
WORKSHOP HANDBOOK

**WORKSHOP ON RACE RELATIONS ACT 1976;
RACE RELATIONS AMENDMENT ACT 2000;
COMMISSION FOR RACIAL EQUALITY, UK**

INDIA: 26 OCTOBER - 11 NOVEMBER 2007

CITIES: MUMBAI; DELHI; HYDERABAD; BANGALORE, LUCKNOW



PRESENTED BY

PROFESSOR KAY HAMPTON (BA (HONS); MA; PHD; FRSA)

Professor in Communities and Race Relation, Glasgow Caledonian University, U.K.

Commissioner, Equality and Human Rights Commission, U.K.

Last Chairperson, Commission for Racial Equality, U.K.

SUPPORTED BY

Muslims for Secular Democracy (MSD)
British High Commission, New Delhi
UK FCO, Engaging with the Islamic World Group

REGIONAL WORKSHOPS:
'EQUAL OPPORTUNITIES COMMISSION' FOR INDIA –
LEARNING FROM THE U.K. EXPERIENCE

MUMBAI WORKSHOP (10 A.M. – 6 P.M.)

MONDAY, 29th OCTOBER

VENUE: INDIAN MERCHANTS CHAMBER, 4TH FLOOR, NEXT TO CHURCHGATE STN., MUMBAI

MEETINGS Press/MPs/Prominent Citizens

TUESDAY, 30th OCTOBER

DELHI WORKSHOP (10 A.M. – 6 P.M.)

THURSDAY, 1st NOVEMBER

VENUE: INDIA ISLAMIC CULTURAL CENTRE, LODHI ROAD, NEW DELHI

MEETINGS: Press/MPs/Prominent Citizens

FRIDAY 2nd NOVEMBER

BANGALORE: WORKSHOP (10 A.M. – 6 P.M.)

SATURDAY 3RD NOVEMBER

AL-AMEEN CAMPUS, HOSUR ROAD, (NEAR LAL BAGH MAIN GATE), BANGALORE - 560027

HYDERABAD WORKSHOP (10 A.M. – 6 P.M.)

MONDAY 5th NOVEMBER

VENUE: CENTRE FOR ECONOMIC AND SOCIAL STUDIES, AMEER PETH, BEGUMPET,
HYDERABAD - 500016

MEETINGS Press/MPs/Prominent Citizens

TUESDAY, 6th NOVEMBER

LUCKNOW WORKSHOP (10 A.M. – 6 P.M.)

WEDNESDAY 8th NOVEMBER

MEETINGS Press/MPs/Prominent Citizens

THURSDAY, 9TH NOVEMBER

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WORKSHOP STRUCTURE (ALL CENTRES) **(10 A.M. - 6 P.M.)**

10.00 a.m.-10.10 a.m.: Introduction of Prof. Kay Hampton, Chair, Commission for Racial Equality, U.K., Purpose of workshop; by Javed Anand, MSD.

10.10-10.20 a.m.: Welcome to participants, by Local Host

10.20 a.m. – 11.00 a.m.: (Session 1): *Equality Legislation, with emphasis on race and religion.* Presentation by Prof. Hampton.

11.00 a.m. – 11.20 a.m.: Questions and Answers. Comments.

11.20 a.m. – 11.45 a.m.: *Tea Break.*

11.45 a.m. – 12.30 p.m.: (Session 2): *The CRE, its Functions, Governance Structure, Sponsor Body; Relationship with Community Groups and NGOs.* Presentation by Prof. Hampton.

12.30 a.m. – 1.00 p.m.: Questions and Answers. Comments.

1.00 p.m. – 2.30 p.m.: *Lunch Break*

2.30 p.m. – 3.15 p.m.: (Session 3): *Delivery on Race; How it works in Practice; Case Studies; Working with other Equality agencies, government and NGO's.* Presentation by Ms. Hampton.

3.15 p.m. – 3.40 p.m.: Questions and Answers. Comments.

