annex 3**.
- 1.6** The report is divided into the following sections:

Introduction

Context

³Westway Trust Annual Report and Accounts 2017/2018. ⁴Westway Trust (2019). Strategic Priorities. ⁵Community 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. ⁶Hatch Regeneris (2019). Westway Trust Community Research, Summary of Findings.



Background

The need for a Review

Methods

Findings – Areas where institutional racism has manifested in the Trust

Findings – Indicators of transformation 2018- present

Findings – Whether institutional racism existed (exists) in the Westway Trust

Findings – Impact of institutional racism on communities served by the Trust

Summary and Conclusions

Recommendations

Timeline – Putting the development of the Trust into context

Bibliography

Appendix 1

Appendix 2



Part 2

Context

2. Racism, Black People as 'Other' and Institutional Racism

2.1 This section of the report 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.

2.2 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:

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

2.3 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

2.4 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 Powellism¹⁵ 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.

2.5 There are links between racism and health^{18 19}, as a recent report by the United Nations General Assembly identifies:

⁷Miles, R. (1993). *Racism after Race Relations*. London: Routledge. ⁸Ibid. ⁹Ibid. ¹⁰Habashi, 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. ¹¹Centre for Contemporary Cultural Studies (1982). *The Empire Strikes Back, Race and racism in 70s Britain*. Oxford: Routledge. Pp21 ¹²Centre for Contemporary Cultural Studies (1982). *The Empire Strikes Back, Race and racism in 70s Britain*. Oxford: Routledge. Pp29 ¹³Habashi, 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. ¹⁴CCCS, 1982:29. ¹⁵Powellism is the name given to the political views of Conservative and Ulster Unionist politician, Enoch Powell. ¹⁶Centre for Contemporary Cultural Studies (1982). *The Empire Strikes Back, Race and racism in 70s Britain*. Oxford: Routledge. Pp29 ¹⁷Habashi, 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. ¹⁸Paradies, 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. ¹⁹Williams, D. and Williams-Morris, R. (2000). Racism and Mental Health: The African American Experience, *Ethnicity and Health* 5(3-4): 243-68.

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

- 2.6** 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

- 2.7** 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:²²

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.

- 2.8** 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.
- 2.9** 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.

²⁰United 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. ²¹MacPherson 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 ²²Brennan, F. (2017). Race Rights reparations – institutional racism and the law. Oxon: Routledge.



2.10 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

2.11 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

2.12 The differences between individual and institutional racism are outlined in Table 1 below.²⁵

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.

²³MacPherson 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 ²⁴MacPherson 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. ²⁵Better, S. (2008). Institutional Racism – A primer on theory and strategies for social change, second edition. Plymouth: Rowman and Littlefield Publishing Group.p12

3. North Kensington – History of migration, racism and resistance

- 3.1** The 1948 British Nationality Act gave people from the Commonwealth the right to settle and work in the United Kingdom.²⁶ In 1948, the *Empire Windrush* docked at Tilbury in Essex with 462 Jamaicans on board. They were part of the post-war reconstruction effort which came hand in hand with an increase in the need for migrant labour.²⁷
- 3.2** 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*'.²⁸ 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.²⁹
- 3.3** 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*'.³⁰ 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*'.³¹ In August 1958, gangs of armed white teenagers went 'nigger-hunting' and in one evening, six West Indians were seriously injured.³² The police were seen as hostile to the Black community and as offering little or no protection.
- 3.4** By 1958, the African Caribbean population in Britain had reached 125,000 and the numbers from the Indian sub-continent had reached 55,000.³³ 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.³⁴ 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.
- 3.5** 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.³⁵
- 3.6** The 1960s saw the start of what is termed as the first of a series of four waves of Moroccan migration to the UK.³⁶ The first phase of migration consisted of unskilled workers, the majority of whom were from Northern Morocco. The second phase, from the early 1970s onwards, was described as 'family unification'. The largest settlement of Moroccans in the UK is in North Kensington.³⁷
- 3.7** In 1971, the total BAME population in the UK was as follows:

²⁶Fryer, P. (1984). *Staying Power: The History of Black People in Britain*. London: Pluto Press. p378 ²⁷Ibid. ²⁸O'Malley, J (1977). *The politics of community action*. Nottingham: Spokesman Books. p26 ²⁹Fryer, P. (1984). *Staying Power: The History of Black People in Britain*. London: Pluto Press. p380 ³⁰O'Malley, 1977:26. ³¹Fryer, 1985:380. ³²Craig, 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. ³³O'Malley, J (1977). *The politics of community action*. Nottingham: Spokesman Books. p27 ³⁴Moore, 2013. ³⁵O'Malley, 1977:27. ³⁶Cherti, M. *British Moroccans - Citizenship in Action*, Runnymede, 2009. ³⁷Third phase of Moroccan migration to the UK took place in the 1980s, this consisted of young semi-professionals and entrepreneurs, mostly from Casablanca and other large cities. The Fourth phase of Moroccan migration to the UK was in the 1990s and consisted of highly skilled Moroccan professionals, both from Morocco itself and France.



Table 2

Birthplaces of the de facto population of England and Wales 1961, 1966, 1971³⁸

Place of Birth	1961 Number	%	1966 Number	%	1971 Number	%
United Kingdom	43,765,750	94.9	44,408,830	94.2	45,585,200	93.5
Irish Republic	682,900	1.5	698,600	1.5	675,870	1.4
Old Commonwealth	99,270	0.2	112,560	0.2	128,875	0.3
New commonwealth	282,090	0.6	829,750	1.8	1,121,440	2.3
'Coloured'	239,690	0.4	729,910	1.4	1,002,740	1.9
'Non-coloured'	42,400	0.2	99,840	0.3	118,700	0.4
Foreign countries in Europe	519,610	1.1	559,850	1.2	603,420	1.2
America	109,990	0.2	105,020	0.2	120,055	0.2
Elsewhere and not stated	564,360	1.2	358,870	0.8	417,210	0.9
Visitors to UK	82,590	0.2	62,030	0.1	97,505	0.2
Total (all countries of birth)	46,106,590	100	47,135,510	100	48,749,575	100

Source: Census 1971 - The coloured population of Great Britain, Gillian Lomas, The Runnymede Trust, p.24.

- 3.8** In 1971, there were no precise figures of the size of the African Caribbean population in the UK.³⁹ The Select Committee on Race Relations and Immigration, 1976-1977, was provided with an estimate⁴⁰ of **543,000**, which in 1971, represented just over 1% of the total population.⁴¹
- 3.9** 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 7,000-10,000.⁴²
- 3.10** 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**,⁴⁴ **Rothwell Kentish**⁴⁴ and **Rhodan Gordon**.⁴⁵ The 55-day trial and subsequent acquittal led to the first judicial acknowledgement of behaviour motivated by racial hatred within the Metropolitan Police.⁴⁶
- 3.11** Following the Rent Act 1957,⁴⁷ North Kensington became a centre of local organisation and resistance to inequality and injustice for the rights of tenants and for civil rights generally. In response to Sir Oswald Mosley's announcement that he would organize public meetings in March 1959, the West London Anti-Fascist Youth Committee was

³⁸'Mangrove Nine: the court challenge against police racism in Notting Hill', Robert Bunce and Paul Field, the Guardian Newspaper, 29 November 2010.

³⁹Select Committee, 1977: viii para 7. ⁴⁰The estimate was derived from the 1971 census country of birth tables, which was specially prepared for the House of Commons Select Committee on Race Relations and Immigration Session, 1976-7, by the Office of Population Censuses and Surveys. ⁴¹Select Committee on Race Relations and Immigration session, 1976-7, the West Indian community, V1 Report H.C. 180-17. ⁴²Minutes of Evidence, 10 February 1972, p.217. ⁴³Darcus Howe was a British broadcaster, writer and civil liberties campaigner, originally from Trinidad. ⁴⁴O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. ⁴⁵Rhodan Gordon was the founder of the charity Unity Association, aimed at training with vocational skills which operated in Bay 45 under the Westway. ⁴⁶Bunce, 2018. ⁴⁷The Rent Act 1957 was a contentious piece of legislation designed to resolve the problem of housing shortages by removing the statutory restrictions on the rents of privately let accommodation which had been operative since the Great War. The Government argued that, by abolishing rent controls, landlords would be encouraged to maintain, improve and invest in private rented property and thereby increase its availability (Simmonds, A., G.V. Raising Rachman: The Origins of the Rent Act, 1957, The Historical Journal, V 45, Issue 4).



established. In the aftermath of the race riots of 1958, three local Black groups were formed in North Kensington: the Coloured People's Progressive Association, the Afro Asian Club and the Racial Brotherhood Movement.

4. Race Discrimination and Disadvantage

4.1 During the period 1971 to 1981, the House of Commons Home Affairs Committee undertook two inquiries into Race Relations and Disadvantage.⁴⁸ Both inquiries were wide-ranging in scope and sought to identify and understand the extent of racial disadvantage in the UK. Pertinent findings of the Committee included:

As the Committee concluded in their last report, race discrimination and prejudice are still widespread. The fact that much of the discrimination is covert, negligent, or unintentional does not make this less harmful, and it is aggravated by the growing lack of confidence among the ethnic communities, especially the young – the second generation, non-immigrant population. Consequently, there is a risk of the communities becoming permanently alienated.⁴⁹

The persistence of racial discrimination [...] has encouraged an upsurge of crude racialism and the growth of racist groups.⁵⁰

In addition to the standard of housing of West Indians being dramatically lower than the standard of housing of the rest of the population, their housing tends also to be concentrated in areas where there is a net shortage of job opportunities.^{51A}

There is still widespread discrimination against West Indians in employment. This is not only in recruitment but also, although the evidence cannot be so conclusive, in promotion. Moreover, the ethnic groups, especially the young West Indians, have been more vulnerable to unemployment than the population generally.^{51B}

Part 3

Background

5. The Westway (A40) Elevated Dual Carriageway

5.1 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.

5.2 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 Kensington⁵². 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.

5.3 The Westway runs across **Golborne** and **Notting Dale Wards** and is close to neighbouring **Colville Ward**.⁵³ **These areas have historically, and continue to be, areas of deprivation.**⁵⁴

⁴⁸O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books ⁴⁹House of Commons (17 February 1977) Select Committee on Race Relations and Immigration Session 1976-7 The West Indian Community Volume 1 Report with minutes of proceedings and appendices to the report H.C. 180-I para 80 pp xxv ⁵⁰House of Commons (17 February 1977) Select Committee on Race Relations and Immigration Session 1976-7 The West Indian Community Volume 1 Report with minutes of proceedings and appendices to the report H.C. 180-I para 30 pp xiv ^{51A}House of Commons (17 February 1977) Select Committee on Race Relations and Immigration Session 1976-7 The West Indian Community Vol 1 Report with Minutes of proceedings and appendices to the Report H.C. 180-I para 23 pp xiii ^{51B}House of Commons (17 February 1977) Select Committee on Race Relations and Immigration Session 1976-7 The West Indian Community Volume 1 Report with minutes of proceedings and appendices to the report H.C. 180-I para 76 pp xxv ⁵²RBKC (2012) Land underneath and close to the Westway, Planning Brief ⁵³Ibid ⁵⁴GLA, Indices of deprivation 2010. ⁵⁵Local Development Document – Building on Success Land Underneath and close to the Westway, Planning Brief, December 2012, Royal Borough of Kensington and Chelsea.

- 5.4** 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.⁵⁵
- 5.5** 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.^{56 57}
- 5.6** 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.⁵⁸ Whilst a number of residents were eligible for Government compensation,⁵⁹ those residents whose homes were more than 15 feet from the road were not so entitled.⁶⁰ A significant number of residents who were affected were African Caribbean.⁶¹
- 5.7** There were many protests against the construction of the Westway^{61 62 63} which led to the GLC eventually agreeing to rehouse over 100 families.^{64 65}



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 relieve congestion at Shepherd's Bush caused by traffic from Western Avenue.

- 5.8** During this time, the lack of open space in North Kensington was becoming problematic. In its own guidance, the GLC stipulated that there should be at least 173 acres for North Kensington's population of 77,000; instead, it had less than 20.⁶⁶ The lack of open space meant that there were limited options for children to play in the area, which led to many children playing in the street, resulting in an average of one child being injured in a road traffic accident every five days.⁶⁷

⁵⁶GLC, 1966: Minutes. ⁵⁷O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p26 ⁵⁸GLC, 1966. ⁵⁹Highways Agency, 1962. ⁶⁰Travers, T. (2015). London's Boroughs at 50, London, Biteback Publishing. ⁶¹O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p26 ⁶²Travers, T. (2004). The politics of London - Governing and ungovernable city. Hampshire: Palgrave MacMillan. ⁶³Asher, W. (2018) Rings around London –Orbital motorways and the battle for homes before roads. Capital History Publishing. ⁶⁴GLC, 1966 ⁶⁵Greater London Council – Press Office (May 21, 1970), press release. ⁶⁶Asher, W. (2018) Rings around London –Orbital motorways and the battle for homes before roads. Capital History Publishing. ⁶⁷Ibid



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).



5.9 The GLC had no plans for the large area of wasteland under the Westway except to build a carpark. However, its plans were halted when the North Kensington Playspace Group, founded by Adam Richie in 1966, established that the GLC had no legal authority to build a car park as it had omitted to submit a planning application to Kensington and Chelsea Council.⁶⁸

5.10 Research by Dearlove⁶⁹ into public policy making in RBKC revealed that there was a perception that the appointment of Sir Malby Crofton as the leader of the Council in 1968 was a sign that there was a positive change in council policies and its relations with local groups as demonstrated by the following initiatives:

- The creation of two new committees in 1968 (one of which was specifically concerned to create more effective links with local groups);
- The purchasing of a private garden space for public use against the wishes of a number of councillors;
- The treatment of a large proportion of North Kensington as an Action Area under the terms of the Town Planning Act (RBKC, Colville Study Area, 1972); and
- The establishment of the North Kensington Amenity Trust (the organisation that would become known as the Trust) and the Kensington and Chelsea Playspace Group.⁷⁰

5.11 However, Dearlove identified that whilst there were perceptions of a change of policy, it did not result in an *'effective redistribution of resources'*.⁷¹ Rather, he felt that the changes were indicative of a *'symbolic response'*⁷² designed to create the impression that action was being taken about issues.⁷³ In this respect, a *'symbolic response'* would *'reduce disagreement and disapproval and also control political disruption'*.⁷⁴ ⁷⁵ Also, Dearlove argued that the new found partnership between the council and a number of groups from North Kensington was merely a *'technique to control disturbances and channel dissent which is needed where the avoidance of, and resistance to, demanding groups does not lead to those groups either changing the form of their activity or ceasing to exist'*.⁷⁶ Critically, Dearlove⁷⁷ went on to assert that, *'if radical groups survive the period of authoritative siege, then they can expect to be drawn into collaborative relations with the Council, but as junior partners whose activity is channelled towards the pre-ordained goals of the authorities'*.⁷⁸

5.12 Through his interviews with those individuals who were chairmen of RBKC during the period 1965-70, Dearlove sought to identify what they felt were the 'issues facing the borough'. One chairman identified the *'racial problem'*, however they did not feel that it required any intervention, *'the racial problem is obviously something up in North Kensington, but we should leave this alone and let them find their own feet. I'm anti this Race Relations Act (and so I suspect are most of the people on this council), it will only produce a lot of chippy immigrants'*.⁷⁹

6. North Kensington Amenity Trust (NKAT)

6.1 A letter dated 19 May 1969 from the RBKC Town Clerk to the Chair of the Town Planning Committee regarding the establishment of the NKAT provides an interesting insight, *'providing the Council can maintain overriding control [...] the appointment of an independent Chairman – who in practice would be a person acceptable to the Council – the Royal Borough would still maintain a dominant role'*.⁸⁰

6.2 On 17 March 1970, the Leader of the Council and Chairman of the Co-ordinating and Policy Committee, Sir Malby Crofton, made the following announcement to the press:

⁶⁸Ibid ⁶⁹Dearlove, J. (1973). *The Politics of Policy in Local Government – The making and maintenance of public policy in the Royal Borough of Kensington and Chelsea*, Cambridge University Press. ⁷⁰Ibid, pp234 ⁷¹Ibid ⁷²Edelman, M. (1964). *The symbolic use of politics* (Urbana, Ill., University of Illinois Press). ⁷³Dearlove, J. (1973) *The Politics of Policy in Local Government – The making and maintenance of public policy in the Royal Borough of Kensington and Chelsea*, Cambridge University Press. ⁷⁴Maniha, J., and Perrow, C. (1965) 'The reluctant organisation and the aggressive environment,' *Administrative Science Quarterly*, 10, pp.238-57 ⁷⁵Selznick, P. (1952) *The organisational weapon*, New York, McGraw-Hill ⁷⁶Dearlove, J. (1973) *The Politics of Policy in Local Government – The making and maintenance of public policy in the Royal Borough of Kensington and Chelsea*, Cambridge University Press p235. ⁷⁷Ibid ⁷⁸Bachrach, P (1970) *Power and Poverty*, New York, Oxford University Press ⁷⁹Dearlove, J. (1973) *The Politics of Policy in Local Government – The making and maintenance of public policy in the Royal Borough of Kensington and Chelsea*, Cambridge University Press p215 ⁸⁰Land Under Western Avenue Motorway, letter from Town Clerk to Alderman Mrs John Paul, 19th May 1969. ⁸¹Addendum to Press Information – No 4/70 dated March 1970 Sir Malby Crofton announcement. Annex 3 pp3-5

We in the Borough envisage this motorway land being used for a wide variety of purposes, ranging from sport to shopping and the provision of information, aid and welfare services to a population which has a notably high proportion of immigrants.⁸¹

6.3 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 1971⁸² 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'*.⁸³

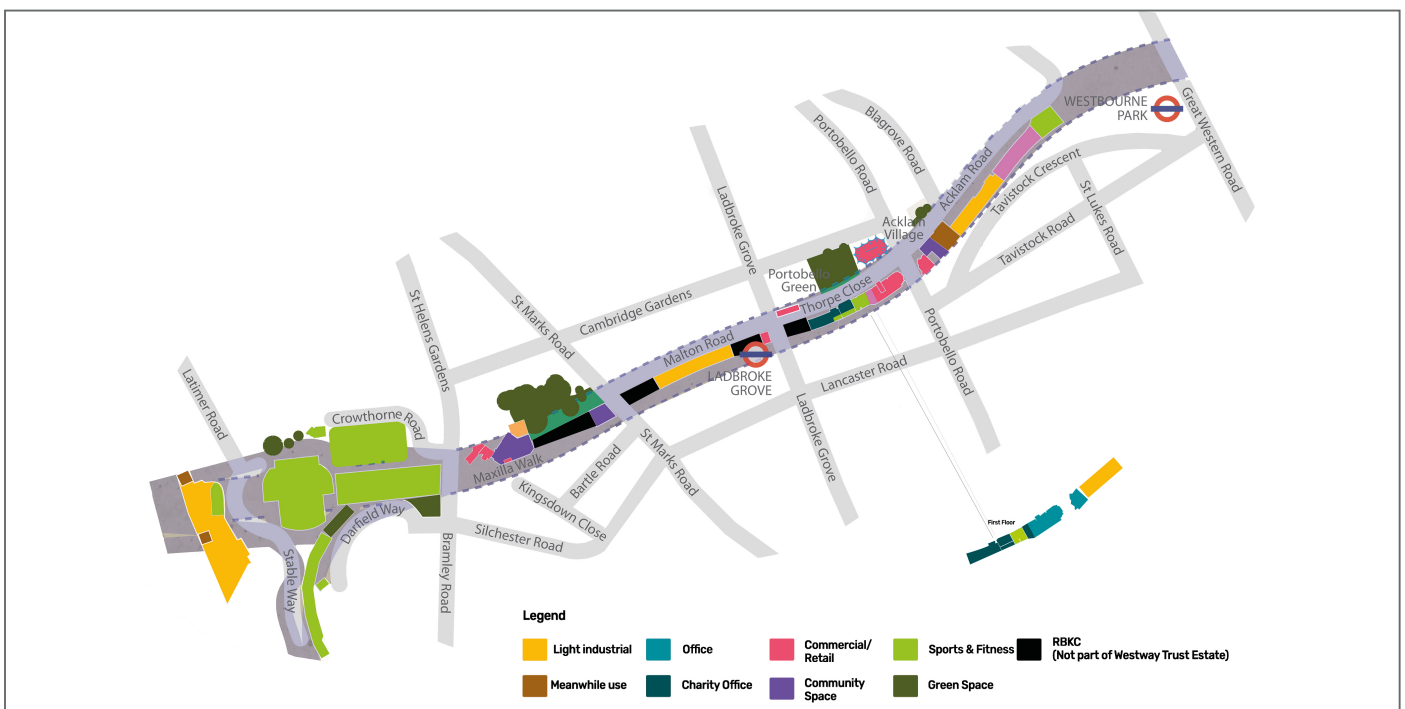
6.4 In giving the grant to the Trust, Sir Malby Crofton stated:

From now on the Trust will have to make its own way in the world. It is on its own to develop its ideas in its own way. I am sure that some of the leading charitable foundations will recognise this is a unique experiment.⁸⁴

6.5 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.⁸⁵ 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.

