



COUNCIL CONSEIL
OF EUROPE DE L'EUROPE

26 July 1999

ACFC/SR(1999)013

**REPORT SUBMITTED BY THE UNITED KINGDOM
PURSUANT TO ARTICLE 25, PARAGRAPH 1
OF THE FRAMEWORK CONVENTION FOR
THE PROTECTION OF NATIONAL MINORITIES**

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FOREWORD

The United Kingdom today draws strength and vitality from the diversity of our society. Different heritage - whether race, faith or culture - should be respected and valued. The many ethnic communities that make up our nation today energise our business economy and enable us to enjoy a rich cultural life.

As we head into a new Millenium the makeup of our nation continues to change. We must change with it. Racial discrimination has no place in modern Britain. This Government is determined to eliminate it. The measures we have in place have served us well. But we need to do more. The Stephen Lawrence Inquiry has shown us the reality experienced by many black and Asian Britons today. We have placed race equality and human rights at the centre of the Government agenda.

I am pleased to present this report which details the enormous amount of work we are doing. Government Departments, non-governmental organisations and public bodies are striving to make real progress in tackling racism and promoting equality.

The action we have taken in a number of areas is already making a difference. We have: strengthened the criminal law to give the police and the courts the powers they need to tackle the blight of racist harassment and violence; set up a dedicated Unit to tackle the problems of the socially excluded; and established a Race Relations Forum to give ethnic minorities a voice at the heart of Government.

In the medium term, we shall be updating our anti-discrimination legislation to ensure that we have a sound framework to tackle racism in a modern context. And we have set in train an ambitious and wide-ranging programme of action to address problems at their root and deliver permanent improvements across the whole of society.

I believe that we have made considerable strides forward in our efforts to build a better Britain.

A Britain which is strong because it is just, prosperous because it uses the talents of all its people. I commend this report to you as a testament to the commitment and determination of the Government to turn our vision of a successful multi-racial society into a reality.

Rt Hon Jack Straw MP Home Secretary

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UK REPORT ON THE COUNCIL OF EUROPE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

PART I

Introduction

1. The United Kingdom submits its first report on the legislative, judicial, administrative and other measures it has taken during the period ending on 31 May 1999 in order to fulfil its obligations under the Council of Europe Framework Convention for the Protection of National Minorities.

2. "National Minority" is not a legally defined term within the UK. Our report is based on the definition of racial group as set out in the Race Relations Act 1976 which defines a racial group as "a group of persons defined by colour, race, nationality (including citizenship) or ethnic or national origins." This includes our ethnic minority communities (or visible minorities) and the Scots, Irish and Welsh, who are defined as a racial group by virtue of their national origins. Gypsies (and Travellers in Northern Ireland) are also considered a racial group under the Act. It should be stressed, however, that these historic national identities within the UK are in no way ethnically exclusive. Members of ethnic minority communities, just as much as the rest of the UK population, may feel an identity with one or other of the UK's constituent parts. Being Welsh, for example, does not depend upon being white.

3. Further information on our ethnic minority communities, their history and demographic make-up is attached at Annex A. We have also provided factual background information on the UK, including economic data and details of the governmental structures and Judiciary system.

4. The UK Government has consulted widely on its obligations under the Convention and on the drafting of this Report. A list of non-governmental organisations consulted is attached at Annex B.

Government Structure

5. The Government is firmly committed to the elimination of all forms of racism and to the development of policies which address racial discrimination, intolerance and violence. Our aim is the construction of a society in which every individual, whatever their racial or ethnic origin, is able to fulfil his or her potential through the enjoyment of equal rights, opportunities and responsibilities.

6. Ministers are supported in this work by a specific Race Equality Unit, and an independent consultant and ministerial adviser drawn from the ethnic minority communities. Although each Government Department is responsible for its own race relations policy, the Home Office Race Equality Unit is the UK Government Department with the overall lead on race issues.

7. The Home Secretary has recently created a Race Relations Forum to advise him on issues affecting ethnic minority communities. The Forum has already discussed a wide range of policy and practical issues with Home Office Ministers.

Scotland, "Wales and Northern Ireland

8. The Scottish Office, Welsh Office and Northern Ireland Office are responsible for affairs in Scotland, Wales and Northern Ireland.

Government Action to Tackle Racism

9. Since entering office, the Government has taken decisive action in a number of areas to tackle racist violence and racial disadvantage.

The Stephen Lawrence Inquiry

10. The racist murder of Stephen Lawrence in London in 1993 raised concerns about police handling of such cases and prompted the Government to set up an independent Judicial Inquiry to look at the police handling of the case and to identify the lessons to be learned for the future investigation and prosecution of racially motivated crime.

11. Following publication of the Inquiry Report in February, the Home Secretary published an Action Plan detailing how the Inquiry Report's seventy recommendations would be taken forward. This sets out a long-term programme of practical change to deliver permanent improvements to policing and the rest of society. The Government will publish an annual report on how this work is progressing.

Racial Disadvantage

12. As a first step we restored planned cuts in funding made under Section 11 of the Local Government Act 1966. This grant is designed to address the disadvantage experienced by members of ethnic minorities in accessing education, training, employment and a wide range of other opportunities that are available to people generally.