3.40 p.m. – 4.00 p.m.: *Tea Break*

4.00 p.m. – 4.45 p.m.: (Session 4): *A 30-Year Legacy: Lessons to be learned; strengths and weaknesses: The next Phase in Equality and Diversity in UK (CEHR).* Presentation by Prof. Hampton.

(Note: The different commission's for equality of opportunity and against discrimination in UK are currently in the process of being merged into a single organisation. Ms. Hampton is the Transitional Commissioner in-charge of the process).

4.45 p.m. – 5.10 p.m.: Questions and Answers. Comments.

5.10 p.m. - 5.50 p.m.: Feedback, Suggestions for Follow-up.

5.50 p.m. – 6.00 p.m.: Vote of Thanks.

SESSION ONE

EQUALITY LEGISLATION

BACKGROUND TO RACE RELATIONS ACT

RELATIONSHIP BETWEEN IMMIGRATION AND THE CRIMINALISATION OF RACE

- Immigration post-war 1950s: mainly from Ex-colonies (India, Pakistan, Bangladesh, Hong Kong, and Africa, Caribbean; Seen through racial lens
- Ethnicity and Race – became politicised
- Immigrants – Seen as alien/different culture, language and religion -- did not fit into British way of life
- Ethnic and ‘racial’ differences seen as a threat to British culture and identity consider whether mono-culturalism can survive in a global world
- Immigration linked to debates on Nationalism: who belongs, who does not
- Immigrants demonised by media and far right
- Immigrants seen as underclass: associated with rise in crime
- Immigrants were discriminated in public services (housing; health, education and were directly and indirectly abused
- Physical abuse, damage to property
- Race Relations Act passed in 1976 and established the Commission for Racial Equality

Race Relations Act 1976

- Makes discrimination on “racial grounds” unlawful in certain Public Services
- ‘Racial’ discrimination includes ‘direct’ and ‘indirect’ discrimination (institutional) and victimisation
- ‘Racial grounds’ covers any or all of the following: colour, race, nationality, or ethnic or national origins
- Does not cover discrimination on grounds of religion.

Race Relations (Amendment) Act 2000

- Package of amendments to the RRA, 1976
- Came into effect April 2001
- RRA 1976 remains the main piece of legislation defining and outlawing racial discrimination
- Four major amendments to the RRA 1976

Race Relations Act 2000: General Duty

Promote Good Relations

Eliminate Racial Discrimination

- **Obligatory - Public Institutions must make race equality a central part of their functions (integrated into core business activities)**
- **Relevance - Race equality will be more relevant to some functions than others (use discretion)**
- **Proportionate - Weight given should be proportionate to its relevance to function**
- **Complementary - 3 parts support each other**

Race Relations Act 2000: Specific Duties

To deliver the general duty, all public authorities had the specific duty to:

Mainstream race equality: core to all activities

Devise and publish annually a race equality scheme

Devise and implement race equality action plan to eradicate inequalities

Monitor race equality by diversity and publish annual report on progress

Provide training to staff on race equality

Take Positive action to address inequalities

WHAT IS RACE DISCRIMINATION?

- The 1976 Race Relations Act is concerned with people's actions and the effects of their actions, not their opinions or beliefs.
- Racial discrimination is not the same as racial prejudice. It is not necessary to prove that the other person intended to discriminate against you: you only have to show that you received less favorable treatment as a result of what they did.
- Under the Race Relations Act, it is unlawful for a person to discriminate on racial grounds against another person.
- The Act defines racial grounds as including race, colour, nationality or ethnic or national origins.
- To bring a case under the Race Relations Act, you have to show you have been discriminated against in one or more ways that are unlawful under the Act.

WHERE DOES RACE DISCRIMINATION OCCUR?

Discrimination in any of the areas listed below is unlawful under the Race Relations Act.

Employment

- Recruitment Process
- No job reservations-equal opportunities to all jobs, based on merit
- Promotions and progression
- Workplace discrimination (harassment and abuse)
- As well as extending protection against discrimination to employees, the Act also extends to partnerships
- Act also applies to members of trade unions (or those seeking membership of trade unions)
- Applies to authorities or bodies, which issue authorisations or qualifications for engagement in professions and trades.
- In addition, individuals seeking or undergoing training for vocational purposes are also covered.