6.6 The freehold land that was owned by the GLC came into TfL ownership by virtue of the Greater London Authority Act (1999). As is usual for the grant of leases alongside TfL infrastructure, TfL retains rights of access to the Westway Land for repairs and emergencies relating to TfL property, which were reserved out of the lease grant in 1973.⁸⁶

6.7 The extent of the Westway Land that is currently held by the Trust is shown on the map below (the **'Trust Land'**). As noted above, the Trust Land does not comprise all of the Westway Land.



⁸²O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p26 ⁸³North Kensington Development Trust – Annual Report, 1972. ⁸⁴Municipal Review, March 1974, p.74. ⁸⁵Please see map above, note that the areas in black are RBKC areas and not part of the Westway Trust estate. The map is also reproduced at page 282 of Annex 3. ⁸⁶See section 16.3 of the full report



6.8 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.

6.9 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.⁸⁷

6.10 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.

6.11 In 1971, RBKC received an Urban Aid grant to build a number of offices on the land which it controlled; this took up three bays under the motorway, whilst a fourth was used for exhibitions. It housed an **Information and Aid Centre** which provided local offices for its social services department and also for voluntary sector advice organisations, which included a Citizens Advice Bureau, Voluntary Workers Bureau and the Housing Action Centre. This was completed in 1974.

6.12 At the other side of Ladbrooke Grove from the Information and Aid Centre, RBKC built a senior citizens luncheon club and a meals-on-wheels centre, also completed in 1974. It also built a laundry to the west of Ladbrooke Grove, which was built to replace the old washhouse based in Lancaster Road West which was due for demolition.

6.13 In its formative years, the structure of the Trust was a partnership between the local authority and the local voluntary movement: ‘*The management committee unites seven members nominated by the Borough with seven elected representatives of local organisations and an independent chairman resident in the Borough, nominated by the Committee and approved by the Borough Council.*’⁸⁸ The first chair of the Trust was Sir Patrick Reilly, former British Ambassador to Paris (1953-56 and 1965-68), and Anthony Perry was appointed as its first Director.

6.14 The Trust’s first constitution had the following objectives:

- The advancement of education;
- The provision for facilities for recreation or other leisure time occupation in the interests of social welfare with the objective of improving the conditions of life of said inhabitants; and
- **Assisting charitable institutions established for the benefit of the said inhabitants.**⁸⁹

6.15 From the period 1971 -1979, the Trust started to transform the land under the flyover with a number of building initiatives. A number of developments were created in **Acklam Road**. Through an Urban Aid grant obtained by the GLC, the Trust built **Acklam Hall**, which was completed in 1975, as a venue for concerts, dances, meetings and other community events. The large hall accommodated 350 people whilst the small hall accommodated 40 people. There was a bar and kitchen facilities. The Trust also built hard surface weather pitches with floodlighting for evening use. The adventure playground, developed by local people prior to the establishment of the Trust, was made permanent

⁸⁷Underlease dated 22 September, 1975 between RBKC and North Kensington Amenity Trust. ⁸⁸MacPherson 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 ⁸⁹Bold denotes authors’ emphasis.



with a hut and full-time play leaders.⁹⁰ Eight terraced houses which faced the motorway from which residents had been rehoused as the noise of the motorway made living conditions unbearable, were placed in the responsibility of the Trust. The Trust converted the houses into offices and 27 rooms were let to 16 local organisations at low rents.⁹¹ A theatre facing onto open space on the other side of Portobello Road was created. The Trust took responsibility for the space, naming it Portobello Green, grassing over it, planting shrubs and landscaping with mounds. In 1982, the Trust built its sports and recreation centre - this took 10 years to build and cost £2million.⁹²

6.16 In 2002, the Trust (then NKAT) was renamed as Westway Development Trust. Its constitution had a series of objectives with a minor, yet significant, change which we have emphasised in bold:

1. The advancement of education in the Benefit Area, including: -
 - (a) Training or retraining, particularly, among unemployed people, and providing unemployed people with work experience;
 - (b) The provision of financial assistance to persons who are resident and who are in need of such assistance to pursue their education;
 - (c) Support of the performing and visual arts.
2. The provision of facilities for recreation, sporting and other leisure time occupation in the interests of social welfare with the object of improving the conditions of life of the said inhabitants and the inhabitants of adjoining London Boroughs (including the protection and preservation of their health).
3. The development of the capacity and skills of members of socially disadvantaged communities within the Benefit Area in such a way that they are better able to identify and help meet their needs and participate more fully in society.
4. The maintenance, improvement or provision of public amenities in the benefit area, including the provision of public art.

And in furtherance of the above objects, the charity **may**⁹³ assist other charitable institutions established for the benefit of the said inhabitants.

6.17 In 2014, the Trust was renamed as the Westway Trust. The constitution did not change.

7. Development Trusts

7.1 Development trusts are a community economic development model which use assets as a way of meeting social and income generating goals.⁹⁴ The Trust was one of the first development trusts to be established in the UK.

7.2 In the 1987 Department of the Environment Report, development trusts were described as:

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.⁹⁵

7.3 In 2007, the suggested benefits of development trusts were outlined by the Development Trusts Association (DTA), (of which the Trust was a founding member)⁹⁶ as '*financial sustainability for community organisations, support for better public services and an empowered community*'. A mapping exercise in mid-2007 by the DTA suggested that its members had £436 million of assets by mid-2007.

⁹⁰O'Malley, J (1977). The politics of community action. Nottingham: Spokesman Books. p26 ⁹¹Ibid. ⁹²Duncan, A (1992). Taking on the Motorway – North Kensington Amenity Trust. Kensington and Chelsea History Group. ⁹³Bold denotes authors' emphasis. ⁹⁴Aitken, M., Cairns, B. and Thake, S. Community ownership and management of assets, Joseph Rowntree Foundation, December 2008. ⁹⁵Department of the Environment (1987). Creating Development Trusts – Good Practice in Urban Regeneration. ⁹⁶Aitken, M., Cairns, B. and Thake, S. Community ownership and management of assets, Joseph Rowntree Foundation, December 2008.



7.4 In its 1979 Annual Report, the Chair of the Trust stated what can best be described as the Trust's operating model:

At the outset one must restate the obvious; the Trust is essentially a property-owner, rather than, say, a social work agency. The asset fought for by the community in the late 1960s, and now vested in the Trust, is land. The Trust will thus achieve its objectives mainly by the way in which it uses, and enables others to use, land and buildings. But how is the Trust using its land? Is too much emphasis being placed on industrial development – why, indeed, is the Trust doing any 'commercial' development at all? First, I feel that the Trust can demonstrate major community benefits from developments whether carried out by the Trust or other groups using its land [...] Second, there are strong arguments for mixing some 'commercial' schemes with 'community' ones. The main one is that without them the Trust probably could not do its job. Social and recreational facilities generally do not pay their way, and just looking after 23 acres of land and property is expensive. Where is the money to come from? In its early years the Trust has been successful in raising charitable funds, and in gaining support from the Borough Council. But charities switch funds to new ventures, and public spending is being cut drastically. Unless the Trust can collect rents from its commercial lettings, it will be unable to fund the social and community side of its activities. The people of North Kensington won the right to use the land under the Westway – they also have the right to use its commercial value to community benefit. The balance of commercial and community development, and the precise form this should take, can provoke fierce argument.⁹⁷

7.5 In its 2002/2003 annual report, the Trust made reference to its Development Trust status:

Development Trusts are a kind of charity. There are now over 200 development trusts across the UK. Development Trusts share common approaches to creating community assets held in trust for the future. Broadly speaking, development trusts are:

- Community based and locally accountable.
- Involved in local economic, environmental and social regeneration.
- Independent and aiming for financial self-sufficiency.
- Creating assets and recycling surplus income within the local community.
- Working in partnership with the voluntary sector and in alliance with the private and public sectors.⁹⁸

8. Property, Regeneration and Planning

8.1 In 2007, the Trust developed its draft Property Regeneration Plan (to 2020) which outlined the following (see Annex 3):

The regeneration of the Westway has stuttered [...] we have to face the reality that future capital regeneration grants are unlikely [...] Therefore a plan has been drawn up as to how we might develop the estate, a plan built upon the following major considerations:- working with market forces, so recognising the retail pull of Portobello Road [...] working with the guidelines and aspirations in the emerging RBKC LDF [...] producing sustainable developments and developments meeting regeneration objectives [...] The land is held in trust for the community. We have to take care that inviting private developers to assist the regeneration process does not result in untoward economic reward flowing away from the Trust and to the private sector, and ensure that our plans and aspirations are realised, and that we don't just end up providing cheap sites for land-hungry developers. So the Trust intends to invest in securing planning consents and inviting developers to bid for development agreements requiring those concerns to be fulfilled, in exchange for controlled long leases, sharing revenues with the Trust throughout the lease term.⁹⁹

⁹⁷North Kensington Amenity Trust Annual Report 1979, pp. 4-7. ⁹⁸Westway Trust Annual Report 2002/2003:1. ⁹⁹Please insert the following after 2007:2 See annex 3 which supports the full report pp 24 -45



- 8.2** In April 2011, the Mayor of London released the White City World City Opportunity Area planning framework public consultation document (see Annex 3). The document outlined the following:

Both RBKC and the Trust have aspirations to extend the connection westwards, which would increase the use of the link and provide many more people with access to leisure and sport facilities across the area [...].

Crossing point 2: from Imperial College Site to the Westway Leisure Centre - a shallow subway should be introduced to the north of the A40 Westway for pedestrians and cyclists beneath the existing West London Rail line, linking the Imperial College London site with RBKC near Westway Sports Centre. This crossing would link into the Westway Trust's cycle and pedestrian route and allow the route to connect to other cycle and recreation facilities to the West.¹⁰⁰

- 8.3** In December 2012, RBKC produced its Planning Brief Land Underneath and Close to the Westway, (see Annex 3). The document stated the following:

Land use: provision for new sports facilities in place of the existing industrial uses. The consolidation of the stables and pony track would create a better and more convenient riding facility within Stable Way. If an alternative location for the stables/arena is found in the area, then the land would be able to be used for other sport facilities. However, funding opportunities to retain the stables should be explored as it is preferable that they are retained in their current location. It may be possible that some of the land could serve as an alternative location for the skateboarding facilities currently in Acklam Road.¹⁰¹

- 8.4** In April 2014, the Trust developed its Progressing the Regeneration Plan including Site Index (see Annex 3),¹⁰² providing an overview of proposed major development sites. This included plans for Acklam Square, Acklam Village, Stable Way Industrial Site and the Riding Stables.
- 8.5** In 2015, the Trust published its Strategic Plan entitled Destination Westway 2015-2020. The overarching goal of the plan was to transform the Westway into a top ten destination for London.¹⁰³

Part 4

9. The need for a Review

- 9.1** In its 1987 AGM report, the Trust (then NKAT) stated that it had been accused of being 'institutionally racist' when it had refused to relax its policies for some groups.¹⁰⁴ Furthermore, the Department of the Environment Report 1987 on best practices for development trusts used the Trust as a case study and outlined the following:

For example, the Trust will not assist firms starting up in business by giving them cheap rents or take a flexible approach to its tenants when they want to assign leases. Sometimes those affected challenge those decisions. Where ethnic minorities are involved, accusations of racial bias can and do occur, and the Trust has to take particular care to be sensitive in these situations.¹⁰⁵

- 9.2** At its Annual General Meeting on 23 November 2015,¹⁰⁶ public allegations of institutionally racist practice were levelled against the Trust. Whilst the concerns were made (see below including references to Westway 23, a local campaign group in North Kensington established as a direct result of the Trust's

¹⁰⁰Mayor of London, 2011:66. See Annex 3 pp. 57-188. ¹⁰¹RBKC, 2012:24. Annex 3 pp. 189-240. ¹⁰²See Annex 3 pp. 241-248. ¹⁰³Westway Trust (2015). Destination Westway 2015-2020, p.7. ¹⁰⁴North Kensington Amenity Trust (1987). Annual Report p. 5 (the report does not identify which groups). ¹⁰⁵Department of the Environment (1987). Creating Development Trusts - Good Practice in Urban Regeneration, p. 62.

¹⁰⁶Please see Annex 3 pp 252 -254 for the minutes of the Westway Trust AGM 2015



Destination Westway Strategy), the minutes did not record if and how the issues raised would be addressed:

An underlying theme to the concerns of Westway 23 was that, throughout its existence, the Trust had been perceived as being institutionally racist. The current Board is not representative of the local community, particularly in terms of ethnic diversity. The Trust should have honoured its intention to attend a recent Westway 23 meeting at the Tabernacle. Concerns were raised that insufficient benefit was being directed to the communities that were disadvantaged by the building of the motorway. The African-Caribbean community was well established in the area before the flyover was built. Questions were raised as to what the Trust had done, or what it was planning, to provide facilities for that community. There were also concerns that insufficient facilities were being provided to the Carnival community. Speakers had been given no explanation as to why community facilities that were housed on Trust land at Maxilla had been taken away. Concerns were raised over the closure of Westway Stables. Speakers wanted to know why the tenant had been given notice to leave at the end of January 2016 although she was not in arrears at the time. At the time she had been seeking advice on how the business could be made more viable. Flyover Café - speakers wanted to know why the Flyover operator's lease had not been renewed and why their proposal to operate the space in the future had not been accepted.¹⁰⁷

- 9.3** At the 14 November 2016 AGM, public allegations regarding institutional racism were again raised, with the minutes recording the following:

Several attendees accused the Trust of institutionally racist practices. The Chair repeated that he has previously asked [...] for evidence to support these assertions to allow this to be investigated, but none has been forthcoming.¹⁰⁸

- 9.4** Again, at the **20 December 2017 AGM**, public allegations regarding institutional racism were raised, including the following:

The absence of an African Caribbean community centre. The absence of Black people in the original Portobello scheme drawings. The absence of an option to tick 'Black' on the ethnicity questions of the Equestrian survey.¹⁰⁹

- 9.5** The minutes of the meeting also recorded the decision, *'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'*.

10. 'The Review'

- 10.1** In early 2018, the Trust assigned Bevan Powell MBE as its Strategic Advisor – (Community Cohesion, Organisational Transformation and Change). Through his work with the leadership of the Trust and his ongoing relationship with the diverse communities of North Kensington, he recognised that it was critical for the Trust to deliver on the public commitment made at its 2017 AGM. Bevan Powell **was clear that any proposed work must have the trust and confidence of the community**. As a resident of North Kensington, who was born in the area, a former Golborne ward Councillor and an expert in race equality, he had an invaluable insight into the history of the area, the community and the local politics of race.

¹⁰⁷Westway Trust, AGM Minutes 2015, pp. 2-3 See Annex 3, page 253. ¹⁰⁸Westway Trust, AGM Minutes 2016, p. 3. See Annex 3, page 269.

¹⁰⁹Annex 3 pp. 274-281.



- 10.2** With the support of Bevan Powell, in June 2018, the leadership of the Trust commissioned The Tutu Foundation (UK) to conduct a thorough and robust review of allegations of institutional racism within the Trust, led by Dr. Habashi FRSA, the Head of the Review. The Trust asked Bevan Powell to provide strategic direction to and oversight of the Review and to work closely with the Head of the Review. It is **acknowledged here that it is rare for any organisation to willingly open itself to such independent scrutiny without legal compulsion.**
- 10.3** The Review Team was formed; to be led by Dr Habashi FRSA and supported by the Review Secretary, Christine Okiya and Independent Special Advisors, Charles Critchlow and Dr Bankole Cole, (collectively, the Review Team).
- 10.4** Before beginning the Review, Bevan Powell arranged for the Head of the Review to visit the area, meet community stakeholders and representatives of the main campaign organisation, Westway 23, who had campaigned for a Review into institutional racism since 2015. It is acknowledged here that this was a critically important decision, as trust and confidence in the Review process and the individuals undertaking it was crucial to ensure community confidence and participation. This decision was taken in light of the exceptional environment which the Review found itself in as a result of the Grenfell Tower fire,¹¹⁰ a national disaster of unprecedented scale, which led to the loss of life of 72 members of the local community.
- 10.5** The Grenfell fire brought into the wider public domain long held accusations by the local community that RBKC had failed to listen to their repeated concerns, which they believed was as a result of institutional racism, historic disenfranchisement, marginalisation and inequality.^{111 112 113} The anger of the local community to what they saw as the indifference of RBKC to the fire led to the storming of the Town Hall on 17 June 2017.¹¹⁴ It was agreed that, as this Review was taking place in the aftermath of a significant community trauma, it was imperative that the approach adopted by the Review Team was both sensitive to and inclusive of the community.
- 10.6** It was also agreed that the Review must demonstrate a profound understanding of the context and circumstances which led to the creation of the Trust, and how the Trust related to issues of race in terms of employment, service delivery and community engagement. It was felt that this was crucial to ensuring direct and meaningful engagement with members of the community.¹¹⁵
- 10.7** The early approach of the Review Team was grounded in the significance of a geographical area, which is considered to be the birth place of UK civil rights and was witness to the murder of Kelso Cochrane in 1959; the 1958 Race Riots; the birth of the Caribbean Carnival in London in 1959 and the trial of the Mangrove Nine in 1970. The golden thread between the past and present is the significant role played by community activism and activists in the area.