13. A cut of 50% planned by the previous Government would have been a serious blow to some of the most vulnerable members of our society. We are now reviewing more generally how support to ethnic minority communities may be given in the future.

14. We have also set up a Social Exclusion Unit to help break the cycle of deprivation in inner city areas where a high percentage of our ethnic minority communities live.

Legislation

15. The UK already has some of the most comprehensive anti-discrimination legislation in Europe. We are currently looking at the legislation to ensure that it is adequate to deal with discrimination in a modern context. As part of its response to the Stephen Lawrence Inquiry Report, the Government has announced its intention to bring all public services within the scope of race discrimination legislation. Through the Crime and Disorder Act 1998, we have strengthened the criminal law to deal effectively with racially aggravated offences. This sends

out a clear message that racist crime will not be tolerated in our society and will be severely punished.

16. Further details on these initiatives are provided in Part II of this Report.

PART II

ARTICLE 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

17. People from ethnic minorities are protected from discrimination under the Race Relations Act 1976 which makes racial discrimination unlawful in employment; education, training and related matters; the provision of goods, facilities, services and premises; and the disposal and management of premises. The Act gives individuals a right of direct access to the Civil Courts and Employment Tribunals for legal remedies for unlawful discrimination. It also established a Commission for Racial Equality, independent of Government, which works towards the elimination of discrimination and the promotion of equal opportunities. The text of this Act is attached at Annex C.

Commission For Racial Equality (CRE)

18. The Commission for Racial Equality (CRE) is a statutory body established under the Race Relations Act 1976. Its functions are to:

- work towards the elimination of racial discrimination;
- promote equality of opportunity, and good race relations, between persons of different racial groups generally; and
- keep under review the working of the Race Relations Act 1976 and to draw up and submit to the Secretary of State proposals for amending it.

19. In addition to reviewing the Race Relations Act, the Commission:

- legally assists complainants in cases of discrimination;
- tackles institutional discrimination by encouraging public and private sector leaders to publicly commit themselves to using their power and influence to end racial discrimination;
- raises public awareness of the problems of racism and advantages of multiculturalism through public education programmes and advertising campaigns;
- works in partnership with local anti-racist groups, many of whom receive partial funding from the CRE.

20. The Government fully supports the work of the CRE. To reinforce this support, the Government decided to increase the CRE's total grant from £14.825 million in 1998/99 to £16.42 million in 1999/2000.

21. A Commission for Racial Equality was recently established in Northern Ireland under the Race Relations (MT) Order 1997. Its current annual budget is £459,000.

Employment Tribunals

21. Complaints relating to discrimination in employment are dealt with by employment tribunals. These are open to the public, including the media, and cases are reported in the newspapers, employment law journals and (more rarely) on television.

22. Employment tribunals are designed to provide a cheap, speedy, accessible, and relatively informal forum for the resolution of employment-related disputes. Accordingly people are able to represent themselves if they so wish. Parties are also able to negotiate settlements of a complaint to an employment tribunal and of complaints which could be made to a tribunal either through the auspices of an Advisory Conciliation and Arbitration Service (ACAS) conciliation officer or by means of a compromise agreement.

23. Legal aid is not available for legal representation at employment tribunal although it is available for assistance with case preparation for those who qualify. The Commission for Racial Equality may offer assistance in relation to proceedings or prospective proceedings, for example, where the case raises a question of principle, or is complex.

24. The system is designed to weed out hopeless and ill-founded cases thus freeing the way for genuine cases to proceed more quickly. For example, where it appears that the tribunal does not have the power to grant the relief claimed the tribunal may write to the party concerned pointing this out and saying that it will not register the case unless the party confirms he wishes to proceed. The powers for dealing with this type of case have been strengthened by the Employment Rights (Dispute Resolution) Act 1998 and will be given effect by means of the Employment Tribunal Regulations which are in the process of being amended.

25. As for cases which appear to be ill-founded the tribunals may hold a pre-hearing review, either of their own motion or at the request of a party to the case. If at the pre-hearing review the tribunal is of the opinion that the case has no reasonable prospect of success, it may require payment of a deposit of up to £150 as a condition of proceeding to a full hearing.

26. In 1997/98 2568¹ applications for race discrimination were registered within the Employment Tribunals (GB²). Of these applications, 655 reached settlement between the applicant and respondent via services offered by the Advisory Conciliation and Arbitration Service (ACAS). 709 applications were withdrawn or privately settled. 88 applications were successful following a hearing. 398 applications were unsuccessful following a hearing and 99 were dismissed at hearing being out of jurisdictional scope for hearing at an Employment Tribunal. 155 Cases were disposed of by other means. A further 484 applications had yet to reach an outcome.

[Notes

¹ Applications are counted according to nature of the main complaint at the time the case is registered with the Employment Tribunals e.g. an application for unfair dismissal because of race discrimination may be registered as unfair dismissal and race discrimination but not be counted within the figures above.

² England, Scotland and Wales]

International Co-operation

27. The UK Government is strongly committed to International co-operation to protect ethnic minorities through programmes aimed at tackling discrimination and promoting diversity.