- Similarly, employment agencies cannot discriminate against individuals that receive their services.
- The Secretary of State must not also discriminate in the provision of facilities of services under Section 2 of the Employment and Training Act 1973. This relates to the Man power Services Commission. All aspects of employment, including recruitment, selection, promotion, transfer, training, pay and benefits, redundancy, dismissal and terms and conditions of work are protected.

For exceptions, see www.equalityhumanrights.com

Education

- The amended Act applies to all schools and colleges maintained by local education authorities or education authorities (in Scotland), independent (fee paying) schools and colleges, further education colleges, special schools, early years providers, universities, local education authorities and governors of schools and colleges and school boards (in Scotland).
- The Amended Act covers admission, treatment as a pupil or student, and exclusion, as well as decisions by local education authorities and education authorities (inScotland), such as decisions on special educational needs.

Goods, facilities and services

- The amended Act applies to anyone providing goods, facilities or services to the public; for example: hotels, shops, banks, insurance companies, financial services, cinemas, theatres, bars, restaurants, pubs, places of entertainment or refreshment, transport and travel services, and services provided by any local or public authority and by any profession or trade.
- It is unlawful to be refused a service, or not to be given the same standard of service extended to others.

For exceptions, see www.equalityhumanrights.com

Housing

The amended Act applies to the selling, letting or managing of property (including business premises), making it illegal to discriminate in the way any of these activities are conducted.

For exceptions, see www.equalityhumanrights.com

Any public function

- Since 2 April 2001, the Act has applied to all the functions of public authorities that were previously excluded.
- This brings within the scope of the Act the law enforcement or control functions of government agencies, including the police, the Crown Prosecution Service, the probation service, Customs and Excise, the immigration service and the prison service; and the regulatory functions of local authorities, including environmental health, trading standards, licensing, and child protection.
- If you believe you have been discriminated against, directly, indirectly or by way of victimisation, by any public authority since 2 April 2001, you have the right to bring a complaint in a county court in England and Wales or in a sheriff court in Scotland.
- You are also protected against discrimination where a public function is being carried out by a private company or a voluntary organisation on behalf of a public authority. This means the Act applies to prison discipline in private prisons as well as prisons run by the Prison Service

BENEFITS TO INSTITUTIONS/SOCIETY: Outcomes

- Widen access and participation: become more inclusive
- Provide equal opportunities for all and benefit from a wide range of skills
- Challenge and prevent racism and discrimination, and promote good relations between people from different 'racial' groups
- Take specific actions to address 'racial' inequalities: ensure fairness
- Create a positive living environment: shared commitment to value diversity and respect difference
- Improve citizens morale

General Duty Will Enable You To:

- Identify and meet the diverse needs of all people thus encouraging all to achieve full potential
- Deliver services more effectively
- Devise policies in an informed manner
- Prepare citizens for engaging effectively in a multi-ethnic society and for globalisation

SESSION: 2

**THE CRE, ITS FUNCTIONS,
GOVERNANCE STRUCTURE,
SPONSOR BODY; RELATIONSHIP WITH
COMMUNITY GROUPS AND NGOS**

COMMISSION FOR RACIAL EQUALITY (CRE)

- Statutory Body: Set up under RRA 1976
- Key function: To keep under review the workings of the Race Relations Act, and propose amendments to it
- Powers of enforcement extended under the Act

Point to note:

- CRE itself is listed under RRA (A) 2002

CRE: OTHER DUTIES

- Issue statutory codes of practice and non-statutory guidelines (See Sample)
- Provide funding to other organisations to undertake race equality work e.g.: RECs (Section 44)
- Under Section 66: obliged to consider all applications for assistance in relations to racial discrimination
- Conduct formal investigations as necessary
- Issue compliance notices: can be upheld in Sheriff court