Review Governance Framework

10.8

A number of actions were taken to enhance trust and confidence of the community, and thereby increase participation in the Review process:

- Terms of reference for the review of Reference for the Review were underpinned by the definition of Institutional Racism as outlined in the Macpherson Inquiry;
- Development of the CAG;
- CAG Terms of Reference;

¹¹⁰Guardian Newspaper, 17th June 2019. ¹¹¹Bulley et al, 2019. ¹¹²Grenfell Tower Fire, Hansard, 6th June 2019, Volume 661. ¹¹³Preston, 2019. ¹¹⁴Guardian Newspaper, 17th June 2019. ¹¹⁵Scruton, P. The Grenfell Tower Inquiry: Learning from Hillsborough, The Conversation.



- Creation of the role of Independent Observer to the Review;
- Development of the Review Advisory Board; and
- Creation of a Secure Portal.

10.9 The Terms of Reference for the Review were developed by the Review Team and agreed by the CAG (see **Annex 1**) as follows:

- Examine concerns of institutional racism; the scope of which centres on whether institutional racism has existed, (exists) within the Trust and, if so, how it has manifested, and its impact on the communities served by the Trust.
- Develop a review framework which ensures community trust and confidence.
- Undertake a review of evidence relating to perceptions and allegations of institutional racism within the Trust.
- Engage with community stakeholders to understand historical and current concerns in relation to institutional racism, and the use and allocation of land with regard to the Trust.
- Present findings to the Trust CEOs, Chairman and community stakeholders.

Community Advisory Group (CAG)

10.10 To ensure trust and confidence in the Review process a Community Advisory Group to the Review was established. This involved local people with an understanding and involvement of the issues; membership was by invitation. The CAG provided oversight and direction of key review processes. It comprised members of the community and the Trust.

Its composition during the period 26 September 2018 – 27 March 2019 was as follows:

Niles Hailstones (Community/Joint Chair); Alan Brown (the Trust/Joint Chair); Malcolm Phillips (Community); Angela Spence (the Trust); Miss Lee Wolford Chivers (Community); Alex Russell (the Trust); Sakinah Touzani (the Trust).

- From 17 April 2019 Clive Philips and Anthony Chivers joined as community representatives.
- From 22 May 2019¹¹⁶ Nicole Belfon, Marcia Robinson and Emzee Haywoode joined as community representatives.

As at the date of this report, the current composition is:

Niles Hailstones (Community/Joint Chair); Angela Spence (the Trust/Joint Chair); Malcolm Phillips (Community); Clive Philips (Community); Anthony Chivers (Community); Emzee Haywoode (Community); Marcia Robinson (Community); Nicole Belfon (Community); Alex Russell (the Trust); Sakinah Touzani; (the Trust).

10.11 It was agreed that the role of chair of the group would be held jointly between the community and the Trust – initially Alan Brown (the Trust) and Niles Hailstones (W23 and OVCC) – and that the chairing of the meetings would be rotated. The first meeting took place in September 2018 and meetings have taken place on a bi-monthly basis since.¹¹⁷ The secretariat function was provided by the Secretary to the Review.

10.12 The CAG agreed to adopt the following definition of institutional racism for the Review taken from the Macpherson Inquiry:

¹¹⁶The 22 May 2019 meeting was the last meeting attended by the former chair of the Trust, Alan Brown, who announced his resignation from the Trust on 4 March 2019. He was replaced by Angela Spence who became Trust interim Chair and also Joint Chair of the CAG. ¹¹⁷See Annex 2 for minutes of CAG meetings



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.¹¹⁸

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 [...] 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 Police Services 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.¹¹⁹

Independent Observer to the CAG

The role of independent observers (IOs) to the CAG was also developed in order to provide a greater level of trust, confidence and transparency in the Review process. Members of the community were invited to become IOs by expressing an interest with the Secretary to the Review. The role was described as being to:

- Observe the working of the Community Advisory Group meetings.
- Help bolster community confidence in the Review process, thereby increasing the numbers of people who want to contribute to the Review.
- Provide reassurance to the community about the work of the Community Advisory Group to the Review.
- Provide the group with a short oral or written observational statement, which can help to contribute to the transparency and legitimacy of the process.

10.13 On selection and at attendance at the CAG meeting, IOs were requested to sign a confidentiality agreement and at the end of the CAG meeting, they were requested to provide their observations of the meeting and the Review process. During the course of the Review, five individuals undertook the role of IO.¹²⁰

Review Advisory Board

10.14 As part of the governance arrangements, the Review Team established and sustained a Review Advisory Board. This comprised Trustees of The Tutu Foundation (UK) - Clive Conway (Chair), Fiona Haigh and Colleen Harris MVO. The Review Team met with the Review Advisory Board on a regular basis to update them on progress and issues. The terms of reference for the Review Advisory Board were to:

- Advise and support the Reviewer at key stages of the Review process on key issues which include the following; racism, institutional racism, inequality, gentrification, community participation / consultation policy and practice.
- Provide input and oversight on the governance criteria developed as part of the Review process; interview questions for Review participants; confidentiality agreements; the storage and handling of documentation received as part of the Review process.
- Advise on the content of the Review findings and reports.
- Act as a 'sounding board' on the strategic handling of the Review recommendations and dissemination.

¹¹⁸MacPherson of Cluny, Sir William (1999) The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny, London. London: The Stationary Office pp28: 6.34. ¹¹⁹MacPherson of Cluny, Sir William (1999) The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny, London. London: The Stationary Office pp31:6.48 ¹²¹At its April 2019 meeting, the CAG agreed to the request by the Review Team that, since its 22 May 2019 meeting would involve the release of the interim emerging findings report, to minimise any potential risk of the leakage of information regarding the interim findings, going forward, the CAG suspend the use of IOs.



- Provide input, advice and guidance in relation to matters of community and organisational mediation.
- Provide input, advice and guidance on other issues agreed with the Reviewer as crucial to the successful outcome of the Review, including where appropriate, being involved in PR and crisis management.

10.15 During the course of the Review, the Review Team met regularly with the former Trust Chair, Interim Chair and Joint Chief Executives to discuss progress and resolve challenges. The Head of the Review and the Strategic Director to the Review presented updates to the Board of Trustees on 8 January 2019 and 2 September 2019. At the meeting of 8 January, Trustees were provided with a comprehensive progress report as to the status of the Review and the Review Team answered questions raised by Trustees. The Review Team was present at the 2018 AGM meeting where members also met with Trustees. A number of Trustees were also present at the Review launch.

Part 5

11. Methods

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

11.2 The data used for this report was analysed in the following way:

- A thematic analysis of interview data using NVIVO software; and
- Document analysis.

11.13 Documents gathered and reviewed included: minutes of the Board of Trustees and Trustee only meetings including Trust Property and Regeneration Committee minutes; staff complaints; investigation reports into complaints undertaken by outside organisations; email correspondence between staff, leaders and Trustees; staff exit interviews; lease agreements; maps; plans; planning applications; constitutions; articles of association; and annual reports of the Trust from 1971 to present day.

Access to Documents

11.14 At the outset of the Review, the Review Team was given full access to all archived documents and files of the Trust, along with an office within the Trust where all the archived documents were held. This was very helpful. In addition, the leadership of the Trust provided the Review Team with numerous documents at its request. A total of 19,000 pages were reviewed including:

- Trust minutes including confidential Trustee only minutes, and minutes of the Property and Regeneration Committee.
- Externally commissioned reviews (in relation to a whistleblowing allegation and to a race discrimination allegation).
- Data in relation to staffing.
- Equalities-related policies and practices of the Trust.
- Emails relating to complaints by the community and members of the public.
- The scoring matrix relating to a contested leasehold.



Information Challenges

- 11.5** However, despite full access to the Trust's documents and upon intensive search of the archived files, it became apparent that not all documents relevant to the Review had been archived. In particular, documents relating to the CAC, the Unity Association and Ebony Steel Band, the Acklam Adventure Playground, the legal action against the Ebony Steel Band and plans and reasons for the demolition of 6 Acklam Road, could not be found. During the interview process, a former long-standing Trust member of staff told us that a significant number of papers from the Trust had been deliberately destroyed around the period 2001 – 2004. The Review Team has been unable to corroborate this assertion.
- 11.6** The Review Team were provided with the Trust minute book which spanned the period 1971 to 1976. This was an old-fashioned leather-bound minute book in a very delicate state. To be able to review its contents, the Review Team, with the consent of the Trust, had the contents of the minute book carefully copied and digitally scanned, with the original and digitised copy returned to the Trust. This process took over five months to complete.
- 11.7** As an essential part of the Review, we identified and verified that the Trust has equality and diversity policies for the period 2010 to the present day; but equalities data relating to staff and Trustees only existed for the period 2017 to the present day. This paucity of key equalities data had an impact on the ability of the Review Team to effectively understand trends and patterns pertaining to racial disproportionality in the areas of recruitment, retention, discipline and complaints.
- 11.8** Furthermore, despite sustained efforts, we have been unable to locate copies of advertisements and job descriptions for the following posts: CEO, Director of Change, Chair of Trustees (2015). In addition, despite sustained efforts of the Trust, we have been unable to locate finalised copies of the Westway 2030 Strategy.¹²¹

Secure Portal

- 11.9** To ensure confidence in the security of the Review process and thereby maximise participation, the Review Team used a secure IT portal. Information gathered as part of the Review was organised into folders and uploaded to an area of the portal which was only accessible by the Head of the Review, Secretary and Independent Advisors to the Review. The portal was designed, maintained and developed by Pixel Fish (who are also responsible for The Tutu Foundation (UK) website). Pixel Fish also provided ongoing IT support for the Review Team.
- 11.10** The portal enabled members of the public to book their interviews via an electronic calendar, upload their written submissions and find out about key stages of the Review. It was also an opportunity for the public to read all minutes of meetings of the CAG; in this way the portal served to support transparency in the Review process.

Freepost Address

- 11.11** The Review Team, conscious that not all prospective participants would be able or comfortable with sending information via a secure portal, also established a Freepost address, which enabled members of the public to send through written submissions and supplementary evidence.

¹²¹Westway 2030 Strategy set out the aspirations of the land managed by the Trust.



Methods of Public Participation in the Review

Interviews and Written Submissions

11.12 Members of the public who expressed an interest in participating in the Review were provided with a number of options. They could either request an interview (face to face or telephone) or they could send through their written submission to the public call for evidence. This required participants to answer a series of questions underpinned by the scope of the Review; 12 written submissions were received. Participants who requested an interview were required to complete an interview consent form and a diversity monitoring form prior to their participation.

Interview Locations

11.13 Review participants were able to select where they were most comfortable to be interviewed - these venues were suggested and agreed by the CAG. Due to the cold weather, one of the venues (Bay 56) was deemed to be unsuitable and an alternative venue was found. The venues were as follows:

- The Tabernacle.
- The Venture Centre.
- Kensington and Chelsea Social Council offices.
- The Migrants Organise offices.
- Trust offices.

11.14 An additional venue in Central London was used to interview those who specifically requested a location outside North Kensington and/or if they were a current/former member of staff. This venue was also used for an individual with a disability who requested parking.

Counselling

11.15 At its first meeting, CAG members requested that Review interviewees, in order to support their well-being, be offered counselling in the event that they displayed symptoms associated with stress and anxiety as identified by the Secretary and Head of the Review. This resulted in 11 people being referred to counselling.

Review Participants

11.16 Despite initial low numbers of community participants for the interview and submissions stage of the Review, a period of community engagement in January 2019 at the direction of the CAG, led to a significant increase in community participation.

11.17 **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.

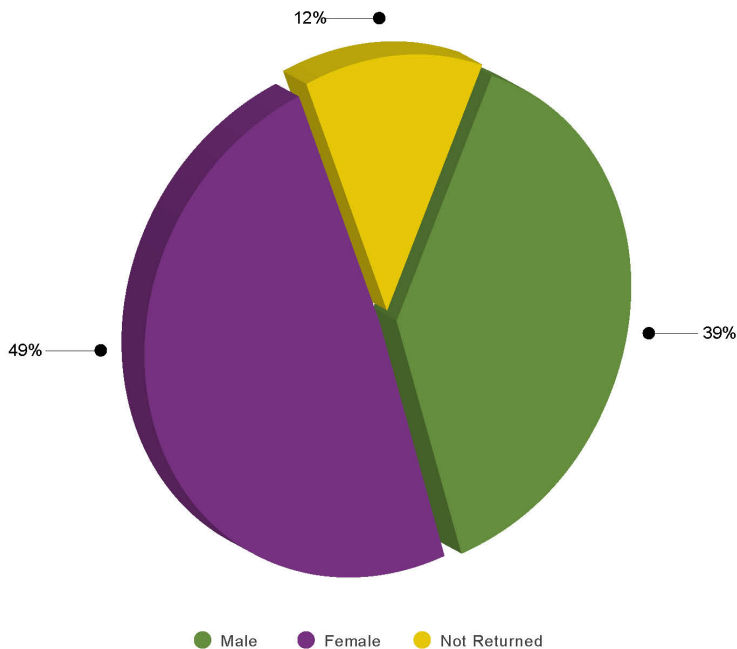


Please note that the breakdown of the numbers in terms of age and gender did not add up to 94. This is because some participants either declined to provide these personal characteristics in their forms or did not return their forms to the Review Team. The breakdown of participants is as follows:

- 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).

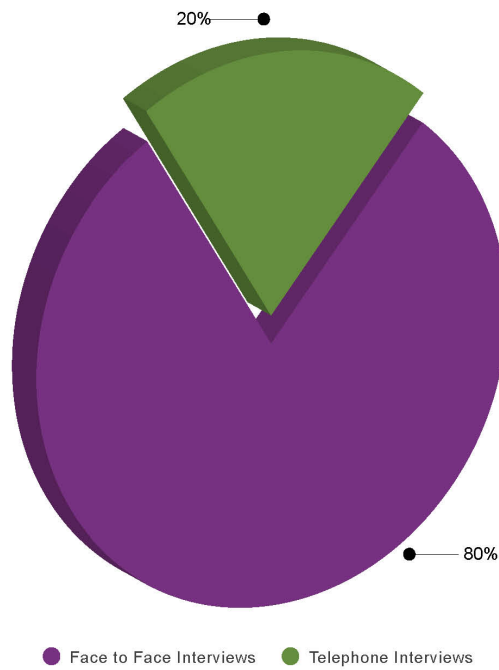
11.18 The Review Team approached three key ex-members of the Trust to participate in the Review but they all declined. In addition, a former member of staff of the Trust was approached, however, they did not respond to our request.

Participants by Gender

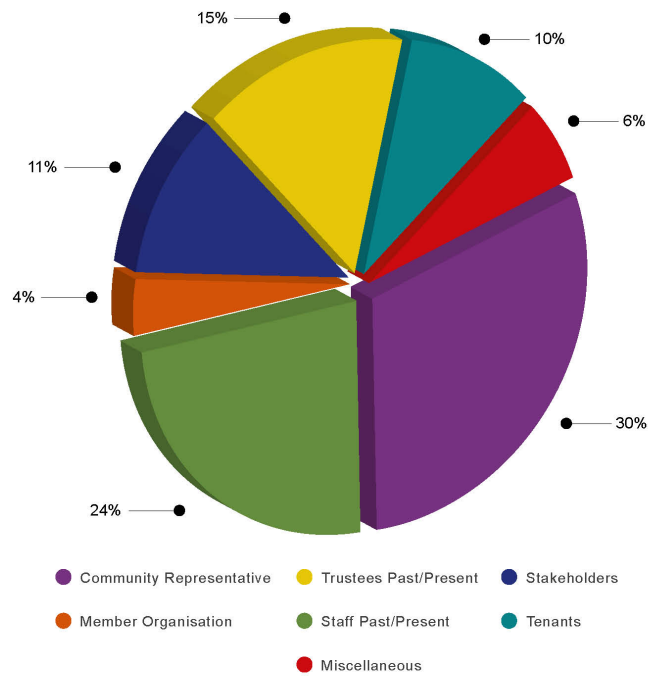




Review Participants by Interview Method

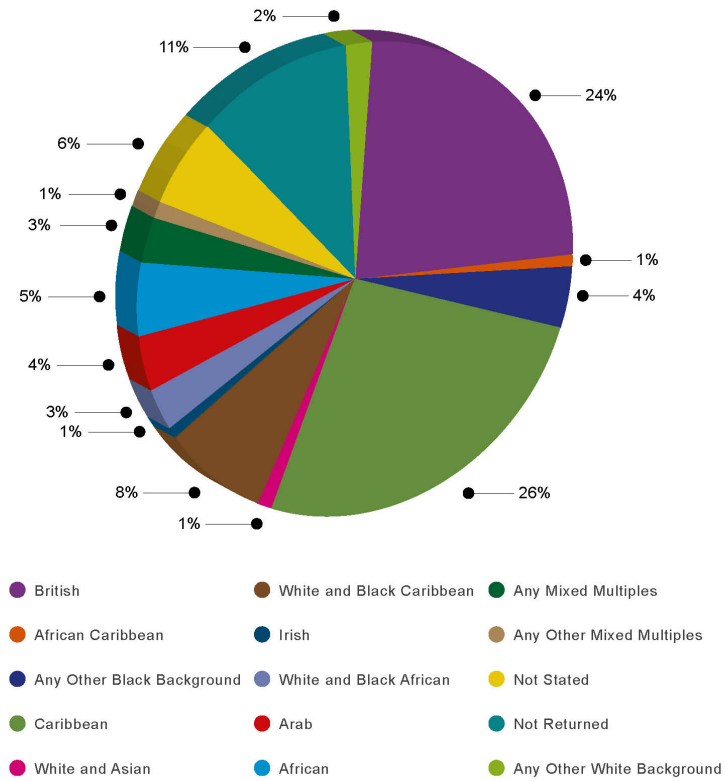


Review Participants by Sector

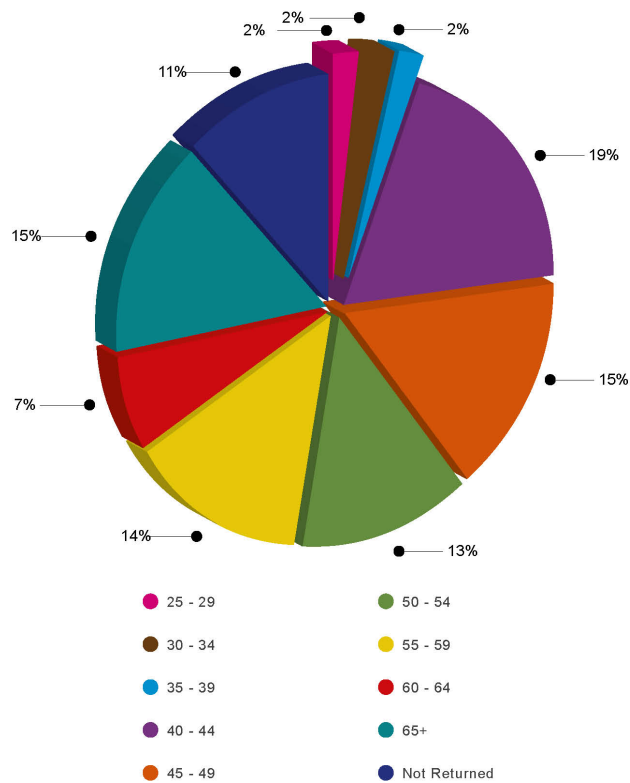




Participants by Ethnic Background



Participants by Age





Review Launch

- 11.19** The CAG had responsibility for the Review launch and an initial date of 29 October 2018 at 19:00 was scheduled. However, on the evening of 18 October 2018, the Head of the Review was informed by the Co-chair of the CAG that RBKC and Public Health England had organised a public meeting, also on 29 October 2018, to discuss the issue of soil contamination after the Grenfell fire and that they would be attending the meeting on behalf of Grenfell United. After discussion with the former Chair and the Strategic Director of the Review, it was agreed that the Review launch be postponed and for a new date to be agreed.
- 11.20** On 7 November 2018 at 19:00 the Review was launched at The Village, Bay 56 Acklam Village, North Kensington. Over 100 people attended the public launch. This was the first occasion on which the Trust had a public discussion with the community about historical concerns of institutional racism. This provided a degree of honesty and openness in the community, as well as interaction with the Trust. Whilst this was challenging it placed the Review in a strong position from the outset.