European Year Against Racism

28. 1997 was the European Year Against Racism. The Government provided substantial resources for the administration and co-ordination of this initiative in the UK and awarded £300,000 to local projects in support of the Year. The Year was a great success and has done much to raise awareness of the problems of racism and encourage work to tackle them in the UK and throughout Europe.

Europe Against Racism Conference

29. During our EU Presidency last year, we kept racism high on the European agenda by running a major conference, 'Europe Against Racism.' This brought together Government officials and representatives from non-governmental organisations from across the Union to discuss the way forward for the EU in this area. The Conference was a great success and a copy of the report is attached at Annex D.

30. Work is now underway to ensure that race issues remain an integral part of future Presidency work programmes.

European Monitoring Centre on Racism and Xenophobia

31. In June 1997 the European Council agreed to set up a European Monitoring Centre on Racism and Xenophobia based in Vienna. The Monitoring Centre aims to help the Community and Member States to take account of the effects of racism and xenophobia in the development of policy and practice. It will provide the EU with objective, comparable data on racism and xenophobia in order to help the EU formulate effective policy.

32. Each Member State is required to set up roundtable meetings to facilitate discussion at national level on the work of the Monitoring Centre. The UK's first Roundtable took place in October 1998. It provided the UK Government and national organisations working in the field of race relations with the opportunity to discuss issues of relevance to the Monitoring Centre and feed back ideas and proposals on how work should be taken forward. Further details on the Monitoring Centre are attached at Annex E.

Action Plan on Race

33. In March 1998 the European Commission presented its Action Plan for combating racism across the European Union in the period leading into the new millennium. We welcome the Commission's initiative in bringing forward the Action Plan and look forward to working with them on it in the future.

34. The Action Plan consists of four strands:

- i. *Paving the way for legislative initiatives*

Following ratification of the Treaty of Amsterdam, Article 13 of the EC Treaty will enable the Council to take appropriate action to combat discrimination on grounds including racial or ethnic origin. The Commission is developing proposals for two anti-discrimination directives, which it plans to publish as soon as possible after ratification of the Treaty. These will deal with discrimination on a wide range of grounds in the area of employment; and discrimination on racial grounds in a wider field. The Commission will also propose a plan of action to underpin legislation. The UK is taking an active part in informal official-level discussions which began earlier this year.

ii. *Mainstreaming the fight against racism*

The Commission plans to develop a mainstreaming approach to combating racism and discrimination and promoting integration across relevant sectors, in particular in:

- employment;
- the European Structural Funds;
- education, training and youth programmes;
- public procurement policy;
- research activities;
- external relations;
- information actions; and
- cultural and sports initiatives.

iii. *Developing and exchanging new models*

The Commission will continue to support pilot projects and networks which show innovation in combating racism, and which actively promote an exchange of experience at European level.

Iv . *Strengthening information and communication action*

The Commission is building upon the communication work launched during the European Year Against Racism and giving the fight against racism at European level a recognisable identity, with a logo etc. The Commission is also co-operating with media partners to promote codes of good practice for journalists.

Treaty of Amsterdam

35. New provisions in the Treaty of Amsterdam provide the EU with a legal basis to tackle racism. Article 13 provides a sensible basis for Community action to fight unfair discrimination and promote equality. Article K1 also gives us the ability to take action to combat criminal acts of racism and xenophobia in order to promote the security of our citizens.

36. The European Commission is developing proposals for two anti-discrimination directives, which it plans to publish as soon as possible after ratification of the Amsterdam Treaty. These will deal with discrimination on a wide range of grounds. The UK is involved in discussions on this which began in February. We will continue to play a full and positive part in the development of Community action to tackle racial discrimination once the Treaty comes into force.

Council of Europe Steering Committee for Human Rights (CDDH)

37. The UK is a member of this Steering Committee which is currently considering proposals for an additional protocol to the European Convention on Human Rights. The proposed protocol would be a wide-ranging non-discrimination measure.

Council of Europe Expert Group on the Protection of National Minorities (DH-MIN)

38. The UK sits on this committee of experts which was established to facilitate the exchange of information between members states on issues relating to the protection of national minorities. In particular, information is exchanged about activity undertaken by member states in relation to the Framework Convention for the Protection of National Minorities.

Council of Europe Charter for Regional or Minority Languages

39. The UK Government announced in June 1998 that it proposed to become a signatory to the Charter for Regional or Minority Languages, and to specify provisions for Part III of the Charter in respect of Welsh and Gaelic. The Government also intends to specify Irish at an early date.

Council of Europe Working Group on Migration (CDMG)

40. The UK is a member of this Working Group which meets in Strasbourg twice a year to exchange information on issues relating to immigration and the integration of migrants.

United Nations International Convention on the Elimination of all Forms of Racism

41. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which took effect in the UK in 1969, contains a range of obligations requiring State Parties to prohibit and prevent discrimination on the grounds of race.

42. The UK is required to submit a report every two years to the UN CERD Committee which monitors our compliance with the Convention. These reports are subject to public, oral examination by the Committee and we were last subject to examination on the 14th Report in March 1997 when the Committee praised the format and volume of the Report and congratulated the UK on their openness, transparency and willingness to engage in dialogue. We submitted our 15th report to the CERD Committee in July 1999.