HOW CRE DELIVERS IT'S DUTY

- Government funding (£20 million pa)
- Sponsored by the Department of Communities and Local Government
- Works in partnership to help public authorities meet their duties by:
 - providing practical advice on Statutory Code of Practice and Non-Statutory Guidelines
 - working with umbrella organisations, including Government Inspectorates to develop good practice
 - working with Local Authorities, voluntary sector and private sector
 - monitoring and promoting good practice
 - using the full range of enforcement powers
 - support legal advice

HOW THE CRE OPERATES

The legislation is only part of the tools that CRE has. Also does a lot of promotional work, training, research, participates nationally and internationally on debates on good models of working, good practice, influences the work of race equality nationally and internationally

CRE STRUCTURE

- 300 staff
- Regional and country structure
- 3 country Offices (London; Scotland, Wales) and 9 REGIONAL HUBS

SEE STAFF STRUCTURE AT END OF THIS SESSION

- Chief Executive and team of Directors
- Managed by non-executive Board which comprises Chair, 2 Deputy Chairs and 15 Committee members
- Board has Finance, HR and Risk Committee; Legal Committee; Policy Committee and Communities Committee

ALL non-executives are appointed by the SECRETARY of STATE for Local government and have to sign up a contract which ensures that their behaviour and code of practice is underpinned by 7 principles of governance (Nolan)

Key task of the Commission is to ensure regularity, propriety and value for money - the Board appoints the CEO.

The Non-Exec Board provides strategic direction and contributes to strategic and business planning process, policy and decisions on legal and funding applications

The staff is responsible for operational delivery

The CRE devises a 3-year strategic plan and an annual business plan, also produces an annual report, which is laid in front of parliament.

WORKING WITH PARTNERS

- CRE was established through grassroots movements and campaigning; so relationship between CRE and grassroots organisations are strong.
- CRE is independent of government even though funded by government
- CRE works for the good of public and does not allow government to fetter its judgement and decisions.
- CRE can take government to court if found in breach of the law.

CRE does the following with Voluntary Sector, NGOs:

- Provides funding (under S44) for race equality projects in the community (eradicating racism; improving access to public services; advocacy; interpretation; advice to citizenship; language classes; literacy and innumeracy training; promoting good race relations; conflict resolution)
- Provides legal support/advice on racial discrimination; harassment through S66 Legal aid funding-case work
- Conducts formal investigations into organisations on behalf of racial discrimination victims and makes representations to government
- Monitors job advertisements; press and media coverage and other cultural forms which might incite racial hatred
- Provides training and information on legal, statutory and social rights
- Advocates and campaigns for change in the law by keeping it under review
- Facilitates networking; public debates on race and enables voluntary sector to participate in policy making through regular consultations
- Holds regular summits with Race Equality Groups and an annual race conference
- Researches and publishes policy papers on race and a monthly bulletin with contributions from leading academics, researchers and policy makers (Catalyst magazine)

SESSION 3

**DELIVERY ON RACE; HOW IT WORKS
IN PRACTICE; CASE STUDIES;
WORKING WITH OTHER
EQUALITY AGENCIES,
GOVERNMENT AND NGOS**

ADVERTISEMENTS

The Race Relations Act 1976 makes it unlawful to publish advertisements that discriminate on racial grounds, or to make arrangements for such advertisements. This includes advertisements displayed on notice boards or listed in staff bulletins. Both publishers and advertisers are legally responsible for ensuring that advertisements are lawful.

Examples of racial discrimination

The Race Relations Act 1976 makes discrimination on racial grounds unlawful in employment, training, education, and the provision of goods, facilities and services (both in the private and public sectors). The Act defines two main types of discrimination: direct discrimination and indirect discrimination.

Direct discrimination

Direct discrimination occurs when someone is treated less favorably on racial grounds. Racial grounds include not only grounds of race but also those of colour, nationality, citizenship, and ethnic or national origin.

Example: A dress manufacturing company advertises in the local newspaper for a Turkish machinist.

Indirect discrimination

Indirect discrimination occurs when rules, requirements, or conditions that appear to be fair — because they apply equally to everyone — can be shown to put people from a particular racial group at a much greater disadvantage than others, and the rules cannot be objectively justified. A racial group may be defined by race, colour, nationality (including citizenship), or national or ethnic origin.