Notification of the Review to the Charities Commission

- 11.21** As part of its legal obligations, on 8 January 2019, the Chief Executive and Company Secretary of the Trust formally notified the Charities Commission that it had commissioned an independent investigation into claims of institutional racism.

12. Part 6

Findings

Areas where institutional racism has manifested in the Trust

- 12.1** This section of the report outlines the areas where institutional racism exists within the Trust. We present indicative examples of direct, indirect and institutional racism from the wide range of sources we have reviewed, including letters and emails provided by members of staff, and their legal representatives, Trust minutes, official Trust documents, interview transcripts and written submissions to the Review. It is impractical to report the full detail of all of our findings in this report – we have, instead, strived to give a representative view. As far as we have been able, we present the information in chronological order to facilitate an understanding of the timeline during which direct, indirect and institutional racism has featured in order to illustrate its cumulative nature.
- 12.2** To ease understanding, the findings have also been presented thematically, using the key elements in the Macpherson definition of institutional racism to categorise the Trust's actions. These elements include:
- Failure to provide appropriate and professional service to people because of their colour, culture, or ethnic origin.
 - Processes, attitudes and behaviour, which amount to discrimination.
 - Unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.



The themes of this section of the report are as follows and the number of examples of each is given in brackets:

- Employment and representation – Staff (7) and Trustees (3).
- Service delivery to the community (3).
- Allocation of land and use of space (5).
- Engagement with and perceptions of the Community by the Trust (3).

12.3 As already mentioned, we have verified with the Trust that there are no documents relating to equality and diversity policies prior to 2010. We reviewed the equality and diversity policies from 2010-2017 but the contents of the policies prior to 2017 were not sufficient for a meaningful analysis to be made.

Employment and Representation – Staff and Trustees Staff

13. Processes, attitudes and behaviour which amount to discrimination:

Example 1

13.1 On 12 February 2015, Person A¹²² (a BAME female) was suspended from her role at the Trust on full pay for the following reason:

On [] you attended a meeting in the [...] with [...] on [..], when you said that ‘anyone of colour is not given an opportunity to progress in this organisation’. In the meeting on [..], [..] asked if you have spoken to other Westway Trust staff regarding ethnicity and job opportunities in the Trust and you accepted speaking to your own line manager regarding this. You denied speaking to anyone else in the Westway Trust regarding ethnicity and job opportunities within the Trust. We have received a report that you spoke to a [...] and asked [...] questions about ethnicity and working for the Westway Trust, which made [...] feel very uncomfortable. This amounts to potential gross misconduct due to the serious nature of the unacceptable behaviour. The allegations against you are:

1. Serious inappropriate behaviour in spreading unsubstantiated allegations against Westway Trust.
2. Serious breach and breakdown of trust and confidence.¹²³

13.2 On 26 February 2015, the legal representative for Person A wrote to the representative of the Trust outlining the following:

As you are aware on 29 August 2014 [-] - raised a written grievance of race discrimination [-] Your letter of 12 February that [-] discussion with a mixed race colleague about their experience of race discrimination amounted to gross misconduct for which [-] could be dismissed. You have also complained that [-] raised the issue of discrimination with her line manager, and although you make clear your disapproval of this it is unclear whether you are treating this as gross misconduct. In any event I have advised [...] that the law protects such conversations. [-] current suspension and the threat of disciplinary action amounts to detriment for carrying out a protected act under s27 Equality Act 2010. I would particularly refer you to s27(2) (c) and s27(2) (d) EA2010. This gives rise to a claim of discrimination by way of victimisation under the Act. I would be grateful if you were to confirm without delay that you will now reinstate [-] and deal with [-] concern that she has suffered discrimination [-] Attempting to silence an employee who raises reasonable and genuinely held concerns that they have been racially discriminated against is not only unlawful, but is no doubt not how the Trust, as an important local charity, would wish to be publicly perceived.¹²⁴

¹²²Bundle No. 14. ¹²³Extract from a letter sent to Person A. ¹²⁴Bundle No. 4.



Unwitting prejudice, ignorance and thoughtlessness:

- 13.3** On 24 March 2015, the Trust wrote to Person A, stating the following:

Despite your solicitor suggesting that your email to [...], dated 29 August 2014, concerned a race complaint, I can find no mention of race within it, so I don't accept that there is a Protected Act in relation to this specific complaint.¹²⁵

- 13.4** During the period of the complaint, the chair of the organisation representing **Person A** (the organisation was itself a tenant of the Trust) was approached by a Trust senior leader - what happened was described during the course of an interview by a representative of the organisation:

Well I understand that [...] attempted to stop the complaints and stop acting, stop assisting the employee [...] I don't know what grounds [...] put forward, but it certainly wasn't on legal grounds and my understanding was [...] didn't want it to be going on and [...] thought [...] could pressurise or push us to stop raising the issue [...] the suggestion was that we shouldn't be pursuing or helping one of their employees enforce their right not to be discriminated against [...]. I'm not sure how this came about but [...] heard that I was a member of the gym and somehow managed to include that in [...] request that we stop assisting [...] employee and tied the two together - that I was using their facilities seemed to be an argument that we shouldn't be using their facilities we shouldn't be involved in pushing the case while assisting the employee [...] our CEO was very surprised by this approach as well, I mean the way he described it felt he was being put under pressure to drop our involvement.¹²⁶

- 13.5** In mid-March 2015, two former Trustees, aware of the issues set out in example 1 above, drafted a Concerns document¹²⁷ which set out the concerns of several BAME staff and others who worked at the Trust. In this document, which was circulated to the former acting chair of the Trust, they highlighted the following:

Failure to provide appropriate and professional service:

The [...] has advised more than one employee on their employment rights. [...] reminded the CEO there that they were renting Westway premises (at commercial rates) and asked [...] if [...] thought it was appropriate for the [...] to represent Westway staff against the organisation. The [...] explained the [...] remit.

- 13.6** This example of the treatment of a former BAME female illustrates a lack of understanding of employment (and particularly) discrimination law and an apparent failure to follow Trust procedures (such as those relating to grievance and diversity), which demonstrates a concerning approach to dealing with this personnel issue. Furthermore, certain members of the Trust leadership did not adequately deal with issues raised by certain Trustees as outlined in the Concerns document.¹²⁸

Example 2

- 13.7** A former employee¹²⁹ recounted their experience of working at the Trust during the period 1982 – 2000:

¹²⁵Ibid. ¹²⁶Interviewee ST83. ¹²⁷Annex 2. ¹²⁸Bundle 11. See Annex 3 for the Concerns Document. ¹²⁹Interviewee 61T.



Processes, attitudes and behaviour which amount to discrimination:

There was a Black [] worker, she had been there for about 3 or 4 years. X [another Trust employee] had been coming on to her, X had a long history of doing this. By the way, nobody in the management ever checked X. Eventually X told the senior [...] to find charges to put against her, to bring her to a disciplinary. I had it adjourned and eventually she was so stressed. She got signed off by doctors for stress and she just never came back to work.

Example 3

13.8 A former Trustee¹³⁰ recounted their experiences of the Trust during the period 1988 -1997:

The difference between now and then, the Trust didn't employ Black people and the one or two Black persons that they did employ in the latter days of X didn't last very long.

Example 4

13.9 The culture of the Trust, pertaining to the employment of staff, in particular Black staff, during the period 1982-2000 was described by a former member of staff:¹³¹

They were misusing the disciplinary procedures and other procedures to run the Trust the way they wanted to run it, and to weed people they didn't like, so anybody like me, any of these Black trouble makers, and they weren't ever of senior rank of course, because you couldn't be trusted, they were always in junior positions like finance workers.

Example 5

13.10 Furthermore, during the interview process it became apparent that there is a perception born of experience of two distinct environments / cultures within the Trust, which the Review Team has termed "*Upstairs / Downstairs*".

13.11 In terms of physicality, downstairs is where the learning team operates, which is a predominantly BAME and female environment. This environment is welcoming to visitors and a number of interviewees highlighted that the learning team is widely respected and valued, that value being based on their understanding of the community, as they are drawn from it. The learning team were most actively and practically involved in the aftermath of the Grenfell fire.

13.12 Upstairs, is where Finance, HR, Communications, Marketing and Property are based. During the interviews, it was reported that there is a level of 'fear' for staff to go upstairs. This could be as a result of historical management styles. The interviews highlighted significant disquiet that some members of the learning team (mostly BAME women) are on zero hours contracts and it was suggested by certain interviewees that zero hours contracts are given to BAME women as the Trust does not value them or their role. Furthermore, those interviewees remarked that they cannot understand why, given the nature of the organisation, it is using zero hours contracts.

¹³⁰Interviewee 9C. ¹³¹Interviewee 61T.



Unwitting prejudice, thoughtlessness and racist stereotyping:

Example 6

- 13.13** A former Black female member of staff¹³² described the treatment of a co-worker (also a Black female) by a senior leader and how, in her opinion, leaders encouraged others to undertake acts of ‘mobbing’¹³³ defined here as group victimisation of a single target:

X would publicly and regularly belittle Y’s work and dismiss Y’s work. Z was encouraged to treat Y very badly. Z was being encouraged to manage Y out. Z was also being bullied and harassed by Y. She was treated very badly by X and her mental health really suffered.

Example 7

- 13.14** In mid-August 2015, two female white members of Trust staff resigned and, notwithstanding that they were not asked to attend an exit interview, they submitted resignation statements which were in the possession of the Trust at the same time as the Concerns Document referred to above. The statement below describes the experiences:

There have been other examples of such overly critical and intimidating behaviour that I have experienced, sometimes in writing. I believe there are other examples of this across the Business after talking to other senior colleagues. I find it unacceptable that X is allowed to behave in this way, continually over a prolonged period of time. When I raised this issue in my annual review with Y I was told we need an ‘agitator’ and it’s helpful to have a ‘bad cop’.¹³⁴

- 13.15** Understanding the reasons for staff resignations is an important feature of an effective organisation. The failure of the Trust to undertake exit interviews at the time of a formal complaint highlights some structural, management issues.

Example 8

- 13.16** A Black female¹³⁵ employed at the Trust during the period 2014-2016 registered a formal grievance in 2016, referring to:

A culture of fear, bullying harassment, undermining favouritism, disproportionate levels of scrutiny, reputational damage and institutionalised racism that I have experienced and/or been aware of since March 2014 until the present time.

- 13.17** Her grievance refers to a ‘policy for the appointment of consultants’ (which was apparently not written down and not widely known), which did not reflect the Trust’s own procedures on such appointments. It was pointed out by the employee that the approach used at various times, reflected some elements of discriminatory practices that worked against consultants from diverse backgrounds. Whilst her grievance

¹³²Interviewee 44S. ¹³³Leyman, 1996. ¹³⁴Bundle 10. ¹³⁵Interviewee 54S.



and appeal were not upheld, a settlement was reached and she was bound by a non-disclosure agreement (NDA) dated 31 May 2016, which was provided to the Review Team. They were:

accused of not following Trust policy when there was no policy to follow/blocking the contract of a well-respected appointment.¹³⁶

Interviewee 36S further explained:

So Z had sent me an email saying this bloke is really good can you use him for the [...] he was nice and he was good. On that day I was with him and T came down and said Y couldn't start, Y wasn't allowed to start, the paperwork hadn't been done. I was with this white man and I hadn't got him down as a consultant either, as Z had emailed me and said to me use him. But I hadn't registered him in this supposed form. So that was an example where T trying to get own way by having some sort of form and saying that they hadn't filled it in properly.¹³⁷

Unwitting prejudice, thoughtlessness and racist stereotyping:

Example 9

- 13.18** Two former members of staff submitted a whistleblowing complaint in 2017 and provided the Review with written submissions. All papers regarding the whistleblowing complaint, along with the papers produced by the investigation commissioned by the Trust which stated that the investigation was not to be an 'independent investigation with a wide-ranging remit',¹³⁸ were reviewed. Extracts from the written submission of one of the whistleblowers and extracts from the Trust and its advisors are set out below:

I had been caricatured as an 'internal activist' having been accused of 'going native' and sounding like 'one of them' by certain members of the executive team. This came to a head in my recent annual appraisal (10 May 2017) when X told me I was '*dangerously close to the community*' and needed to establish '*professional distance*'. I had witnessed unchecked discrimination and bias against parts of the local community that I considered unacceptable.¹³⁹

- 13.19** As set out above, the Trust operates in a diverse community of North Kensington and its core functions are related to supporting and working with the community. In the context of a whistleblowing report referring to discrimination, the comments demonstrate a lack of understanding that the community was an integral part of the Trust. Further, the term 'professional distance' was interpreted by the complainant as a euphemism for not listening to, and acting on, the needs of the community.

Processes, attitudes and behaviour which amount to discrimination:

On the basis of our Review of the report, we do not believe that the investigation of these assertions has revealed any matters of concern for the Board.¹⁴⁰

Further to our telephone conversation on Saturday, I now attach a draft response to X and also to Y. I would suggest that you put as little as possible in writing to X as you should remember that everything that is written to the investigator will be disclosable should there ever be litigation. It would be much better if you spoke to

¹³⁶Bundle 1. ¹³⁷Interviewee 36S. ¹³⁸Bundle 3. ¹³⁹Submission 4. ¹⁴⁰Westway Trust, 25/10/2017. Trustees Panel Report on Possible Whistleblowing disclosures.



Y on the telephone about this and agree the way forward. I would also advise that as little as possible is written to the complainants, X and Y. They have no right to see the outcome of the investigation undertaken by the Trustees, although you can tell them the outcome if that is what the Trustees want. You should however remember that again everything that is written to them is disclosable and [...] is obviously trying to put in writing allegations which make this wider and more serious.¹⁴¹

- 13.20** The whistleblowing complaints were not isolated incidents – at the time they were made to the Trust, the Board was aware of (i) the Concerns report drafted by two former Trustees in 2015; (ii) the resignations of two members of staff with accompanying resignation statements claiming bullying; (iii) a settlement agreement which had been entered into following a grievance of racial discrimination; and (v) historic claims of institutional racism which had been made in 1987,¹⁴² 2015,¹⁴³ 2016¹⁴⁴ and 2017.¹⁴⁵ It was gathered from the minutes and documents reviewed that no further action was taken following the reported incidents.

Trustees

Attitudes and behaviour which amounts to discrimination; unwitting prejudice and racist stereotyping:

- 13.21** Reports of the treatment of Trustees are outlined below, as far as possible this has been organised chronologically:

Often being ignored and belittled in meetings, Y would roll her eyes and be like here we go again and I just felt that there was a real disrespect.¹⁴⁶

We were at an away day X had organised in central London somewhere to talk about the Trust development plans. Y comes and sits next to me and just kind of like every time I talk about involvement of local groups or participation of local children, Y would just glare at me.¹⁴⁷

I found Y rude and insulting towards me whilst serving as the only Black Trustee at Westway at the time.¹⁴⁸ She [white, female trustee] was treated like a dog, she was openly abused in the Board by X. They would call her all types of names in the Board. Eventually we withdrew our membership¹⁴⁹ and we said we're boycotting this organisation which we did until about 2012.¹⁵⁰

- 13.22** Female staff who were interviewed, including Black former Trustees, were of the opinion that there was a culture consisting of systematic discriminatory practices and micro aggressions. As indicated, this was not limited to race, as a white female Trustee representing a political party withdrew her membership.

Unwitting prejudice, ignorance, thoughtlessness and racist stereotyping:

- 13.23** Former and current Trustees described their experience of the recruitment of Trustees:

The NGC [Nominations and Governance Committee] then recruited the first round of 'Independent Trustees' and I was surprised, given that we had identified the lack of diversity on the Board as a risk, that not one was from a background other than white and professional. I asked X if there weren't any Black applicants

¹⁴¹Bundle 3. ¹⁴²North Kensington Amenity Trust (1987). Annual Report p. 5. ¹⁴³Westway Trust, AGM Minutes 2015, pp. 2-3. ¹⁴⁴Westway Trust, AGM Minutes 2016, p. 3. ¹⁴⁵Westway Trust, AGM minutes 2017, p. 3. ¹⁴⁶Interviewee 62C. ¹⁴⁷Interviewee 62C. ¹⁴⁸Submission 4. ¹⁴⁹On 16th October 1996, the Labour Group directed all of its council nominees to resign from the Board of Trustees of NKAT. This was following the decision of NKAT failing to 'give due and proper regard to the recognised trade union of its intention to de-recognise it, thereby denying the union the opportunity to make representations'. RBKC Council meeting, Wednesday 16 October, 1996. (Supplementary to main agenda despatch by reason of receipt of necessary information too late for inclusion in Agenda). ¹⁵⁰Interviewee 61T.



and X said that there were but that they 'weren't ready' and she was going to talk to [...] about mentoring Black applicants. I found this shocking and I began to worry that this was not an unguarded and thoughtless comment but indicative of X's beliefs.¹⁵¹

In 2014 they put out an advert for Trustees and I read the advert and I rang X and I said, 'this discriminates against local people', because what you are asking for the requirement was ridiculous. They were asking for certain levels of skills, I am not saying that those skills don't exist, but I am saying that in order to appeal to the community you have to be able to relate at that level to the community and I felt that it was done deliberately to exclude. I rang X and said that to her. She said, 'well, that's your opinion, but we need these people with these skills to come onto the Board'. I said, 'yes, but reading it feels like it's a certain type of Trustee that you want on the Board and certainly I wouldn't want to apply for it'. X didn't care, X said that's what X wanted and what X was going with.¹⁵²

I met with someone who is my equivalent in Westminster, she told me that X [senior Trust leader] said to her, 'do you have any Black Trustees on your Board' my colleague had said 'yes'. X said to her 'I am really struggling to find Black Trustees who could, I can't remember the exact wording but certainly had given the impression that there are no Black people clever enough to be Trustees.'¹⁵³

13.24 These experiences demonstrate that there was no positive and proactive approach to having local representation on the Trustee Board. From the interviews, this is reflective of the recruitment processes and policies within the Trust.