UN World Conference on Racism

43. The United Nations General Assembly has decided to convene a World Conference on Racism to take place no later than the year 2001. The Conference will give member states the opportunity to review progress made in combating racism, xenophobia and related intolerance and to formulate concrete recommendations for taking work forward. Full details of the aims and objectives of the Conference are attached at Annex F.

44. In preparation for this, the Council of Europe is planning a European Preparatory Conference. The UK is involved in the planning for this event and will continue to take an active role in preparations at national and European level.

ARTICLE 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

ARTICLE 3

1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.

2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principle enshrined in the present framework Convention individually as well as in community with others.

45. "National Minority" is not a legally defined term within the UK. Our minority population is mainly made up of 'ethnic minorities' or 'visible minorities'. UK anti-discrimination legislation is designed to protect ethnic minorities because this has been the pattern of discrimination.

46. Our report is based on the definition of racial group as set out in the Race Relations Act 1976. This defines a racial group as "a group of persons defined by colour, race, nationality (including citizenship) or ethnic or national origins."

47. Case law has determined that the Scots, Irish and Welsh, who originate from what were formerly independent nations, are defined as a racial group by virtue of their national origins. We have, therefore, included in this Report details of the measures taken to maintain and develop the language and culture of these communities.

48. The Government has received representations from a number of individuals from Cornwall, including MPs and MEPs seeking recognition of the Cornish as a national minority under the Convention. The Minister responsible for Race Relations, Mike O'Brien, has also met with an MP and academic from Cornwall to discuss these concerns. We maintain the view that we do not consider that the people of Cornwall constitute a 'national minority'. We are not aware of any rights granted under the Convention which are being domed to any individual in Cornwall.

Office of National Statistics (ONS)

49. The Office of National Statistics (which includes the General Register Office) is a Government Department and Executive Agency accountable to the Chancellor of the Exchequer. ONS collects, compiles and provides a wide range of statistical information including UK national accounts, and population estimates and projections. ONS also carries out research studies on behalf of Government Departments concerned with economic and social issues.

50. The Registrar General for England and Wales is responsible for the administration of the registration service and the taking of the decennial census of population. The Registrar General also maintains a central register of persons on doctors' lists, for the purposes of the National Health Service.

51. The Government published a White Paper in February 1999 on proposals for changes to the next Census in 2001. Those proposals include the inclusion of a question on religion as well as expanding the ethnic origin question.

52. The Census also collects information on the numbers of people in Wales who speak, read or write Welsh. This information supports the development of public policies to promote the Welsh language and facilitate its use. It is proposed to include an ethnic group question in the Northern Ireland 2001 Census.

ARTICLE 4

1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

53. The UK Government unreservedly condemns racial discrimination. It seeks a society in which every individual is able to fulfill his or her potential through the enjoyment of equal rights, opportunities and responsibilities. The following paragraphs outline the legislative and other means by which the Government is seeking to eliminate racial discrimination.

Stephen Lawrence Inquiry

54. On 31 July 1997, the Home Secretary announced a Judicial inquiry into the death of Stephen Lawrence, who was murdered in Greenwich in April 1993.

55. The Inquiry Report was published on 24 February and contains seventy wide-ranging recommendations for improving the handling of racist crime. The Home secretary has produced a detailed Action Plan in response to these recommendations, full details of which are attached at Annex G.

Human Rights Act

Incorporation of the ECHR

56. The Human Rights Act was passed in November 1998 giving further effect in UK law to the rights and freedoms set out in the European Convention on Human Rights. It does this in two main ways.

57. First it requires all legislation, whenever enacted, to be interpreted as far as possible in a way which is compatible with the Convention rights. Primary legislation will continue to be enforced if it is held to be incompatible, but the higher courts will be able to make a declaration of incompatibility. That will enable the relevant Government Minister to amend the legislation by order, subject to parliamentary approval if there are compelling reasons to do so. Parliament will also be able to amend the legislation by fresh primary legislation. The courts will be able to quash or set aside incompatible subordinate legislation, unless it is inevitably incompatible by virtue of the parent legislation.

58. Second, the Act makes it unlawful for public authorities to act in a way which is incompatible with the Convention rights. Public authorities will include courts and tribunals, Government Departments and the police amongst others. Victims of a breach of the Convention rights will be able to rely on these rights in proceedings involving a public authority, or proceed against the authority direct. Courts and tribunals which find that a public authority has acted unlawfully will be able to award whatever remedy is within their jurisdiction and seems appropriate. A copy of the Act is attached at Annex H.

Preparing for implementation

59. The Act is due to be implemented on 2 October 2000. There is a lot of preparatory work to do before that date. For example, courts and tribunals will need training to enable them to deal confidently with Convention points in the cases that come before them. Public authorities will need to review their legislation and procedures, and will need to train their staff in an awareness of the Convention rights. Training of judges and Court personnel is underway and is being co-ordinated by the Judicial Studies Board.