Example: An advertisement asks for ability to speak Bengali. This requirement discriminates indirectly against people who do not speak Bengali, and will be unlawful unless it can be justified by the nature of the job. For example, it would be justifiable to ask for a Bengali speaker if the job involves working with people who can communicate well only in Bengali.

Example: An advertisement invites applicants who speak English as their mother tongue. This requirement, too, discriminates indirectly against people who speak English fluently, but not as their mother tongue. This kind of requirement will rarely be justifiable. If an especially high standard of English is needed for a particular job, it would be better to ask for just that: 'a very high standard of written and spoken English', or, alternatively, 'fluent English'.

Example: The Race Relations Act does not cover discrimination on religious grounds, but advertisements inviting Muslim or Christian applicants may discriminate indirectly against some racial groups, and the requirements must be justified by the nature of the job. A religious requirement may be justifiable for jobs connected with a church, temple, mosque, etc, and, possibly, religious organisations.

Taking action against discriminatory advertisements

When the CRE receives a complaint about an advertisement, it takes the matter up with the advertiser and the publisher concerned and asks them to submit their comments, before deciding whether the advertisement is lawful or not. If the CRE thinks an advertisement may be unlawful, it can conduct a formal investigation, bring legal proceedings in an industrial tribunal or county court (Sheriff's court in Scotland), or seek an assurance from the advertiser and the publisher that this will not happen again

CASE STUDIES

CASE STUDY 1: BEYOND A JOKE

Ahmed worked for the same company in Yorkshire for twenty years, and had experienced racial remarks and jokes from time to time. He let these comments ride over him until his colleagues began to abuse him on a regular basis. He ignored them for around six weeks and then made a complaint to his manager.

He explained that his supervisor and other staff were involved — initially he was happy for the issue to be resolved internally.

His manager did not take the complaint very seriously and approached the problem in a very informal fashion. This sent out the wrong signals to the staff involved and made the situation worse. Eventually Ahmed left work in a traumatised state. He has not returned to work and the company never disputed the fact that he was fit to do so. The CRE assisted Ahmed in taking his case to an employment tribunal who unanimously agreed that he had suffered discrimination on the grounds of his race, which is Pakistani.

A second hearing was held to establish the level of compensation. The key factor to consider was whether Ahmed had developed a psychiatric illness as a result of the racial abuse and the way it was dealt with by his employer. CRE stated that this was the case and that it was unlikely he would recover, and that as a result he may never be able to work again.

The company argued that Ahmed was already suffering from psychiatric illness before the abuse and that with proper treatment he would be able to return to work. The tribunal heard evidence over two days and concluded that had it not been for the racist abuse at work, it was likely that Ahmed would have continued his employment until retirement age. It decided that with treatment, Ahmed should be able to start looking for work in two years time, although they noted that this could prove to be difficult for him. The company was ordered to pay a six figure sum in compensation. This figure included actual loss of earnings, future loss of earnings, pension loss, injury to feelings, and interest.

This case sent out a clear message to companies that the effects of racial harassment can be devastating, and consequently the damages that may be payable will be large.

CASE STUDY 2: HOLIDAY SPIRIT

Sarah was looking for a new job, and applied to work for a firm in Greater Manchester as a receptionist. She was invited to go for an interview, but when she got home she received a call from the firm to ask her whether or not she was Jewish.

She stated that yes, she was Jewish. The company went on to ask her whether she intended to take all the Jewish holidays. She explained that she planned to take only one Jewish holiday as leave. The person that she spoke to said that the company “had nothing against Jewish people”.

Four days later, when she had still not heard whether she was successful in her application, she rang the company who said that she had not been offered the job. She was told that the successful candidate “had different circumstances”. This message was confirmed in writing a few days later.

Sarah felt that she had suffered discrimination on the grounds of her race, and came to the CRE for advice. Before her case could be heard at employment tribunal, the company settled out of court for a four figure sum.

CASE STUDY 3: HEALTHCARE FOR ALL

Yasmin, a doctor of Pakistani origin, had worked for a number of years in the NHS, and in a high security prison, before she accepted a post at a private prison in the north of England.