13.25 It is noted that, during the period 2013-2017, three Black female Trustees resigned, two of them citing racism as a reason for their resignation, as set out below:

They didn't understand the needs of the community, and I don't think that they understood the inherent long term issues that had taken place with the Trust over those years and because they didn't understand it, they failed to acknowledge it, because they failed to acknowledge it the issues became worse.¹⁵⁴

I wanted to stand up for the staff who talk of a culture of discrimination, incompetence and bullying. I wanted to expose the executives' constant subtle denigration of local people, particularly Black men. I also genuinely wanted them to appreciate the tremendous social value of their assets and argue for proper consultation and co-design without all the expensive and unnecessary spin and consultants. Instead I found myself [...] being patronised, ignored and sidelined.¹⁵⁵

In recent diversity training workshops, I was massively outnumbered and expected to make pronouncements on behalf of all Black people and although I appeared ok, did not feel compelled to speaking freely. Another example of this is an atmosphere where literally every white person looks at the BME person whenever the word race or 'BME' is mentioned; demonstrating to me that it is a still a very nervous issue. The culture is one that silences criticism, because it requires vulnerable people to discuss that vulnerability in a hostile atmosphere. I have also found other Trustees to be openly hostile to my use of the word 'community', insisting that we see residents as a number of communities to which I am pointedly told that I do not belong.¹⁵⁶

13.26 These reported experiences of former female Black Trustees highlight their frustration at trying to bring change relating to diversity, inclusion and community within the Trust. Individuals interviewed in connection with the Review felt that the Trust at some point lost sight of why it was created and the role played by the community.

¹⁵¹Submission 3. ¹⁵²Interviewee 3C. ¹⁵³Interviewee 3C. ¹⁵⁴Interviewee 53T. ¹⁵⁵Bundle 2. ¹⁵⁶Bundle 8.



14. Service Delivery

Failure to provide appropriate and professional service/ignorance, thoughtlessness and racist stereotyping:

- 14.1** A number of concerns were raised about (i) a project previously managed by the Trust and (ii) a function overseen by the Trust. A written submission¹⁵⁷ from a BAME female former employee regarding a project managed by the Trust which has ceased operating was received. As a result of its contents, the former employee¹⁵⁸ was interviewed and all documents relating to the project and project manager were requested, which was compiled within a timely and robust manner by the Trust. The project in question was established to provide young people with small grants to develop creative projects. Relevant elements of the submission are presented and organised below according to the Macpherson definition.

Failure to provide appropriate and professional service/ignorance, thoughtlessness and racist stereotyping:

Young people who were most eligible and should have been supported the most – were often deemed incapable of completing the project. These were mostly young people of colour.

It was made clear that if I didn't/couldn't work with them, then they would be allowed to drop off the programme.

One white person produced a project about refugees and telling their stories via creativity. I complained that I thought the project was reckless based on the fact that the young person had no real knowledge of the subject matter, which was very delicate. My line manager approved the project. Later on, it transpired that the refugee young people that took part in the project (who actually were from the tri borough area) felt exploited. Two of them in particular raised this and felt upset at their treatment by the leader of the project. My line manager dismissed my concerns and did nothing to rectify the harm of those young people, who were looked after children and had been in the country for 6 months or less. She exposed those young people to harm and exploitation. After the fact she continued to defend and advertise the white young person's project despite its failure and damage.

The majority of young people selected were not from the North Kensington area, the majority were tri borough, but there were many young people from areas of East London, some even as far as Kent, who were being awarded grants despite our selection criteria.

My line manager often raised her voice, patronised and bullied young people. At one point, my line manager exclaimed: 'I can't work with people like that' referring to a young autistic Black boy from the area. She would often make an example of young people like him. Many of the young people of colour we worked with experienced mental health issues and autism. They were often treated as incompetent.

Very often the same leniency and generosity was not extended to young Black people.

A young person submitted an application for a grant they had submitted a script idea about knife crime, which had involved the use of the N word. The project was already listed in the rejected application database.

¹⁵⁷Submission 5. ¹⁵⁸Interviewee 47S.



I inquired why it had been rejected. She said it was a ridiculous project and read the script out loud in the office. She started gesticulating (impersonating a young Black male) and reading the script, quite loudly repeating the N word.

Most often Black children and young people who were sometimes referred derogatorily as one group as the X and X i.e. the 'difficult', 'uncooperative' young people who were also Black.

14.2 The example indicates that in the handling of the project, there was no adequate attention given to diversity, equality and inclusion. The provision of support, development of skills and career development of BAME young people do not appear to have been prioritised.

14.3 A number of interviewees identified that given the Grenfell fire, the Trust, 'should and can, do so much more'¹⁵⁹.

One interviewee stated that they felt that:

The Trust had gone back to business as usual in the worst of tragedies nationally that people have ever seen [...] You often have to remind them that Grenfell happened. Why would you need to remind them that Grenfell happened? For me, if you say that you know and I'm going back to the strategy, the strategy says working with the community to help them thrive, and, you know. I don't know where that came from because it's not what they do.¹⁶⁰

Processes, attitudes and behaviour which amount to discrimination:

Example 11

14.4 Within the Trust's remit is the oversight of the Portobello Market. A number of participants highlighted long-standing concerns about the operational relationship of the market with regards to the African Caribbean community.

It was common knowledge that if you could let a stall to somebody who wasn't Black you should do it. '*We can't have them taking over the market*', it's the same ethos. I remember at the time that there were no Black people on the stalls, it was all leased to White people. They all knew who X was, they knew what X's ethos was.¹⁶¹

I talked to X years ago, said the Caribbean community had had their chance and that was the exact quote. I then spoke to X and X said they have had their chance and it's a multi-generational community.¹⁶² He was previously asked to clear the Blacks out of the market, we shouldn't let the Blacks think they have any control.¹⁶³

14.5 The examples above show the experiences amongst the African Caribbean community regarding the allocation of stalls and illustrate the tension that existed between the African Caribbean community and the Trust.

¹⁵⁹Interviewee 49S. ¹⁶⁰Interviewee 38S. ¹⁶¹Interviewee 61T - Period 1988-2000. ¹⁶²Interviewee 92MO - Period 1988-2005. ¹⁶³Minutes 05/04/2017:3 - referring to the period 1997-2005.



15. Allocation of Land and Use of Space

- 15.1** During the period 1971-1979, a number of local organisations approached the Trust for space and a number of spaces were leased to the African Caribbean community for the purposes of community and cultural development, skills and training. This was a time when *‘through traditional cultural and welfare associations and groups, that Black self organization and self reliance grew, unifying the respective communities’*.¹⁶⁴ Some of these organisations are noteworthy: the **Unity Association, Carnival Industrial Project, CAC Workshop Project and Teamwork Training Trust**.
- 15.2** **The Carnival Industrial Project** was established as the Caribbean community recognised that ‘trades and crafts relating to the Carnival should be taught on an organised basis’. The focus of the organisation was to teach skills in costume design and making, steel-band making and tuning, leather craft, silkscreen printing and steel-band playing. The organisation was allocated **Bay 20** next to St Marks Road.¹⁶⁵
- 15.3** **The CAC Workshop Project and Teamwork Training Trust** were two registered charities which later combined. Their objectives were to provide pre-skill training for up to 65 under 19-year old school leavers in North Kensington. The project was needs-led and the target group were mainly West Indian, however, the project also catered for older people. The philosophy of the organisation was underpinned by the principle that ‘young people will learn better when real work is being done’.¹⁶⁶ The project co-ordinator was **Rothwell (Rodney) Kentish**.
- 15.4** The projects operated under the Government Youth Opportunities Programme and provided up to 12 months of industrial training in electronics, woodwork and motor trades, which operated in Bay 24 (built by the Trainees, who were African Caribbean) and in machine work and motor trades, which operated in **Bays 27/28**.¹⁶⁷
- 15.5** The Unity Association was based in **Bay 45**, next to the Trust’s community and charity offices. It was a self-help organisation established out of the frustrations of Black people in general and the youth in particular.¹⁶⁸ The organisation also had premises at 90/91 Lancaster Road in which it housed 18 young people and provided education and support to those in the community who required support. Its premises on **Bay 45** concentrated on the provision of a food co-operative to support men and women on low income, a bookshop, the provision of education and a workshop, which focused on the development of West Indian handicrafts, woodwork and the refurbishment of furniture. Unity was led by **Rhodan Gordon**.
- 15.6** The Ebony Steel Band, which was based at the **Acklam site** during the period 1978- 2002, was acknowledged as Europe’s largest and most successful carnival band. The Ebony Band pre-carnival activities were based at **Westway Sports** during the period 2002-2006. The Carnival office operated from **7 Thorpe Close** during the period 1980-1985.¹⁶⁹
- 15.7** These spaces, which have historically supported activities from the African Caribbean community, have disappeared and not been reallocated, except for during the course of this Review when in early 2019, the **Ebony Steel Band was provided with rent-free premises**.
- 15.8** The period 1971-1976 was a time when the Trust actively encouraged the African Caribbean community to open businesses under the Westway:

There were a number of businesses that were Black, Unity Association, we had also the Steel Band, we also had a Black hairdressers, there was about six or seven pivotal black businesses at that time under

¹⁶⁴Sivanandan, A. (1981). From resistance to rebellion; Asian and Afro Caribbean struggles in Britain, 1981:114. ¹⁶⁵North Kensington Amenity Trust, Annual Report 1979:14. ¹⁶⁶North Kensington Amenity Trust, Annual Report 1979:19. ¹⁶⁷Ibid. ¹⁶⁸Ibid. ¹⁶⁹Colville Community History Project Issue, 10 February 2015, p. 4.



the Westway. So in a sense that original ethos to support the local businesses started in that direction. It went from the encouragement of these local businesses, taking on board the leases, (we built a lot of the businesses there they were the first to build on the premises) [...] changed from the Charitable element they all started off on and once you got into the commercial aspect in the 1980s, it just changed. The atmosphere and everything else changed. So 1970 -1976 was a very inclusive community ethos about bringing up the area.¹⁷⁰

15.9 As stated earlier, it has been difficult to fully understand the reasons for the demise of the use of space under the Westway by the African Caribbean community. However, we have developed a better understanding of what happened which has been verified by some of those who worked at the Trust during the time.

Failure to provide appropriate and professional service/processes, attitudes and behaviour which amount to discrimination:

And then came in X. X was systematic and pivotal, I don't think that anyone has ever looked at X's record in terms of getting rid of every Black business. Shut down. X achieved that, and X was ruthless with it, absolutely ruthless. X was very good at doing his homework and finding loopholes, or finding areas that the Amenity Trust could use. There was no misunderstanding what X's objective was, which was to have the right types of businesses that X wanted under the Westway.¹⁷¹

Anything that had to do with Black organisations was either destroyed or folded up or X made sure that it didn't happen and most organisations including my own.¹⁷²

What X wanted, X said would happen. I was a member of the Trust board for over 5 years and I know that we never won the community group argument in that 5 years, because it was always out voted by the X, which was the council appointees on the Trust not Labour, there was only one Labour representative whereas there were some 6 or 7 Conservative representatives. X hardly provided services for the community. X was more involved and more interested in building all the businesses in the Westway. X was more community focused, was destroying the community, getting rid of the people who had community or leased buildings. The Conservative Board always went on X's side, in fact if there was a meeting and X wasn't at the meeting, decisions wasn't made until X returned. The Trust didn't listen, they looked at the economics of the way X presented it and as far as they were concerned, they were looking at what monies the Trust could make on any space under the Westway.¹⁷³

Before X went X decided to settle some scores and one of the scores X wanted to settle was with Y. He moved heaven and earth to get the Acklam playcentre and Y's store demolished. X did that, X made it X's mission in life to do that, destroy the mass store space for Y. For years before that, along with all the other organisations, X had a long dispute with Y about the storage of floats down where the community transport. X decided that they could not be there, X made spurious arguments about people going in there and getting injured on the floats, but of course there were loads of stalls there as well.¹⁷⁴

As you got into the 1980s because of the friction on All Saints Road and the Black people not really getting the support from RBKC in terms of their businesses, then they turned to the Westway. So if you couldn't get rent units in the High Street then you would go to the Westway. But RBKC and the Amenity Trust were very tight together. The same people sit on the same committees. I noticed in the early 80s people that had friends on those committees would shape and help influence the shape of the businesses that they wanted to have under the Westway.¹⁷⁵

¹⁷⁰Interviewee 14C. ¹⁷¹Interviewee 14C. ¹⁷²Interviewee 9C. ¹⁷³Interviewee 59C. ¹⁷⁴Interviewee 61T. ¹⁷⁵Interviewee 14C.



15.10 The examples provided highlight how the African Caribbean community felt the allocation of space by the Trust lacked support and inclusivity. The approach, as indicated in the interviews, was geared towards economic models, which emphasised business above community. Notwithstanding their economic concerns, members of the African Caribbean community who were interviewed also pointed out that their experiences were discriminatory.

15.11 On 3 February 1982, two motions for debate were moved by RBKC councillors regarding the Trust and its approach to the allocation of land and use of space. The first motion by Councillor Towers and seconded by Councillor Smyth RBKC regarding the Trust, was as follows:

Condemn the NKAT for its failure to fulfil its objectives – the development of 23 acres of land donated by the GLC for community purposes. In the 11 years since its establishment the Trust has provided very few facilities for the benefit of the community and none at all in Golborne Ward, the most severely deprived area of North Kensington. Accordingly the council resolves to require a thorough reform of the Trust's development programme to community benefit rather than commercial interests.¹⁷⁶

15.12 The second, motion was moved by Councillor Bousquet and seconded by Councillor Judith Blakeman:

That this council deplores the decision of the North Kensington Amenity Trust to lease two community bays to the Bush Theatre, which is not a local community enterprise, instead of granting the said lease to the Omnibus Theatre/Youth Group, which is a local community organisation, and whose application to lease at least one of the bays has had unanimous public support at public meetings called by the North Kensington Amenity Trust to discuss community use of the said bays and also the support of the Borough Community Relations Committee.

15.13 As outlined earlier, the establishment of the Carnival was a response to the 1958 race riots and the state of race relations in the UK at the time. The first Director of the Trust, Anthony Perry, supported the development of the Carnival. In 1973, when the Carnival was undergoing challenges, Perry organised a public meeting and supported Leslie Palmer, a local community activist, with an office and telephone: his actions enabled Palmer to transform the Carnival and led to the introduction of sound systems.

15.14 It was reported that during the 1980s-1990s, there were growing concerns from some about the Trust's attitude towards the Carnival and those who played central functions in it, as set out below:

[..] wrote to the Carnival Committee a letter telling them that, under no circumstances can the Carnival use any part of Trust land for any Carnival activities. Every year they used to fence off any public areas that they might use, like Portobello Green and any other areas. They used to police that; they used to put security people out to police that:¹⁷⁷

'I've been involved with the carnival and we had use of the floats under the Westway and from day one [..] we've been having problems and I end up in court and having to pay £4,000 for damages to the fence [..] took us to court [..] we was made to pay, but Dr. Stone paid for us, otherwise I would probably be doing time for it', described a particular incident.¹⁷⁸

Well [..] removed the floats from there, but it's then [..] he actually came down on our side and made [..] bring the floats back. Then we went to court over the land and our building because we weren't prepared to move, but we had no choice in the end because the court ruled in their favour.¹⁷⁹

¹⁷⁶RBKC Council meeting – Wednesday 3rd February, 1982. Third Supplemental Agenda. ¹⁷⁷Interviewee 61T. ¹⁷⁸Interviewee 9C. ¹⁷⁹Ibid.



15.15 Although the Carnival was transformed in 1973 by the support provided by Anthony Perry, the period between 1980-1990s marked a shift in approach to the Carnival. For instance, the African Caribbean community felt that the fencing off of Trust Land showed a lack of understanding of the importance of this aspect of culture to the community.

15.16 Community concern around the Trust's treatment of the Carnival floats was taken up by 13 North Kensington councillors in a letter they wrote to the Chair of the Trust on 19 January 1996:

You may be aware of how important the floats are to the organisation of the Notting Hill Carnival and of how long the floats have been in the area. It seems unreasonable for the Trust to seek possession of the site before it has immediate need of the area, or before an alternative home has been found for the floats. It has always been the understanding of Labour Councillors that the purpose of NKAT is to provide facilities for the people of North Kensington. We believe that continuing to provide parking space for Carnival Floats should therefore be of great concern to NKAT.¹⁸⁰

15.17 As outlined earlier from Trust documents, the period 2007-2016 saw the Trust's attention focused on opportunities for development, which appears to have reinforced the 1979-2005 push towards greater commercialisation. A former Trustee recounted how a former certain person from the Trust thought about spaces:

X's spiel to me was that, this is what I have been recruited for, this land is extremely valuable, this land needs to be developed and that's what I've been recruited to do, there are too many spaces that have been sitting idle for far too long. I remember having a conversation with X about the [...] and X's view was that it was not a viable concern. The Trust needed to think more commercially. The Trust needed to be more of an arm's length executive organisation and far less involved and connected to its members and the wider community, in the sense of co-design and co-delivery, that shouldn't be what the Trust should be doing.¹⁸¹

15.18 During the period 2015-2016, two incidents took place which led the African Caribbean community to believe that they were being deliberately marginalized by the Trust. These incidents were the plans for the Portobello scheme, which were seen as not reflective of the diverse community of North Kensington, and the Equestrian Survey questionnaire which did not have a "Black ethnicity" category (see Annex 3, page 248). It is important to note that, although neither of these incidents were directly undertaken by the Trust, both were commissioned by the Trust and therefore, there was an expectation that the Trust would ensure that both initiatives would reflect the diversity of the area.