60. The Government is providing detailed guidance on the Act to help public authorities comply with it. We will also be discussing with non-governmental organisations how to provide training for public authorities and how to heighten public awareness of the Act. Provision of information to the public about the Act and the rights and duties it involves is being considered by the Human Rights Task Force. Consideration will also be given to the languages in which the information should be available.

61. In Wales, the National Assembly will be under a human rights duty from its establishment. This may predate the implementation of the Human Rights Act.

Bill of Rights

62. There have been calls on the Government from some pressure groups to introduce a Bill of Rights. However, our priority at present is our manifesto commitment to incorporate the European Convention on Human Rights into our domestic law. The Human Rights Act represents a major constitutional reform, as well as a major step towards the development of a Human Rights culture in the UK. We are now working on preparations for its implementation and would like to see how the Act operates in practice before considering whether anything further is needed in this area.

Human Rights Commission

63. The Human Rights Act does not provide for a Human Right Commission, although we have not ruled out establishing a Commission in future. Some detailed issues would need to be

resolved first, such as the functions and structure of a Human Rights Commission and its relationship to other bodies working in the field of human rights in the UK, such as the Equal Opportunities Commission, and the Commission for Racial Equality.

64. A Human Rights Commission has been established in Northern Ireland. We do not believe that the special circumstances of Northern Ireland justify the establishment of a UK Human Rights Commission.

Race Relations Act 1976

65. Under this Act, racial discrimination is unlawful in employment; education, training and related matters; the provision of goods, facilities, services and premises; and the disposal and management of premises. The Act gives individuals a right of direct access to the Civil Courts and Employment Tribunals for legal remedies for unlawful discrimination.

66. The Act also established a Commission for Racial Equality, independent of Government, which works towards the elimination of discrimination, promotes equality of opportunity and reviews the working of the Race Relations Act. 'UK Commission for Racial Equality published its third review of the Race Relations Act in June 1998. It contains broad ranging proposals for amendment to the Act, including:

- affirming the right of every person not to be discriminated against on racial grounds by any public body; and
- a new duty on public authorities to promote race equality.

67. Other proposals seek to broaden the scope of the Act and to enhance the powers of the CRE and Employment Tribunals.

68. We are considering the proposals carefully. The Home Secretary has carried out a consultation on the ORE's review as he wished to take the views of those who would be affected by any change. The closing date for responses was 18 December 1998. We are currently looking at the responses and will subsequently be considering the next steps.

69. The Stephen Lawrence Inquiry Report included a recommendation to extend the scope of the Race Relations Act. This recommendation has been accepted. Details are provided in the Home Secretary's Action Plan at Annex G.

[Notes

During the consultation stage of this report, a number of non-governmental organisations requested that we clarify the position on positive discrimination. Positive discrimination is not legal in UK. However, the Race Relations Act does permit certain forms of positive action by training bodies, by employers and by trade unions and employers' organisations, in order to improve ethnic minorities' training opportunities and representation in areas where they are not at the level which might be expected.

*We were also asked to confirm whether the Race Relations Act protects Romany people from discrimination on racial grounds. This was established by the case of *Commission of Racial Equality v Dutton*, where the Court of Appeal held that Romany gypsies constitute a racial group for the purposes of the Act.]*

Crime and Disorder Act

70. The Crime and Disorder Act 1998 introduced new statutory offences for racist crime which: correspond to the existing main offences which deal with violence against the person (except those which carry a maximum sentence of life imprisonment); include a test that there was either racial motivation or any aggravating evidence of racial hostility in connection with the offence; provide the courts with higher maximum penalties to reflect the racial aspect of the offence. Further details are attached at Annex I.

Race Relations Forum

71. The Home Secretary has created a Race Relations Forum to advise him on issues affecting ethnic minority communities. It is making a positive and practical contribution to policy development and gives minority communities a new and effective voice at the heart of Government.

72. The Forum's membership is drawn from a broad spectrum of ethnic minority communities and brings together a wealth of experience and expertise. A copy of the terms of reference is attached at Annex J.

Race Relations (Northern Ireland) Order 1997

73. The Race Relations (Northern Ireland) Order 1997 was made in March 1997. It follows the general lines of the Race Relations Act 1976 but is tailored to suit Northern Ireland circumstances, for instance, Irish Travellers are specifically identified as a racial group for the purposes of the Order, and it has been drafted to reflect regional and Local Government structures. The Order provided for the establishment of a Commission for Racial Equality for Northern Ireland which became fully operational in August 1997. A new Equality Commission (details of which are given below) will take over its functions in 1999. A copy of the Order is attached at Annex K.

Northern Ireland Act 1998

74. In 1998 the most important advance for all the people of Northern Ireland was the political settlement reached on 10 April 1998, referred to at the time as the 'Good Friday Agreement'. The terms of that Agreement were subsequently endorsed in a referendum by over 70% of the population of Northern Ireland. The Agreement included a range of measures to enhance the proper protection of basic human rights.

75. The Northern Ireland Act came into force on 19 November 1998 and gives legal effect to the Agreement. The Act established a new independent Northern Ireland Human Rights Commission (NIHRC). The Commission's duties are set out in Section 69 of the Northern Ireland Act 1998, a copy of which is attached at Annex L.

