

APPENDIX

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in the United Kingdom

ECRI wishes to point out that the analysis contained in its report on the United Kingdom, as indicated on page 7, is dated 6 March 1998, and that any subsequent development is not taken into account.

In accordance with ECRI's country-by-country procedure, a national liaison officer was nominated by the authorities of the United Kingdom to engage in a process of confidential dialogue with ECRI on its draft text on the United Kingdom, and a number of his comments were taken into account by ECRI, and integrated into the report.

However, following this dialogue, the national liaison officer of the United Kingdom expressly requested that the following observations on the part of the authorities of the United Kingdom be reproduced as an appendix to ECRI's report.

OBSERVATIONS PROVIDED BY THE AUTHORITIES OF THE UNITED KINGDOM CONCERNING ECRI'S REPORT ON THE UNITED KINGDOM

Part I – Legal Aspects

Section C – Criminal Law Provisions

Paragraph 5

The Crime and Disorder Act 1998 creates new offences of racially aggravated violence and harassment and gives statutory force to the case-law which requires judges to consider evidence of racist motivation as an aggravating factor in sentencing. The Act requires the court to consider the aggravating factor as one meriting an increased sentence and to state in open court that the offence was so aggravated (clause 68). This provision will ensure that any racist element is not overlooked in the detection and prosecution of the case.

Paragraph 7

The Government is very concerned about the problems of racism in football and has set up a Football Task Force to consider this issue. The Government intends to look for a suitable legislative opportunity to strengthen the 1991 Act by making it a criminal offence for individuals to use racist comments at football grounds.

Part II – Policy Aspects

Section F – Reception and Status of Non-citizens

Paragraphs 12 – 13

All asylum seekers continue to have a right of appeal to an independent special adjudicator before removal to the country where they have expressed a fear of return. Those who are not entitled to social security benefits and who are unable to support themselves independently are entitled to support under the provisions of the 1948 National Assistance Act and the 1989 Children's Act.

Section G – Law Enforcement Officials

Paragraph 15

The Racial Incidents Standing Committee (RISC) intends to publish a Good Practice Guide for practitioners working in multi-agency panels. The aim of the Guide is to help resolve difficulties which have led to some local multi-agency panels foundering.

Section H – Education and Training

Paragraph 16

The Government is keen to ensure that young people grow up with a clear understanding of their roles and responsibilities within society. It has set up an Advisory Group on Education for Citizenship and the Teaching of Democracy in Schools to provide advice and guidance on effective education for citizenship in schools.

Section M – Other Areas

Paragraph 29 – Northern Ireland

The Government recently published a White Paper in Northern Ireland entitled "Partnership for Equality" which includes a proposal to extend the fair employment legislation to outlaw discrimination on the grounds of religious belief/political opinion in the provision of goods, facilities, services and the disposal or management of premises.