Processes, attitudes and behaviour which amount to discrimination:

15.19 The Review Team received significant comments relating to the allocation of a particular space. This is in two respects. Firstly, the offering of a 3-month extension of a licence for the space and second the lettings process. In December 2011, X (a Black male) was encouraged by the Trust to submit a proposal to operate the space from Thursday – Sunday evenings on a yearly lease basis. There was an expectation that a separate daytime café would also run in this space and a busy programme of daytime/Monday –Wednesday evening bookings would be managed directly by the Trust. Between January – June 2012 X worked closely with the Trust to refurbish the area to make it fit for purpose as an evening cultural entertainment space. Its focus was music and cultural performance arts. Whilst the venue became successful, it was felt that the Trust did not understand and were not interested in the venture and its community contribution. There were issues regarding the disabled lift and the need for proper air conditioning, which X raised with the Trust,

¹⁸⁰Letter from Cllr J. Robert Atkinson on behalf of the Labour Group RBKC to the Chair of NKAT, 19 January 1996. Annex 3, p. 17.

¹⁸¹Interviewee 62T.



however as the lease was coming up for renewal, the Trust took the decision to give only a 3-month lease until it decided what it would do longer term. This new and limited arrangement was not practical for X who asked the Trust to reconsider and offer a longer lease: this was refused. Apparently sensing a PR issue, on 18 December 2014 the Trust offered X an extension of the lease for a further year: this was refused by X on the basis that it was not practically viable. Putting this into context, the offer of the 3-month contract to X was at the same time as the Trust unveiled its plans for “Destination Westway”.¹⁸²

15.20 On 27 February 2015, the official lettings process for the space which X had leased began. The scoring matrix and submission criteria for bids were requested by the Review Team. The PRC/44/17 document stated that the tender panel was to consist of ‘members of the property, sports and development team’. However, through a review of documents, the panel also involved an identified person who not only was not a member of this team but who had also been involved in the suspension of Person A referred to at Example 1 above, as well as being cited in the resignations of two former staff members.

15.21 During interviews, we were informed that a member of the community saw people who had applied for the lease celebrating their success in a public place in which they were present. They then relayed this information to another member of the community, who saw a former senior member of the Trust and informed them of what had taken place. This led to an email on 30 April 2015 at 20:37:56 from the former senior leader to a member of Trust’s then executive management team:

I bumped into X today. X had heard rumours on the street re Y and that we had done a deal. I said that was untrue. That Board approval was needed and that we had deferred decision until after hearing from them. But that it was a rigorous, open process ... I said clearly I didn’t have delegation to approve the decision and that it was the matter of the Board. Have we had from X the brief/analysis of what community provision needs to be provided for in the new arrangement? Have you talked to [successful applicant] re their ability to accommodate the kinds of events [unsuccessful applicant] are proposing. It’s v important that tomorrow’s meeting is as open as possible and we are open to their ideas and creative in thinking about how we could facilitate a cooperative arrangement. Happy to discuss first thing if useful.¹⁸³

15.22 At 07:56 on 1 May 2015, a member of the Trust’s executive management team emailed a member of staff and asked them to send through a brief analysis of what community provision was needed for the space. On 9 May at 17:18 the member of staff sent through comprehensive criteria regarding the community provision required of the operator.

15.23 As part of the interview process, a former Trustee who was involved in the scoring process for the space made the following observations:

For me the most egregious example of unfairness from X’s point of view. Because Y did a very, very good report, evaluating the four bids and Y was very methodical, took a matrix in terms of their businesses and their ability to pay for Y presented it to the property committee, which I was a member of at the time and I argued for it. The two bidders were sort of neck and neck and I voted on balance. And Y came down firmly and said on balance it should be the community provider and I agreed and I gave my reasons. The other two people on the board were property developers and were swayable because they didn’t know much about the community. And X, she went on the side of [successful applicant] and I didn’t understand that except that I think X was very comfortable with the [successful applicant]. I’m not criticising them they won the premises. But she was comfortable talking to them in a way that she was not comfortable talking to the

¹⁸²Destination Westway 2030 was the strategic plan which set out the vision for the Trust’s development for a 15-year period. April 2015.

¹⁸³Email of 30



other group. And she swayed that vote so it was two to one. X seemed to know them. When we went to a meeting X seemed to know them. I don't think they were long lost buddies but these were young white artist men and X was comfortable with that and X wasn't comfortable with someone like Z. And again, I wasn't at any meetings, but the way X was talking, X was meeting with them, X was letting them know they were X's favourite. And there was no way this other group was going to win. I think it was about being comfortable with those people. They were artists, they were white. That decision was wrong and it's been proven to be wrong. First of all, they didn't open when they were supposed to. They needed to have a rent vacation or whatever they call them. So, they didn't come through with that and sure enough the issue about community groups being able to use that space as I said at the time and X said they're not going to be able to use it. An art gallery is not compatible with someone having a tea party for older people. And after the first year and a half or so there had to be a Review as to why they weren't fulfilling the bits of that contract.¹⁸⁴

15.24 The issue of the allocation of the particular space and the actions of Trust senior leaders, highlights a number of issues; the most significant being that, during the letting process, the criteria were altered by the Trust, perhaps as a result of their wider plans for the development of the area as outlined in the Destination Westway Strategic Plan. As explained by a former senior leader, these criteria did not include any focus on the community which X's lease was aimed at. Instead, the leadership of the Trust arguably looked to follow the approach of RBKC and undertake commercial development aimed at greater gentrification which the successful candidates (the white male artists) could be said to have fulfilled, as opposed to X's application which, according to the former Trustee, better fitted the community criteria. It also appears that the Trust did not follow its own procedures relating to the membership of the decision-making panel but instead included someone within the decision-making panel who had been involved in another race-related example cited in this section and whom the Trust former senior leader described as an 'agitator'.¹⁸⁵

Failure to provide appropriate and professional service / processes which amount to discrimination / unwitting prejudice, ignorance and thoughtlessness:

15.25 From 1996-2004 Acklam Adventure Playground operated on Trust Land and shared the site with the Ebony Steel Band at 6 Acklam Road. Through the review of documents provided, the organisation was greatly valued amongst the community of North Kensington; the service users were children aged 5-14. In the period 2002, there were over 450 registered users; 22% were disabled children whose level of individual need meant that either their access to other play provision was severely limited or that they were excluded altogether.¹⁸⁶ A large percentage of the children using the adventure playground were also BAME. The bulk of referrals for the play space came from RBKC Social Services Children and Disabilities Team. RBKC also funded the attendance of children who required individual support and supervision. Significant investment and adaptations to the building were provided via charitable funding from Natwest and Barclays Bank, amongst a number of high profile investors. Children with complex needs from North and South Kensington, Hammersmith, Fulham and Brent used the service provided by Acklam Adventure Playground.

15.26 In 2002, the former senior leader of the Trust wrote to the Chief Executive of RBKC:

As you may know our medium term intention is to demolish the whole of that area soon after the Acklam Adventure Playground Association lease comes to an end in December 2003 – this has implications for Kidsactive and the Ebony Steel Band, who occupy those premises by way of a contracted out lease, to find alternative premises.¹⁸⁷

¹⁸⁴Interviewee 55T. ¹⁸⁵Bundle 10. ¹⁸⁶Bundle 3. ¹⁸⁷Bundle 12.



- 15.27** Despite sustained effort, we have been unable to understand the reason for the demolition of 6 Acklam Road, which finally took place in 2004:

Ebony Steel Band Trust was more or less thrown out from the Trust land and the building demolished with the promise that we would get alternative space and the new development that X had in mind that never came about. When we tried to fight it, we were taken to court over it.¹⁸⁸

- 15.28** For the former staff of the Acklam Adventure Playground, the decision not to renew the lease was confusing:

The official reason was given and I always thought this was really the root of what I felt that was something very dodgy and corrupt, we were always told that the structure was unsafe and this never made any sense to me. How could it be unsound, if it was in fact structurally unsound, why weren't any of our neighbours moved? [...] The thing that confused everyone was why RBKC didn't fight more to keep this place, which they had put loads of time and funding into and which so many children across the Borough used. We heard that it was a done deal and that to me made no sense.¹⁸⁹

- 15.29** It was therefore reported that the demolition of Acklam Adventure Playground and with it, the Ebony Steel Band Trust, was confusing for some members of the community. As outlined above, there was a widely held belief that the decision to demolish the space was not based on wider community consultation and engagement. Transparency and engagement with the decision-making process would have enabled the community to understand how and why decisions were made. The demolition of local buildings in the borough has historical antecedents. In 1982 the former leader of RBKC Nicholas Freeman (who was a Trustee during the period 1978-1979) sold and ordered the overnight demolition of the former Kensington Town Hall on Kensington High Street in 1982.¹⁹⁰

- 15.30** The Stables has historically been used by many residents, especially young people from BAME and disadvantaged communities. It also provided riding facilities for children who used the Acklam Adventure playground, many of whom had physical and sensory impairments. Whilst it is noted that the Grenfell Foundation is currently progressing plans to establish new stables with its founder, The Stables has been a source of significant community concern and protest since 2014. All documents related to The Stables were requested and reviewed. As part of this, plans for the use of land at Stable Way developed in April 2014 were gathered and reviewed - they outlined the following:

This area does not currently have a complete concept. In practice it is the least developed site in terms of our development plans. We have ruled out following discussions with the BEF, the potential for a riding arena here. The land is marked for sports use in the SPD. But with the massing studies for the future of the SC indicating that it would be more efficient to build up rather than out the current facility, we need to look again at potential sports use for this site. Clearly a quick win would be the creation of additional football pitches on this site. There is likely to be a short-term and long-term solution here. There are a range of potential longer term uses for this space. Sports, Social housing, Mixed use developments, Migration. The gardens compound to enable the redevelopment of the pavilion area. Any short-term proposals we expect to pay back within 12 months. We require a £40,000 budget to cover compensation payments to the Stables operator. With the traveller located at the end of stable way many types of redevelopment are unsuitable for this space. A development notice will now be served on the current site operator with a view to having the site unencumbered by May 2015. We plan to immediately occupy the site and are considering a number of short-medium term usages e.g. additional sports pitches. The riding arena could provide an option for the relocation of the skate park from Acklam. There is a possibility of offering this site as a relocation /expansion for the operation of Swim Farm, subject to feasibility.¹⁹¹

¹⁸⁸Interviewee 9C. ¹⁸⁹Interviewee 66T. ¹⁹⁰Hansard Kensington Town Hall Demolition, 24 June 1982, Vol 1431. ¹⁹¹Westway Trust (2014). Progressing the Regeneration Plan including a site index.



- 15.31** On 31 October 2015 a letter was sent to the former MP for Kensington by X - the former Chair of the Trust was copied into the letter. The letter details a sequence of events, the most pertinent of which are outlined below:

Around the end of 2013/early 2014 the situation with Westway Trust changed. We produced a business plan and I offered to pay one years rent to protect the Westway Trust X emailed back mocking it. Meanwhile Y had put adverse material about the Westway Stables on the Westway Trust website. On Tuesday 24 February, we saw a private email from Y forwarding an email Y had sent to Z saying that Y had no intention of working with T. They also produced a meeting note that bore no relation to what had been said. An obvious example of how wrong it was is that we had made it very clear at the outset that we were all there supporting in our private capacities yet they listed me as being a legal director of A implying that T was a client of the firm (which T is not) and that I was formally representing T; astonishingly they refused to correct this or amend their note in any way. T has never, however, had the support from the Westway Trust that one might have expected, indeed when T asked in 2012 for them to grant a lease to a charity so that T could fundraise more easily they refused, and they don't even allow T to put up a sign by the entrance to Stable way. Y clearly decided to get rid of T and T's business before either understanding what T was achieving or meeting T. Y made it clear that Y was only interested in sporting facilities that produced national champions (Y proudly told me that the Westway Climbing Centre has done so). You will be much more aware than I am that the North Kensington Amenity Trust was given the land under the Westway to provide amenities to the local residents to help those in need. That is what T has done for 20 years and what T wants to continue to do. It is the community's right to have the charity's land used appropriately and for its benefit, and the totally unprofessional and spiteful behaviour of its Y who appears to have taken over intent on replacing absolutely everything on the Westway Trust land, regardless of whether it was benefitting the local community or not.¹⁹²

- 15.32** The examples show a lack of transparency about the plans for the development of the area, which led to a lack of trust within the community and caused confusion for the stable operator. The Stables were viewed as an integral part of the community; a place for disadvantaged and vulnerable groups to be able to participate in a sport which would normally be prohibitive to them. It was reported that the community's concern for the treatment of the stable operator was exacerbated by their concern for the development of the Portobello scheme as identified in the drawings for the Portobello Scheme (see Annex 3). However, they did not understand what was happening in Stable Way although they were aware of a feasibility study for an equestrian centre. The treatment of the stable operator was seen as being linked to their gender and socio-economic background, and it was felt that those who intervened to support the stable operator were met with indifference, which raises questions of accountability.

- 15.33** As outlined earlier, Bay 20 was previously home to the Carnival Industrial Project from 1980-1992. However, it was subject to a forced eviction and the space was instead used for an 'Arts Installation'. The notes of the Tabernacle conversation of 30 November 2015 record the following action: '*Trust explore opportunities for a community and cultural space on the land (both temporary and permanent)*'. This led to the following action: '*Bay 20 offered to W23 but the space is not right or in the right location so was not taken up*'.¹⁹³

- 15.34** Discussions were restarted in February 2016 when a member of the community¹⁹⁴ emailed the Trust requesting use of Bay 20 for the purposes of an African Caribbean Arts Centre, with the view that the community would undertake a funding campaign. The response from the Trust was, '*with regard to Bay 20, can you let me have sight of your proposed temporary use. We can then make enquiries from other parties if necessary, with regards to any relevant consents that may be required*'.¹⁹⁵ Following this exchange of emails, there was no follow up from either the Trust or the community.

¹⁹²Bundle 13. ¹⁹³WT 2015:7. ¹⁹⁴Interviewee 67T. ¹⁹⁵Bundle 21.



15.35 Subsequently, the 22 March 2017 Board meeting¹⁹⁶ recorded that, '*an application has been made by RBKC to use Bay 20 as a materials storage area*'. During the discussion of the proposal, the following points were reported as being made by Trustees: '*there are reputational considerations since this could be seen as displacing art/artists, [...] felt it would be irresponsible of the Trust not to accept this application, in terms of both income and maintaining good relations with the Borough*'. RBKC did not subsequently follow through with their application to use Bay 20.

15.36 In the aftermath of the Grenfell fire, the BBC approached the Trust. The AGM minutes of 2017 record the following:¹⁹⁷

Wanted to support local community organisations following the Grenfell fire. Dale Youth Amateur Boxing Club, which lost its venue in the fire, will be re-sited in Bay 20 alongside a community centre. The Trust wanted to explore the opportunity as there has been much demand for community space before Grenfell, this is even greater after. The BBC came with a commitment that the development is free so the Trust can ensure that the rent is minimal. The Trust has talked to many different groups, and held a community day. Feedback has largely been positive. The Trust has pushed back on the tight timescale. X said the Trust doesn't want to lead, it wants to facilitate. X reiterated that many local people welcome the idea and wish to pursue community determination and co-design of the internal design and operating model. X clarified that the space in Bay 20 will be split with approximately one third used for the boxing club and two thirds for the community centre and open space. X added that the BBC project is unusual, and not how the Trust usually works.

15.37 It was reported that the decision to rehouse the Dale Boxing Club in Bay 20 received a mixed reaction from the community, including the feeling that there had been a further displacement of the African Caribbean community. This was exacerbated by the discussions established by the Trust in 2015-2016 regarding the potential use of space in Bay 20 established through the Tabernacle Conversations not being followed up. Those interviewed reported that the African Caribbean community felt that the decisions on the part of the Trust to develop Bay 20 ignored long-standing issues, which impacted them. However, this should be seen in the context of a national tragedy and a limited window of opportunity for the Trust to act.

16. Perceptions of Community and Community Engagement

Unwitting prejudice, ignorance, thoughtlessness and racist stereotyping:

16.1 The Review has received consistent accounts about former Trust staff and senior leaders' perceptions of diverse communities of North Kensington including African Caribbean communities which are set out below, along with perceptions of the communities of North Kensington, as articulated by the Local MP Emma Dent Coad as part of the Grenfell Tower fire debate in the House of Commons on 6 June 2019. But first, it is useful to consider a Trust staff member's observation of what they describe as the importance of the internal and external community:

There is like an internal community and an external community, so for me you must always value your internal community first, which is the staff. I think that if you don't value your internal community first, you are never going to value your external community; you are just going to offer lip service and just make it look good. Because of how they perceive people's importance and status, they handle people in a particular way.¹⁹⁸

¹⁹⁶Westway Trust Board Minutes, 2017, p. 6. ¹⁹⁷Annex 3. ¹⁹⁸Interviewee 38S.



The Trust had been going for about 10 years, and the very first thing that I was told, and they told all the employees, was by X do not get involved, you're working for the Trust, the Trust is independent of what's happening out there, whatever you do, do not get involved with those people out there, you are a Trust employee.¹⁹⁹

Their mantra was always *'these Black organisations cannot manage their businesses, they're always in rent arrears'* but of course a lot of the white businesses were in rent arrears as well. *'They are simply unable to operate the businesses they're operating and the projects they're operating'* and some of them needed support, and there was no support from the Trust or anybody. They were trying to set up businesses and help local communities who were the most poverty-stricken people, and the young people were running around, there was a lot of crime going on, because nobody cared about young people.²⁰⁰

The Trust and the Council operated like a local Mafia. These things happen. That's how they did business. They saw the local community as the enemy. It wasn't just the Notting Hill Carnival and those Black organisations, but it was the whole council and the Trust from what I've seen and my experience was that they hampered and disrupted and put back the whole development of Black and Ethnic Minority businesses and development in the whole of North Kensington in particular. The Government was giving at that time I know it was only tokenism, City Challenge, they were given all sorts of money, sectional living monies, it was all kinds of money given to develop Black businesses, but all that money was diverted because those people were seen as not being credible, there was no support for them really, there was no political support for them, but they didn't want those people taking over the Trust or areas of North Kensington while the money was for them. The whole psychology is a bit like the whole Muslim community at the moment, they're seen by the Government and the Council as being terrorists, the enemy, *'you've got to be careful, you don't know who they are'*. That's the whole ethos, don't forget the South African apartheid thing was happening, there was the riots.²⁰¹

In the early days after the fire, my predecessor as MP wrote to the Council to air her concern about the numbers of people roaming around the streets "like gangs". A senior Council officer was told to go down to the site but refused, saying, "it's like little Africa down there." Another said that the area was full of people "from the tropics". A senior officer regularly, in front of others, referred to my neighbours as "muzzies". A recent visitor to the walkways was congratulated by a senior councillor for entering the "lion's den". I say "vulnerable"; they say "volatile". This attitude is hardly surprising. About two years ago during a debate on refugee children, a senior councillor said: "if we let these people in, we will have an Islamic Caliphate in Kensington and Chelsea." Racism or snobbery—take your pick.²⁰²

16.2 The examples illustrate a range of feelings within the community of North Kensington regarding the Trust and also RBKC, the main feeling being that the Trust did not historically value or consider itself part of the community. These examples are reflective of the historic tension, and issues of race and class. The accounts highlight the public perception of the Trust and RBKC being linked and it was reported that the Black community believed that it was viewed by both organisations as hostile. This has contributed to the view that the development of the community was stagnated because of the indifference of both the Trust and RBKC. Whilst only the first and final quotes in this section are recent, the rest refer to the period 1982-2000. However, the quotes suggest that there are issues of lack of understanding of the needs of the community within (by) the Borough.