76. The Act also provided for the establishment of a Equality Commission which brings together in one body the work of the Fair Employment Commission, Commission for Racial Equality for Northern Ireland, Equal Opportunities Commission for Northern Ireland and the Northern Ireland Disability Council.

77. Section 75 of the Act places a statutory obligation on Public Authorities - Northern Ireland Central Government departments; NDPBs; District Councils; and a number of UK Departments operating in Northern Ireland - to ensure that, consistent with their responsibilities, all functions are carried out with due regard to the need to promote equality of opportunity in the areas covered by the former Policy Appraisal for Fair Treatment (PAFT) guidelines.

78. Public authorities will also be required to conduct their affairs with due regard to the desirability of promoting good relations between people of different religious belief, political opinion or racial group. This means that, for the first time, public authorities will have a statutory duty to address issues of community relations and reconciliation.

Government of Wales Act 1998

79. This Act makes equality of opportunity an objective in Wales for the exercise of government functions which will in future come under the National Assembly. The Assembly is required to make arrangements to exercise its functions in a way that has due regard to equality of opportunity, and to publish a report at the end of each financial year, setting out how effective its arrangements have been.

ARTICLE 5

1. The Parties undertake to promote the conditions necessary for national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

80. Government believes that the richness and diversity that this country draws from its ethnic minority communities has made Britain a stronger nation. We value and recognise the contribution that our ethnic minority populations have made, and continue to make, to this country - economically, socially and culturally.

81. The Government has an important role in ensuring that the needs and concerns of our ethnic minority communities are recognised and respected for differences between and within different cultures is encouraged throughout society. Our aim is to enable members of ethnic minorities to play a full part in national life, with all the benefits and responsibilities which that entails, while still being able to maintain their own culture, traditions, languages and values.

Official language

82. English is the language of the State and administration in England, Northern Ireland and Scotland. The Welsh Language Act 1993 established the principle that, 'in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on a basis of equably'. Government Ministers have stated in Parliament that they regard both Welsh and English as official languages in Wales.

83. The United Kingdom intends to sign a Council of Europe Charter for Regional or Minority Languages. Part II of the Charter sets out general principles of recognition, support and removal of discrimination. Part III specifies measures to be taken to promote the use of selected languages in public life. The Government intends to specify in due course Gaelic in Scotland and Irish in Northern Ireland for the purposes of Part III.

State Religion

84. The Church of England is the Established Church in England. The Sovereign, who must be in communion with the Church of England is Supreme Governor. As such, The Queen appoints bishops and senior dignitaries of the Church, acting on the advice of ministers.

85. Church legislation, called Measures, requires the approval of both Houses of Parliament and must be submitted for Royal Assent. Although both Parliament and the Church may bring forward such Measures, since 1919 these have almost invariably been initiated by the Church itself. The Government takes a neutral position when Measures are presented to Parliament and, more generally, does not seek to intervene in doctrinal and liturgical matters affecting the Church.

86. Members of Parliament hold a number of formal positions within the Church. The Home Secretary and certain other members of Government are ex officio Church Commissioners, whilst the post of Second Church Estates Commissioner is always filled by a Member of Parliament, who speaks on behalf of the Church in the House of Commons. The Government would not contemplate disestablishment of the Church of England unless convinced that the Church itself wished it.

Wales

87. In Wales the (Anglican) Church in Wales was disestablished in the early part of this century, and no church is now established. A large part of the population of Wales has traditionally belonged to non-conformist denominations.

Cultural Heritage

88. Public authorities take an active part in preserving and sustaining the cultural heritage of Wales. The Arts Council of Wales, the National Museum of Wales and the National Library of Wales undertake much work in this field, and are financed from the Welsh Office. The National Eisteddfod of Wales, a particular festival of Welsh cultural traditions, also receives an annual grant.

Northern Ireland

89. There is no state religion or established church in Northern Ireland.

Scotland

90. Strictly speaking, there is no State religion or established church in Scotland. The Church of Scotland is the national rather than established church, although the term 'established' is sometimes used loosely to describe its status. The Church of Scotland is the national church in the sense that its position is guaranteed by the Acts of Union and the Sovereign promises in the Oath of Accession 'to maintain and preserve the Protestant religion and Presbyterian Church Government'. The Moderator of the General Assembly is given a high place in teams of precedence both in Scotland and in the UK and the Church is represented officially on many State occasions and on public bodies.

91. The Church of Scotland is, however, a Free Church, meaning that it is not state-controlled. The Sovereign is not the Head of the Church as is the case in the Church of England. Parliament is not involved in any clerical appointments. State interference in the Church's internal spiritual matters of doctrine, worship, government and discipline is specifically prohibited. The relationship between Church and State is one of partnership, recognising that each has its own sphere of activity while owing mutual duties to each other in promoting each other's welfare.

ARTICLE 5

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their min and shall protect these persons from any action aimed at such assimilation.

92. UK policy on integration is based upon the principle that cultural diversity should be valued and promoted. Our aim is to enable members of ethnic minorities to play a full part in national life, with all the rights and responsibilities which that entails, whilst still being able to maintain their own culture, traditions, language and values.