During the course of her work she raised a number of concerns about the healthcare provided to inmates, including ineffective monitoring of inmates in the healthcare department, prescription-only medicines being issued without a doctor’s signature, and breaches of medical confidentiality. Despite persistent complaints her concerns were not dealt with.

On a number of occasions she had to speak to a colleague about his drug prescriptions. She observed that he repeated his mistakes and she became seriously concerned about his competence. She wrote to the director proposing to suspend the doctor and to notify the general medical council (GMC). The director advised against this and refused to get a second opinion or to take the matter further. She felt that this would not be the case had she been white and had she been male. She had witnessed managers making sexist comments and believed that women were not seen as professionals.

Yasmin later found out that the director and her colleague had made complaints about her to the GMC. The allegations were based on the complaints she had made about the doctor, and had never been discussed with her. She felt it was no co-incidence that a month after she had raised concerns about standards in the prison, she had two complaints made about her and was ostracised by her colleagues.

She continued to be concerned about the competence of the doctor and felt that it was only a matter of time before something serious happened. She contacted the area medical officer and, following an investigation, an inquiry team recommended that the doctor be suspended.

Yasmin was not provided with any cover in his absence and, after sometime working long hours with limited staff, she went to her doctor who signed her off sick with exhaustion and stress. She felt unable to return to work at the prison, and resigned. She concluded that her complaints were not progressed because her professional judgement was not taken seriously as she is an Asian women, and she felt she had no choice but to give up a well paid job that she loved.

She came to the CRE for assistance and we investigated her case in some detail. Before the case could be heard at an employment tribunal, the prison settled out of court for a six figure sum. The agreement made provisions for loss of earnings as well as injury to feelings.

SESSION 4

**A THIRTY YEAR LEGACY: LESSONS
TO BE LEARNED; STRENGTHS
AND WEAKNESSES: THE NEXT
PHASE IN EQUALITY AND DIVERSITY
IN UK (CEHR)**

30 YEARS OF RACE EQUALITY

STRENGTHS: SPECIFIC LEGISLATION FOR A SPECIFIC AREA OF INEQUALITY

This meant that:

There was a specific focus on Race and Ethnicity which meant that the unique experiences of individual and groups was better understood

The legislation was borne out of campaigning; hence the focus was on individual and collective experiences of discrimination and not on statutory interests alone

Was able to tackle entrenched discrimination in the provision of goods and services

Allowed for the voices of those suffering ethnic discrimination to be heard at the highest level

Promoted awareness of racial discrimination – hence a higher level of race consciousness - inequalities could not be airbrushed

Promotion itself and campaigning is less powerful if not underpinned by law. In the 60s it was not uncommon for landlords to display discriminatory notices like “No Dogs, No Irishmen and no Blacks” (Skillington, 1972). This sort of direct racism had disappeared for fear of litigation.

Employment practices have vastly improved - the fear of being taken to court had meant that there are much fairer practices in employment, 30 years on

Had a dedicated body (CRE) to keep the work sustained and by monitoring organisations and behaviour closely, was able to take action

Had a ring-fenced, protected funding to work on race specific issues

Provided for individuals to get legal support and advice on racial discrimination and abuse

Raised public awareness of the injustices faced by people because of their ethnicity

Protected the rights of minority groups and improved their quality of life

Although inequalities persist in Britain, the quality of life of many have improved dramatically

Was able to campaign on specific issues affecting minorities

Allowed for the development of a wide network of bodies working in this area to work in partnership

Conducted a vast amount of research, to highlight inequalities

Was able to draw on the skills of academics' community experiences, and voluntary sector to put pressure on government to address issues facing minorities

Has provided for widening access to public services

Had taken a number of landmark cases including formal investigations into the police, prison services, Ministry of Defence. Health department

LESSONS TO BE LEARNT

Ensure political buy-in from the beginning as well as community buy-in

Makes sure that the organisation is established to oversee the legislation is well resourced

There must be proper governance and transparency-lead by example

Work closely with partners in the community and government

Campaign and lobby effectively, ignore the small battles

Do not become exclusive-always place equalities within the context of wider government priorities

Mainstream equalities from the beginning

Avoid bad practice and seek to get some major gains in the first years to win confidence and credibility

There must be strong and sustained leadership for the organisation to succeed

Make strategic interventions-Formal Investigation, rather than small cases

Make sure that the work is grounded in robust information.