16.3 Former Trust staff, have highlighted the attitudes and behaviour of former colleagues with regard to their views on members of the community:

'Underemployed people making careers out of being thorns in the Trust's side' as they had 'nothing better to do'.²⁰³
'The great unwashed'; 'the dirty unwashed'.²⁰⁴

¹⁹⁹Interviewee 6T. ²⁰⁰Ibid. ²⁰¹Ibid. ²⁰²Grenfell Tower Fire, Hansard 06 June 2019, Volume 661, Clm 292. ²⁰³Submission 2.

²⁰⁴Interviewee 35C.



Inappropriate / derogatory comments about Black people often referencing them as idle, weed smoking, lazy, workshy, with criminal tendencies, having no visible means of employment. These comments were not always racist but sometimes purely derogatory included '*wish me luck I'm off to face the heathens*' or '*I'm off to meet with the great unwashed*'.²⁰⁵

'Scary Black man syndrome'.²⁰⁶

I did not expect her to ignore my request for water for the (Black) children, turn to a colleague and say 'don't give it to them; they might use the bottles as missiles'. In this context I could only associate the word 'they' with the colour of our skin and I was mortified.²⁰⁷

- 16.4** The view of leadership at certain periods in the history of the Trust regarding the community of North Kensington was articulated by a former member of staff,²⁰⁸ as being typified by the senior leadership's reaction to a '*natural and instinctive decision*' to allocate space to the community in the aftermath of the Grenfell fire:

The most disturbing lack of focus or concern for the local community was most palpable in the aftermath of Grenfell. The night before the tragedy, I had given a local community leader the keys to Bay 56 so it could be used for an evening community meeting, with the arrangement that he return the keys the next day. Very early the next morning, whilst Grenfell Tower was burning, the community leader called me to ask if he could keep the keys in order to use the space to support the devastated local community. I said yes, of course. Bay 56 quickly became a key space for donations, support and healing activities. In the next few days I was made aware by the X that I was under investigation by the X and was told that I shouldn't have allowed the space to be used in this way. This reaction is indicative of the Trust's behaviour throughout the Grenfell disaster – and the extent to which the X of the Trust were completely out of touch with the issues and needs identified by the diverse communities it served. I remember during that time going from helping devastated evacuees to access emergency grants, translators and food, to being summoned into 'Ops' meetings in the Trust where the [...] and leadership team were congratulating themselves for meeting the Queen and getting 1,000 new likes on Facebook since Grenfell. I found it emotionally distressing and sickening. About a week after Grenfell I was informed that the investigation against me was ongoing. A trusted colleague told me that I would probably be sacked for gross misconduct for having enabled Bay 56 to be used as a healing space. I resigned on [...] because I believed that the current structure of the Trust was not fit for purpose.

- 16.5** These examples highlight the levels of indifference with which some members of the Trust senior team are reported to have viewed the community. The accounts show direct, indirect and institutional racism (as defined by the Macpherson Inquiry) and are suggestive of a sense of indifference to the community served by the Trust.

Community Engagement

- 16.6** During the period 2015-2016, the Trust was involved in three community engagement events relevant to this Review: (i) Arts and Culture Conversation at the Tabernacle on 29 September 2015; (ii) Westway 23 Public meeting on 11 November 2015; and (iii) discussions to progress a process for healing and reparations on the 23 Acres in March 2016.
- 16.7** On 29 September 2015, the Trust hosted an externally facilitated discussion with the community being the Arts and Culture Conversation. The event included conversations around diversity and led to the

²⁰⁵Bundle 1. ²⁰⁶Interviewee 38S. ²⁰⁷Submission 2. ²⁰⁸Interviewee 35C.



development of an action plan (see Annex 3). Westway 23 then convened a public meeting to take place on 11 November 2015, to which they invited members of the Trust's executive management team. 300 members of the community attended the event, however, on the day of the event, the Trust declined to attend, citing concerns about 'safety of staff'. The Trust's decision was not received well by some members of the community and its impact was described by a member of staff as follows:

For you not to turn up because you fear for people's safety shows that you don't understand the community because for as long as I have been there even prior to that, they have always been campaigning, [...] they campaign for everything, but they have never hit anybody, they have never physically hit anybody so for me if you don't understand that element of the community, for you not to go, one you are out of touch and two, it's almost contemptuous attitude. Because if you don't go, you can start infiltrating this kind of disrespect for the community, *'because you know they are scary'*, *'we can't go out, 'we got to be safe'*, that will permeate everybody so for me you know the culture has always led from the top.²⁰⁹

- 16.8** On and around 21 March 2016, the Trust, led by the former chair, engaged in discussions with members of the community to discuss how it could deal effectively with acknowledging the history of the disenfranchisement and exclusion of the African Caribbean community. As a result of The Arts and Culture Conversation, a member of the community developed and circulated a proposal to Trust staff which set out a process of healing and reparations on the 23 Acres. From what we understand, the outcome of this proposal has not been established.
- 16.9** The examples presented suggest a lack of follow through on the part of the Trust in connection with engagement activities designed to build community trust and confidence. Community engagement is a significant investment for any organisation, especially those trying to deal with historic issues of mistrust. The decision of the Trust not to participate at an event organised by a community group on the grounds that it feared for the safety of its staff members was seen to demonstrate a fear of the community (in this instance the African Caribbean community). The examples above reinforced the stereotype believed to be held by the Trust of Black people as a 'problem' and an 'enemy', and therefore not safe for the Trust to engage with.

Summary

- 16.10** The range of examples presented in this section of the report illustrate areas where institutional racism could be seen to exist in the Trust - in the recruitment and treatment of staff and Trustees, in the use of land, the allocation of space, the provision of a project managed by the Trust and in its engagement activities with the community. This was compounded by concerns of a lack of leadership which failed to act on the occasions where the issue of racism has been raised: initially in the 1987 AGM report (and when the issue was also referred to in the Department of the Environment 1987 report), second by two former Trustees in 2015 and also by the community at the 2015 AGM, third by the community at the 2016 AGM and fourth by the decision of the Trust (informed by its advisors) not to undertake an independent investigation with a wide-ranging remit in 2017.
- 16.11** This inaction was reported to have undermined the trust and confidence of the community and stakeholders. The numerous interventions made by a political party to the Trust, eventually led to its withdrawal of membership in 1996. The lack of transparency around the proposed development of land around Stable Way could be seen as exacerbating community tension and confusing tenants and service

²⁰⁹Interviewee 38S.



users. On those occasions where the Trust attempted to engage constructively with the community, the impact and outcomes of the engagement appear to have been thwarted by a lack of follow through and decision-making which only served to harden the community's lack of confidence and trust. The cumulative actions of the Trust demonstrate a lack of corporate memory of the history and significance of the area in relation to race, civil rights and activism. The culture created by former Trust successive leaders (except its first Chief Executive, Anthony Perry) was, based on the evidence reviewed and underpinned by a lack of understanding of the importance of community and a push towards greater commercialism and development. This was executed through a management style unconcerned with the impact on staff or the community and informed by prejudice. The consequence of this was the creation of a hostile management culture, which had a negative impact on the community and in particular the African Caribbean community, certain members of staff, and trustees.

Part 7

Findings

17. Indicators of transformation 2018 – present

- 17.1** This section of the report provides a thematic overview of the Trust during the period 2018-present. Prior to doing so, we highlight the observations of a former BAME female Trustee:

I would say Y has tried to listen, I feel like, I think because Y saw the time with Z and everything that went on there, and now Y has been put in a position of joint CEO. I think Y is trying to do something different because Y doesn't want to inherit the past legacy. I feel like out of everybody in there that sits on the Board and part of the Executive. Y started to have a good dialogue with X and Y realised that X has a real strong influence in this area and Y tried to start to speak to X more. I think that it wasn't until Y came into the position that Y is in this current day, that Y was able to now start to realise that if I start to work with X in that area that we can start to make some headway.²¹⁰

- 17.2** We acknowledge evidence of a number of indicators towards transformation through the Trust's latest Strategic Plan 2019-2024 whereby previous approaches are set against current aspirations. This is a signal to staff, communities and stakeholders that the current senior leadership team recognises that understanding and addressing the past is pivotal to securing its future and an early indicator of organisational self-awareness, which contrasts sharply with a longstanding culture which did not possess this important trait.

²¹⁰Interviewee 53T.

17.3 Reorienting the Trust²¹¹

Reorienting the Trust



17.4 One of the defining features of the Trust from the period 2018-2019 has been the commissioning of this Review. This has been the result of the current senior leadership listening to sustained calls for action and an indicator of a willingness to address historic institutional racism.³

17.5 Throughout the Review, there have been a number of signs of shifts in the approach of the Trust. One significant sign was the waiver of all non-disclosure agreements signed by former members of the Trust for the purpose of engaging solely with the Review process. This helped to increase the number of participants to the Review and led to the availability of additional evidence.

17.6 Furthermore, during the Review we have observed the current executive management team:

- Robustly deal with inappropriate behaviour of a staff member;
- Address an issue raised by the Review Team as part of the interview process, which has led to a positive outcome for a staff member;
- Deal sensitively and proactively with a matter brought to their attention by a staff member regarding decision-making.²¹²

Community Involvement - Engagement

17.7 Since October 2017, the Trust has introduced six new community representatives onto its Board and / or its sub committees. There is now comprehensive equalities data on Trustees and currently a third of the main Trustee Board is non-white; there is representation from multi-faith groups; and a gender split of 7 women: 2 men. At its 2017 AGM, the Trust introduced a Charitable Purposes Committee. This is concerned with reviewing how the Trust invests in social programmes and community activities. The committee is made up of residents entirely from North Kensington.

²¹¹Westway Trust Strategic Plan, 2019-2024. Powerpoint. ²¹²Interviewee S31.



17.8 The Trust has rebalanced its Property and Place Sub Committee, which now includes three local Trustees, a local co-optee and two independent Trustees.

17.9 The Trust has devolved decision making for the Bay 20 operator to a community steering group. This consists of local people who are mandated to select and govern the operator. As part of the Review, the Trust has introduced and sustained the CAG. We stress here that the Secretariat function is managed by the Secretary to the Review. The CAG consists of local residents, Trust Chair and Chief Executive. The CAG is tasked with overseeing the Review process and responsibility for oversight of the Review recommendations. Whilst these indicators of transformation are acknowledged, we are mindful that a number of interviewees highlighted concern about the way in which the Trust interacts with the local community. For example:

They don't interact with the local community at all, it's like dictated, it's like they tell us, interaction to me is like you seek and you listen, but no they just dictate what they, they execute their plan and they dictate to us what is their plan and we are supposed to accept it, so I wouldn't call that interaction.²¹³

Deployment of Resources

17.10 From April 2019 the Trust is making a further £1 million available per year for community investments and initiatives. The Trust has introduced participatory grant making. This has been designed to devolve the decision-making regarding recipients of grants to community groups and beneficiaries. There has been a change in the Trust's way of working so that they now support and enable groups to participate in the project rather than assess groups on application. The capacity strengthening programme has been introduced to provide financial and specialist support for North Kensington organisations which work locally to improve people's lives. A social investment fund for North Kensington has been introduced which will make long-term investments in ideas and initiatives that tackle social isolation and environmental issues; create places for young people; promote employment and enterprise, arts and culture and physical recreation opportunities for underrepresented groups. There has been an investment of £150,000 in a new sports access programme to enable free / subsidised use of the sports facilities for all local primary schools and clubs which are providing sports to people on low incomes. This is in addition to the sports bursary scheme, which provides free access for local people on low incomes. The Trust is supporting a significant programme of summer activities including Notting Hill Nursery Carnival, Carnival Pioneers and the Portobello Summer Festival, which promotes a diverse mix of performers and has supported young people in North Kensington to be promoters and producers of work. A new Artists Commissions programme financially supports a diverse mix of local artists to produce work.

Maximising spaces

17.11 The majority of the eight tenants in the new Thorpe Close pods are local entrepreneurs and one charity. The Trust has changed its letting criteria to ensure tenants have local relevance – employing local people, are local owners, or are offering something which supports the local culture. Examples of the Trust's new way of working are:

- A jerk chicken restaurant, and a new Vegan Market. Both run by a local entrepreneur who supports local employment.
- A member of the community bereaved as a result of the Grenfell fire has been enabled to access a shop unit in the Arcade.

²¹³Interviewee 13C.



- The Trust has brought back X on a rent-free basis.
- A support scheme to help artists access underused spaces in the Arcade has been introduced.
- **X is now required to provide 50% of days open to community access.**

17.12 All commercial development has stopped and the Trust, through its commissioning of work by 'Fluid', has engaged with over 500 people in the local community to design the estate for the next 10 years.

17.13 The 23 acres equates to approximately 1 million square feet.²¹⁴ Much of this (55%) is taken up by walkways and public spaces. The remainder (436,000 square feet) is in Trust buildings and managed open space. Of this space:

- 98,000 square feet (23%) is used for charitable, community or cultural purposes (including the skate park, Bramleys, Bay 56 and Westway Community Transport) or is public green space.
- An estimated 154,000 square feet (35%) of the space is used for sport and fitness (including the riding stables).
- 7% is in "meanwhile use".

The remaining 35% is used for commercial activities – offices, retail, advertising and parking (under the football pitch).

Organisational culture

17.14 The Trust has introduced a Staff Council which is chaired by a staff member. Since Autumn 2018 the Trust has piloted a new recruitment practice for certain roles, whereby the names and contact details of prospective applicants are removed prior to the review process. The Trust intends to implement this new way of working for all posts in 2020. More colleagues are involved in the recruitment process, and there are focused recruitment drives in the local area. The Trust has also introduced Ban the Box, an initiative led by Business in the Community which gives ex-offenders a fairer chance to compete for jobs by removing the tick box from application forms and asking about criminal convictions later in the recruitment process.

Equality Diversity & Inclusion

17.15 As part of its 2019 annual staff survey,²¹⁵ it is noted that **there has been an improvement in the area of Equality Diversity and Inclusion** from the 2018 Investors in People Survey which revealed the following results:

- 62% agreed or strongly agreed that the Trust values equality and diversity within the workplace (Q70);
- 65% agreed or strongly agreed that senior managers champion diversity (Q73); and
- 58% agreed or strongly agreed that the Trust reflects the communities we work with (Q75).

17.16 Earlier in the report, we highlighted that the Trust has not historically retained equalities data pertaining to staff and Trustees. Whilst we have been provided with data for 2019, which indicates that there has been some improvement in the diversity of staff at the Trust, senior management is not fully diverse in relation to race. Data is presented in table format in Appendix 1. There is also a lack of analysis of data which would support the Trust in understanding, identifying and addressing issues of racial disparity, pertaining to both employment and service delivery.

²¹⁴Westway Trust, 2019. ²¹⁵The 2019 staff survey results for Equality, Diversity and Inclusion is contained in Appendix 1.



17.17 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 resulted in early signs of change in organisational culture which has contributed to an increased 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 on key areas of the Trust's core business and are more confident to challenge behaviours which undermine equality, diversity and inclusion. There are also indications that the Joint Chief Executives and senior leaders are listening and acting.

17.18 The recent statement of the CAG to the Board of Trustees is suggestive of a change in the perceptions of the Trust.

Part 8

Findings

18. Whether institutional racism existed (exists) in the Trust

18.1 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.**²¹⁶

18.2 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 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.

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.

18.3 Challenges faced by the Trust

- Allegations of racism - direct, indirect and institutional racism.²¹⁷
- Historical lack of effective leadership, which values diversity, equality and inclusion.²¹⁸
- 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.

²¹⁶Westway Trust, Annual Report and Accounts, 2017/2018. ²¹⁷Interviewees ST83; S39. ²¹⁸Report 1; Bundle 4; interviewees T55; T56; T58; T59.



- Culture of bullying, indifference and arrogance.²¹⁹
- Tension in the use of the land in terms of community benefit and commercial interest.²²⁰
- Structural issues - representation in the Board of Trustees and executive management team.²²¹
- A deficit of cultural literacy and understanding.²²²
- 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.²²³
- 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.²²⁴
- Certain failures to engage and consult in a meaningful manner with the African Caribbean community in the area.²²⁵
- 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.²²⁶
- Unfair and discriminatory decision-making around a number of contested 'sites', which are significant to the diverse community of North Kensington.²²⁷

18.4 We set out at Table 3 the Macpherson definition of institutional racism as applied to the Trust.

²¹⁹Bundle 4; Minutes; Report 1. ²²⁰Bundle 3; Bundle 4; Bundle 7; interviewees C17; C29. ²²¹Documentary Evidence S +T; Submissions3;4.

²²²Interviewees S48; S46; S47; S48; S34; S35; M89; Bundle 5; Submission 10. ²²³Exit statements 1; 2; Bundle 1; Submission 5; 10; interviewees ST83; S39; Report 1. Minutes 1; 2. ²²⁴Interviewee S38; C6; C14; C2; C10; C11; C44; C45. ²²⁵Bundle 1; Bundle 7.

²²⁶Interviewees S48; S46; S47; S48; S34; S35; Bundle 5. Submission 10. ²²⁷Bundle 1.



Table 3

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.



Part 9

Findings

19. Impact of institutional racism on the communities served by the Trust

19.1 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

19.2 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.

19.3 On the basis of the Trust's objectives as outlined in its 1970 constitution,²²⁸ the community believed that 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.

19.4 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.

19.5 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

19.6 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)²²⁹ 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.

²²⁸See Part 3 and Annex 31 for 1971 Constitution. ²²⁹GLA Indices of Deprivation (2010).



19.7 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

19.8 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.

Economic Impact

19.9 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.²³⁰

Psychological Impact

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

19.11 Through the interview process, we have witnessed people being 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.

19.12 There are links between racism and health^{231 232}. 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

²³⁰Resolution Foundation (2019). Tackling structural inequality in the UK should sit at the heart of boosting living standards. ²³¹Paradies et al, 2015.

²³²Williams et al, 2019.

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.²³³

19.13 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.^{234 235}

19.14 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, 1890²³⁶

Part 10

20. Summary and Conclusions

20.1 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.²³⁷ This was characterized by a rejection of government intervention,²³⁸ an increase in public spending cuts and wage restraint.²³⁹ 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.

20.2 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.