ARTICLE 6

The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

Commission for Racial Equality

93. The Commission for Racial Equality has a statutory duty to promote equality of opportunity and good relations between persons of different groups. It also works to raise public awareness of racism and the advantages of multiculturalism through public education programmes and advertising campaigns.

94. The Commission has collaborated in a number of high profile and award winning campaigns to promote racial tolerance and cultural diversity. Examples include:

- * the 'Visible Women' project which was launched in 1997 to raise awareness of the obstacles facing ethnic minority women in Britain, particularly in the labour market, was launched in 1997 and consolidated in 1998 with the establishment of two regional forum for London and the south and the north of England;

- * the 'Tackle Racism in Rugby League' joint campaign with the Rugby Football League (RFL) to end racism in the sport and to encourage more people from ethnic minorities to take part in it;

- * the 'Sporting Equals' three-year programme developed with the English Sports Council to promote racial equality in sport;

95. In September 1998 the CRE launched a widespread public education campaign, including the use of posters aimed at encouraging the public to challenge racism when they see it, and aimed at challenging negative racial stereotypes. Further details on these initiatives will be included in the Annual Report of the Commission for Racial Equality for 1998, a copy of which is attached as Annex M.

96. The Commission for Racial Equality for Northern Ireland has worked to promote good relations and understanding in a number of ways. These include: a bill board campaign to launch the first racial equality free phone number in Northern Ireland; providing grants to local ethnic minority groups to raise awareness and empower the constituency; and the 'Into the Light' Conference which looked at the continuing need for service providers to address the needs of ethnic minority communities.

Ethnic Diversity in the School Curriculum

97. Cultural awareness in schools is reflected in the teaching of History in the National Curriculum. Full details are provided later in this Report. The Government plans to strengthen education on citizenship which will highlight the need for pupils to have an understanding of diversity and respect for individuals from different cultures and backgrounds, and an understanding of and commitment to the value of equal opportunities.

98. Further action for addressing and preventing racism in schools has been proposed by the report on the Stephen Lawrence Inquiry. This recommends the implementation of strategies to prevent and address racism in schools and amendments to the National Curriculum aimed at valuing cultural diversity and preventing racism. Both recommendations have been accepted by the Government.

Broadcasting

99. Paragraphs 124-126 below describe developments within the broadcasting service to meet the cultural needs of ethnic minority communities. It is recognised that broadcasting services offer a powerful means of developing a degree of harmony and understanding through common social, community, musical and other interests. As a result, UK legislation has provided for an expansion in the range and diversity of services, appealing to a variety of tastes and interests.

100. The Government recognises that broadcasting has an important role to play in the preservation of Gaelic and Irish as living languages and in sustaining the distinctive cultures based upon them.

101. The distinctive concerns of Wales and its people are recognised in the broadcast media. The British Broadcasting Corporation's (BBC) television and radio services in Wales, and Channel 3 television service in Wales, provide considerable amounts of special programming for Wales.

102. Special arrangements guarantee the presence of the Welsh language in the broadcast media. The television channel Sianel Pedwar Cymru (S4C) broadcasts programmes in the Welsh language. On its analogue service, S4C has hitherto broadcast about 30 hours a week of programming in Welsh. The move to digital broadcasting technology has made it possible for the channel to begin broadcasting some 84 hours a week in Welsh. S4C receives an annual grant from the UK Government. On radio, the BBC provides a radio service in Welsh called Radio Cymru.

103. The Gaelic Broadcasting Committee, Comadaidh Craolaidh Gaidhlig, is an independent statutory body established under the Broadcasting Act 1990. The Chairman and members are appointed by the Independent Television Commission. The Committee is responsible for managing the Gaelic Broadcasting Fund (some £8.5m per annum from the Government) which finances through grants, the production of Gaelic programmes, training and research and other purposes related to Gaelic broadcasting. In April 1999, the Government announced a Task Force to examine the feasibility of a dedicated Gaelic television channel.

ARTICLE 6

1. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

104. The Race Relations Act makes discrimination unlawful in employment; education, training and related matters; the provision of goods, facilities, services and premises; and the disposal and management of premises. The Act gives individuals a right of direct access to the Civil Courts and Employment Tribunals for legal remedies for unlawful discrimination.

105. The UK Government is also determined to crack down on racist crime. Not only does it injure the victim or damage their property, it adversely affects the victim's whole family and impacts on the whole community. In addition to the personal pain, racist crime also erodes the standards of decency of the wider community. Trust and good relations built up over many years can be destroyed by one malicious incident.

Stephen Lawrence Inquiry

106. The Home Secretary announced a Judicial Inquiry on 31 July 1997 into the death of Stephen Lawrence who was murdered in Greenwich in April 1993. The terms of reference of the Inquiry were, *'To inquire into the matters arising from the death of Stephen Lawrence on 22 April to date, in particular to identify the lessons to be learned for the investigation and prosecution of racially motivated crime.'* The Home Office, Association of Chief Police Officers and the Metropolitan Police Service were among those who gave written and oral evidence to the Inquiry.

107. The Inquiry Report was published on 24 February and contains seventy wide-ranging recommendations for improving the handling of racial crime. The Home Secretary has produced a detailed action plan in response to these recommendations. For each of the areas covered by the recommendations, the plan sets out the main programme of work, who will have the lead responsibility for taking the work forward, the milestones for progress in each area, and how the Government will review and assess the outcomes of the work.