Keep work focussed rather and consistent.

THE NEXT PHASE IN EQUALITIES IN THE UK

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

Why a single commission?

- Developments in equality legislation in Europe
- New Equalities strands being legislated for
- Consolidate equalities and Human Rights

Key argument put by Government

A single commission will have many benefits, including the following:

- Bringing together equality experts means EHRC can act as a single source of information and advice
- Being a single point of contact for individuals, businesses and the voluntary and public sectors

- Helping businesses by promoting awareness of equality issues, which may prevent costly court and tribunal cases
- Tackling discrimination on multiple levels - some people may face more than one type of discrimination
- Giving previously under-represented groups, such as older people, a powerful national body to tackle discrimination
- Being together means that we will be able to continue the good work of previous commissions from a more powerful base, while learning valuable lessons from each other.

VISION, MISSION AND PRIORITIES

EHRC vision

A society built on fairness and respect. People confident in all aspects of their diversity.

EHRC mission

The independent advocate for equality and human rights in Britain, the Equality and Human Rights Commission aims to reduce inequality, eliminate discrimination, strengthen good relations between people, and promote and protect human rights.

The commission challenges prejudice and disadvantage, and promotes the importance of human rights.

The commission enforces equality legislation on age, disability, gender, race, religion or belief, sexual orientation or transgender status, and encourages compliance with the Human Rights Act.

In order to bring about effective change, the commission uses influence and authority to ensure that equality and human rights remain at the top of agendas for government and employers, media and society. We will campaign for social change and justice.

Acting directly and by fostering partnerships at local, regional and national levels, the commission stimulates debate on equality and human rights.

The commission gives advice and guidance to businesses, the voluntary and public sectors, and also to individuals.

Developing an evidence-based understanding of the causes and effects of inequality for people across Britain, the commission will be an authoritative voice for reform.

EHRC priorities

To build a credible and independent commission – The Equality and Human Rights Commission will be a robust and flexible organisation with an open and friendly public face. We will offer effective advice and complainant services. We will create a strong body of research for our work and an inclusive network of partners and champions.

To target key equality battlegrounds – The Equality and Human Rights Commission will create a clear map of key workplace challenges, an ambitious response to the Discrimination Law Review, a comprehensive assessment of public service fulfillment of the positive duties and a programme of authoritative 'pathfinder' publications, preparing for our first 'state of the nation' report.

To improve life chances and reduce inequalities – The Equality and Human Rights Commission will target the use of our legal powers swiftly and efficiently; we will launch a major, long-term campaign against prejudice, particularly engaging young people and a major campaign against hate crime. We will also undertake a drive to support independent advocacy for disadvantaged groups.

To promote new understanding of the equality and human rights culture – The Equality and Human Rights Commission will put in progress a comprehensive human rights training programme for staff and partners and a grants programme promoting local human rights and good relations. We will also aim for leadership of the intellectual agenda, through lecture series and public and private debates.

CURRENT CONCERNS IN THE RACE SECTOR

While the concept is recognised as a good one, people are apprehensive

Have High expectations

Feel that there might be competition for resources between strands - too little money for a bigger agenda (£70million)

Dilution of focus on race

Minority voices will be lost - agenda will be driven by the majority

Expertise and knowledge on race will be lost/reduced as people focus on Human Rights rather than specific strands

Casework/legal support will be reduced

Organisation will be too distant from community groups-will work more with businesses and institutions

Might lose independence

Might not have the spread of knowledge to understand Race specific concerns

APPENDIX :

PRINCIPLES SET BY NOLAN COMMITTEE

UNDERPINNING PRINCIPLES OF GOVERNANCE FOR NDPBS

The Seven Principles of Public Life

The Committee has set out '**Seven Principles of Public Life**' which it believes should apply to all in the public service. These are:

Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

Profile:
Kay Hampton



As the final chair of the Commission for Racial Equality Kay Hampton has played an important role ensuring that race equality matters are put on the political agenda. As the CRE comes to a close in the next two months OBV felt it was the opportune time to take a look at her life and career.