²³³United 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. ²³⁴Preston, J. (2019) Grenfell Tower – Preparedness, race and disaster capitalism, Palgrave Macmillan ²³⁵Bully, D., Edwards, J., El-Elany (2019) After Grenfell – Violence, resistance and response, Nothampton, Pluto Press ²³⁶Blyden, 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. ²³⁷The 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. ²³⁸Habashi, 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. p15 ²³⁹Ibid



Mistrust

- 20.3** 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.²⁴⁰ 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.²⁴¹
- 20.4** The historical actions taken by certain individuals within the Trust (including a ‘perceived vindictive litigious policy’)²⁴² 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.²⁴³ 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.²⁴⁴
- 20.5** 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.²⁴⁵
- 20.6** 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.²⁴⁶

Commercial Interest v Community Benefit

- 20.7** 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.²⁴⁷
- 20.8** 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.²⁴⁸
- 20.9** 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.²⁴⁹

²⁴⁰Submission 5; interviewees C9; C10; C14; Bundles 2; 3; 5. ²⁴¹Report 1; Submission 5. ²⁴²See Annex 3. ²⁴³Bundle 6; Interviewee C15.
²⁴⁴Interviewees C2; C6; C10; C22; S38; ST78; MO92; Bundle 8. ²⁴⁵Interviewees C15; ST81; TN66; TN71; TN72; Bundles 2, 3, 5. ²⁴⁶Submission 5; Report 1. ²⁴⁷Bundle 3; Bundle 4; Bundle 7; interviewees C17; C29. ²⁴⁸Interviewees M89; T55; T56; T58; T59; S38; S34; S35; S44; S45. ²⁴⁹Exit Statement 1; interviewee ST81; Bundle 2.



Stereotypes - Creation of a Counter Narrative

20.10 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.²⁵⁰ 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.²⁵¹

Cultural Indifference

20.11 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). This resulted in anxiety, frustration and concern amongst service users and leaseholders, who were predominantly African Caribbean working class and disadvantaged.

Conclusions

20.12 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.

20.13 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.

20.14 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

²⁵⁰See section 16.3. ²⁵¹Interviewees S48; S46; S47; S48; S34; S35; Bundle 5; Submission 10.



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'*.²⁵²

20.15 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.

Part 11

21. Recommendations

- 21.1** 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.
- 21.2** 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 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.
- 21.3** 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.
- 21.4** 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.

²⁵²Macpherson, 1999 6.48.



- 21.5** 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.
- 21.6** The following three levels of recommendations are provided:
- Reparatory Justice Framework.
 - Creation of a Centre for Civil Rights and Culture.
 - General recommendations.
- 21.7** 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.
- 21.8** 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.
- 21.9** 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

- 21.10** 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

21.11 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.

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.





Recommendations - General

21.12 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

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



TABLE 4

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 4 - 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 4 - 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

Bibliography



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Appendices



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Appendix 1

Trust buildings and managed open space in Use

Usage type	Sq. Ft.	%
Sport & Fitness	154,302	35%
Light industrial	75,283	17%
Offices	9,273	2%
Parking	29,920	7%
Advertising	800	0%
Retail	20,713	5%
Long lease to RBKC	16,445	4%
Charity, Community & Culture	54,583	13%
Charity office	16,222	4%
Public Green space	27,500	6%
Meanwhile use	31,000	7%
	436,041	100%

Charity, community, culture and public green space	98,305	23%
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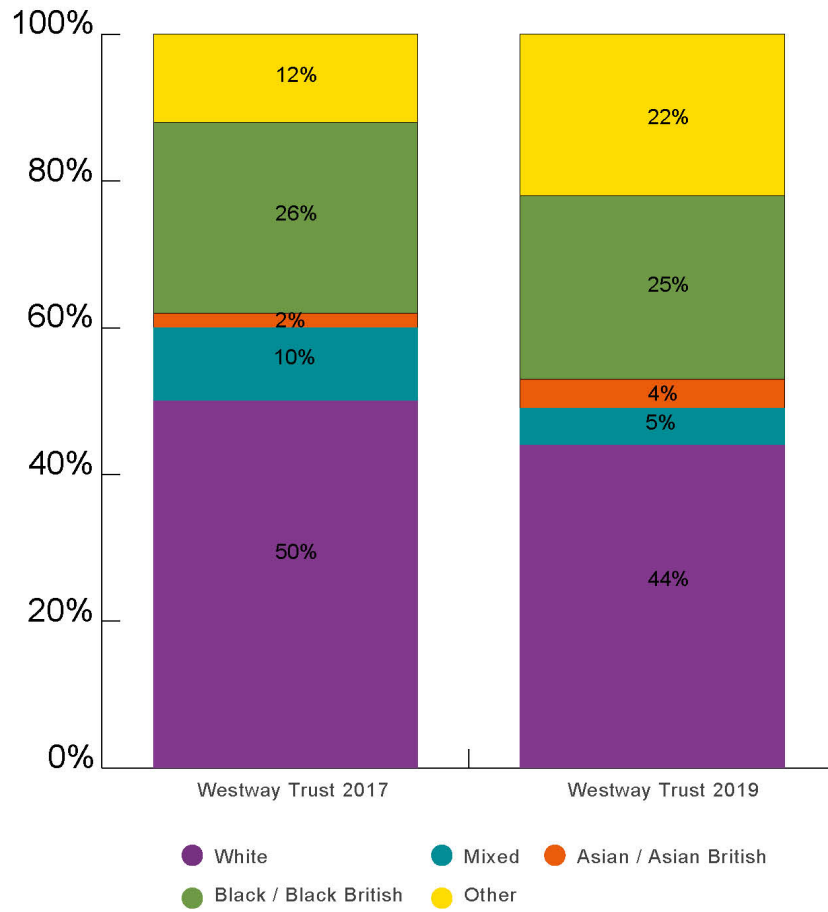
Westway Trust – Staff Survey Results Equality Diversity and Inclusion 2019²⁵³

		All colleagues			Line Managers			Staff		
		SA or A	N	D or SD	SA or A	N	D or SD	SA or A	N	D or SD
Q70	Westway Trust values equality and diversity within the workplace	86%	11%	3%	100%			77%	18%	5%
Q71	Westway Trust values equality and diversity within the community	83%	11%	6%	77%	15%	8%	86%	9%	5%
Q72	I know I will be treated fairly by Westway Trust	68%	26%	6%	77%	15%	8%	63%	32%	5%
Q73	Senior Managers at Westway Trust champion diversity	71%	26%	3%	85%	15%		63%	32%	5%
Q74	Westway Trust has a culture where everyone feels respected	66%	23%	11%	84%	8%	8%	54%	32%	14%
Q75	The staff at Westway Trust reflect the communities we work with	71%	26%	3%	61%	31%	8%	77%	23%	

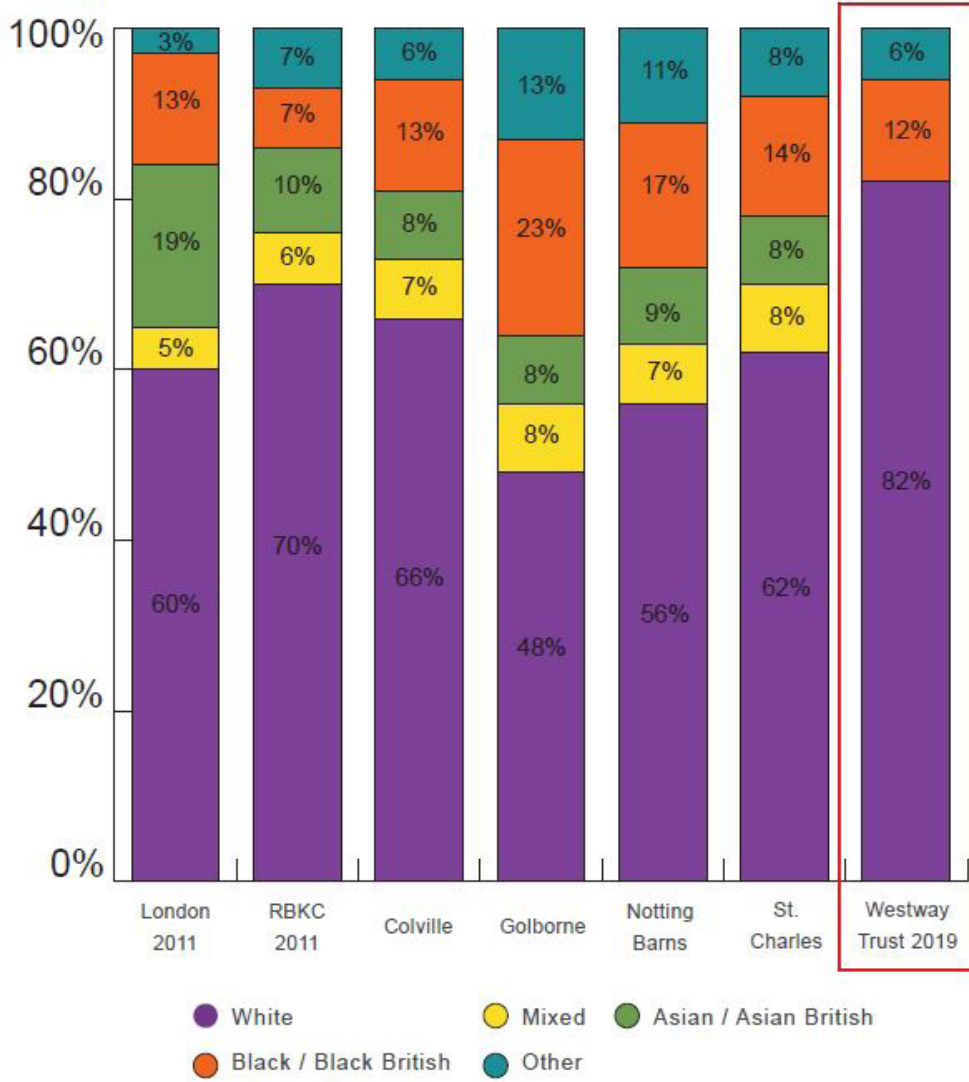
²⁵³ SA =Strongly Agree. A = Agree. D =Disagree, SD =Strongly Disagree



Ethnic Origin

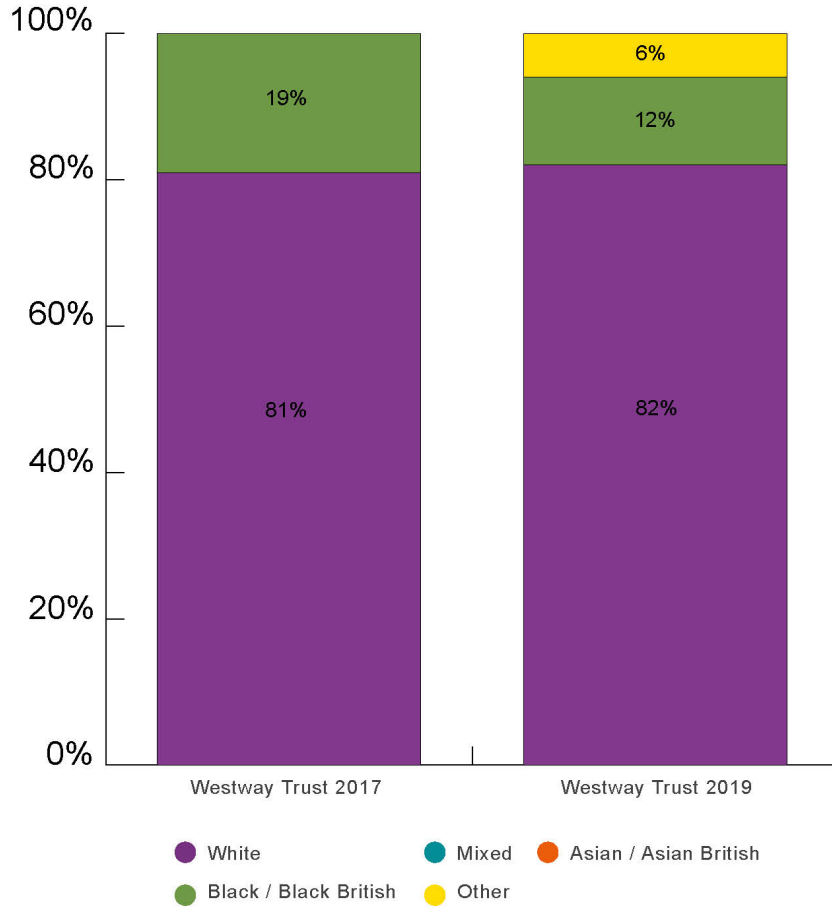


Westway Trust Ethnic Origin 2019





Ethnic Origin - Senior Managers and Trustees



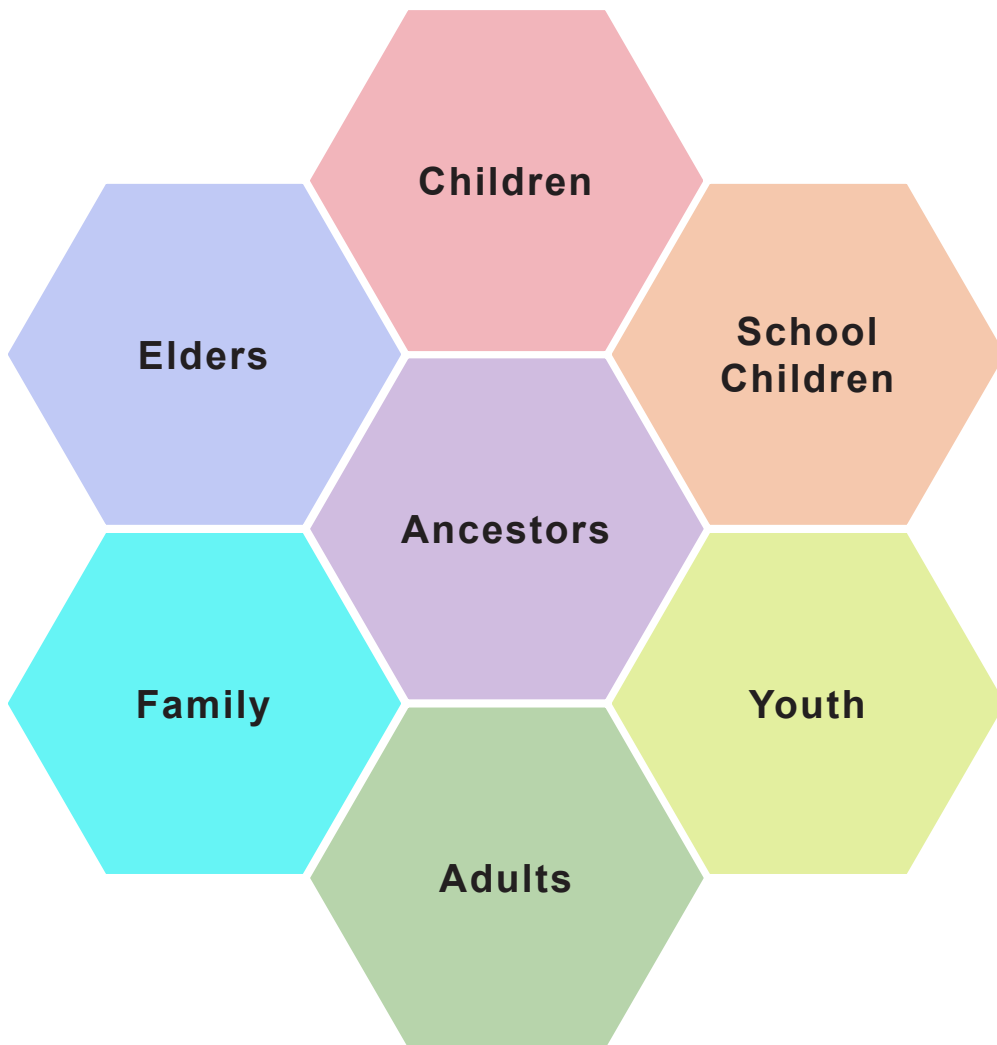


Appendix 2

Reclaiming and Rebuilding Community

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

People:



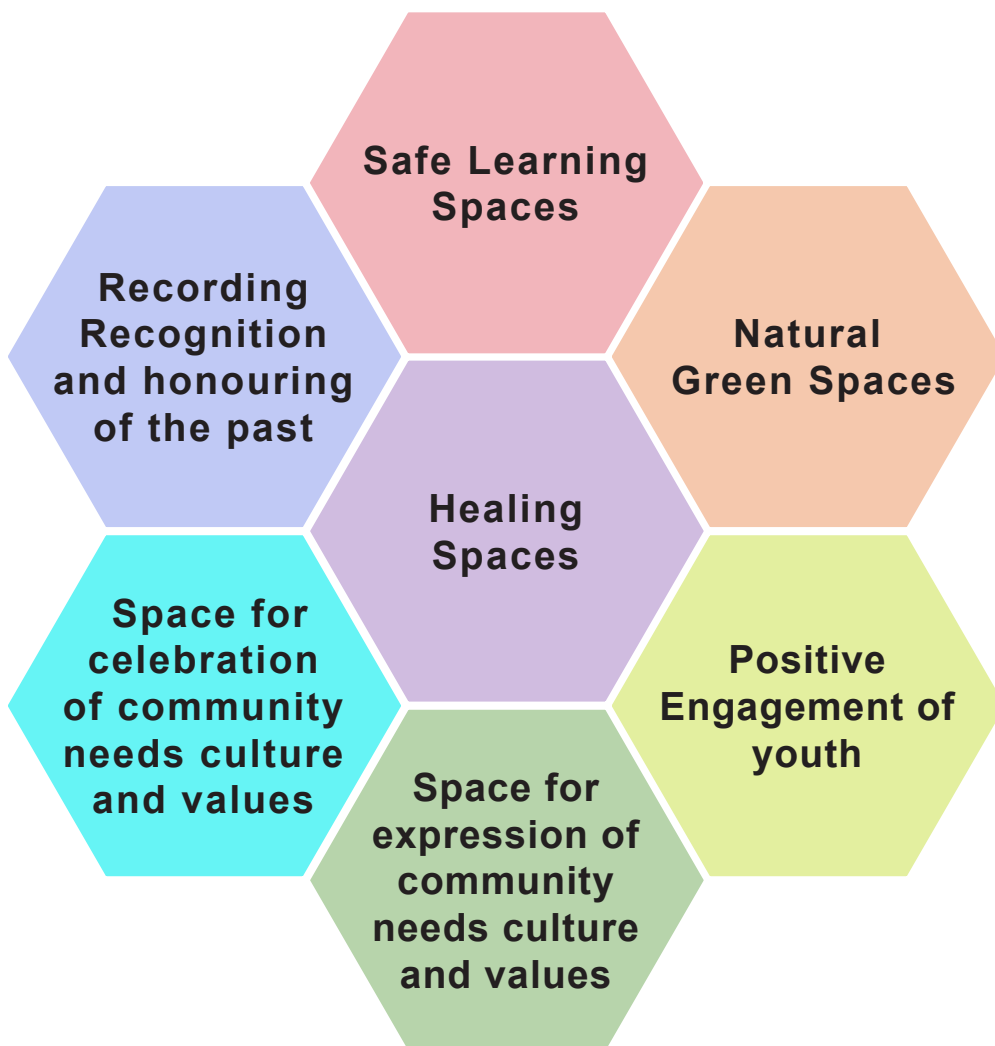


Places:





Needs met:





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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