For the past four years Hampton has worked for the commission as its deputy chair and was appointed as the CRE chair in December 2006.

Discussing the closure of the CRE, Hampton, who describes herself as an academic at heart, says: "We've had 30 years of an era with an institution that provides support for people affected by racial discrimination. Clearly we have had some success but we still haven't been able to break down some of the long term inequalities in our society and we have to look at why there are still cases."

In addition to her role as chair she is a transition commissioner for the new Commission for Equality and Human Rights (CEHR).

The CEHR will replace the CRE in October (31, 2007) this year, taking on many new powers to implement equality policies for a variety of groups. Her role in the transition involves overseeing how equality is positioned in the new commission, making sure there is no reduction on the subject of race.

Over the last 14 years she has worked in the voluntary sector with a variety of small and big community groups like the refugee council and mental health charities. She has also sat as a board member for many trusts and committees including the Community Fund.

Hampton, is a part-time criminology lecturer at Glasgow Caledonian University and prior to that taught sociology both in Glasgow and at the University of Durban in South Africa which is where she was born.

Born during the apartheid era in South Africa, Hampton says that as a youngster life was hard. She says: "As a teenager I was very angry because of how apartheid affected us. We were restricted from going into certain areas - the state determined where we could go, live and socialise. It was a very segregated upbringing until I went to university."

She believes that this is where her politicisation began; Hampton says she was born into it, commenting that her life was in the framework of politics and she could not escape that. However, she adds: "On the other side also we could not get involved because we were not included in the political framework of South Africa because we couldn't vote."

She grew up in a family that was predominately communists. "A number of Indian people were very strongly attracted to the South African Communist Party because local Black politics at the time were entirely for indigenous Africans", Hampton says.

"As I grew up I was more involved in the wider political landscape and joined the United Democratic Fund in the early 80s – fighting for the same goal of anti-racism – all groups fighting for racial equality."

Hampton argued that she used her academic attributes to change the establishment effectively and she believes that she has spent most of her life trying to do that.

In 1994 Hampton left South Africa and moved to Scotland. It was there that she began to become more involved in the local community. She conducted a variety of research on ethnicity and discrimination as a

research fellow and director of the Scottish Ethnic Minority Research Unit at Glasgow Caledonian University for six years.

(She has served on several management committees, trusts and boards that work in the field of inequality and disadvantage, including funding bodies. These include the Community Fund (board member and Scotland Chair 1998-2003); Wellcome Trust Society Awards (2001-2003) and of the Scottish Refugee Council (Trustee 2005-2006).

She points out that when she came to Britain she thought that there would be a democracy and did not think that there would be the same levels of racism she experienced in South Africa. Hampton explains: "It didn't take me long to discover that there was a different form of racism that was subtle and hidden, it's all done within the boundaries of legality but it is there nonetheless."

Hampton's interests have always lied in grass roots politics. In South Africa's Strategic Planning Department in 1990 she got further engaged in local government work. For two years in the society she provided research data on how communities that have run on racial lines can change to a democratic society.

Her political memories have been a complex journey from completely being excluded from the political process to having nothing more than an academic understanding of the process to one where she is still part of the process and argues that it is still a struggle.

Discussing the future of race equality she says that progress has been made but still feels that there is a long way to go in terms of the subtle racism still around. "We need open dialogue and debate about it. If we can't have a robust debate about this then we have lost something very valuable", Hampton explains.

Hampton hopes to continue her work in the academic field as well as at a grassroots political level. She says: "Deep down I will always be an academic I'm not a politician, but I have always used my academic knowledge to press for policy change and have the freedom as an academic to question politicians. I like the fact that I don't need to tow the party line but I can ask questions."

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