108. The plan is a framework for change which aims to deliver permanent improvements in every area of policing and the rest of society. The following principles will guide all the work in the plan:

- *partnership and involvement*: there will be involvement and consultation of ethnic minority people and their representative bodies, as well as the police, relevant local and public

authorities and other organisations at all stages to ensure that there is genuine partnership running throughout the programme;

- *policing diversity*: the work must help and support police officers to enforce the law in a multi-cultural and multi-ethnic Britain, to serve the community better. We need to be sure that changes will lead to real improvements. That will involve pilot projects and assessment where necessary;

- *recognising and rewarding success*: we will encourage all those involved to strive for the highest standards. We should acknowledge and praise achievement. Equally, those who tolerate bad practice can expect to be identified and called to account;

- *raising standards and promoting professional competence*: the investigation of serious crime of all types, whether racist or not, must be conducted to the highest possible standard. Strong leadership, high quality intelligence gathering and good organisation are all crucial.

109. The Home Secretary is taking personal responsibility for oversight of the programme and will chair a Stealing Group specifically set up for that purpose. This will involve members from a wide range of interested organisations including the Commission for Racial Equality, the Race Relations Forum, the Black Police Association, the Metropolitan Police and the Crown Prosecution Service.

110. Full details of the Stephen Lawrence Inquiry recommendations and the Home Secretary's Action Plan are attached at Annex G.

Crime and Disorder Act 1998

111. We have introduced specific new offences of racially aggravated violence, harassment and criminal damage in the Crime and Disorder Act. These offences came into force in September 1998.

112. The new offences correspond to the existing main offences which deal with violence against the person (except those which carry a maximum sentence of life imprisonment), criminal damage and offences of harassment. They include a test that there was either racial motivation or any aggravating cadence of racial hostility in connection with the offence, and provide the courts with higher maximum penalties to reflect the racial aspect of the crime.

113. The Act sends out a strong message that racial violence and harassment is unacceptable and will be dealt with very seriously by the police and the courts. It also ensures that a higher priority is given to the identification of the racial element of the crime in the gathering of evidence, thus preventing the racial aspect from being overlooked in sentencing.

[Notes: In response to a question asked during the consultation process, the Act generally does not apply to Northern Ireland]

Racial Incidents

114. An interdepartmental Racial Attacks Group was established in 1987 following the 1986 Home Affairs Committee Report on racist attacks. This work is now being continued by the Racist Incidents Standing Committee (RISC) whose aim is to make progress in responding to racist incidents both individually and in collaborative partnerships. RISC focuses on four key areas: dealing with the perpetrators of racist crime; the reporting and recording of racist crime; the operation of multi-agency panels; and services to people experiencing racist harassment.

115. Increasingly multi-agency working has been formalised through the establishment of multi-agency panels. These develop locally and vary considerably, but allow agencies tackling racist crime to evaluate and improve the service provided. At the end of 1998 the Home Office and RISC jointly published a Good Practice Guide in Multi-Agency Working on Tackling Racial Incidents called 'In This Together'. A copy is attached at Annex N.

Police Handling of Racial Incidents

116. Racist Incidents are recorded by the police on the basis of the following definition:
'Any incident in which it appears to the reporting or investigating officer that the complaint involve an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person.'

The Home Office will ensure that the new simplified definition of racist incident is universally adopted by the police, local government and other relevant agencies, as recommended in the Stephen Lawrence Report. This definition is that, 'Racist incident is any incident which is perceived to be racist by the victim or any other person.'

117. The number of racist incidents reported to the police has increased since 1989 from 5,044 to 13,878 reported in 1997/98. These figures under-represent the number of incidents occurring. Finding from the 1996 British Crime Survey (BCS) on ethnic minorities' experience of crime showed a considerable gap between crime incidents perceived to be racially motivated by victims and the number of incidents recorded by the police.

118. Many racist incidents are not reported to the police, though some may be reported to other agencies. Even if crimes against people of minority ethnic origin are reported to the police, the racist element may not be mentioned. Under-recording by the police is also a significant factor.

119. The police and the CPS are increasingly working together to improve the standards of reporting and recording of racist incidents. The Government welcomes the steps many police forces have taken to increase the reporting rate of racist incidents. This will have influenced both public confidence in the police's response to such incidents and the number of offences reported. Although the number of recorded racist incidents has risen annually since 1989, there are still improvements to be made. Details of racial incidents for 1993/94 to 1997/98 are set out below.

Police force area	1993/94	1994/95	1995/96	1996/97	1997/98	Percentage change 96/97 to 97/98
Avon and Somerset	159	286	318	310	409	32
Bedfordshire	60	41	43	77	75	-3
Cambridgeshire	100	75	160	141	147	4
Cheshire	98	62	27	92	78	-15
Cleveland	50	62	112	68	76	12
Cumbria	17	24	27	37	46	24
Derbyshire	221	291	192	208	174	-16
Devon&Cornwall	14	44	73	82	90	10

Dorset	25	37	41	67	86	28
Durham	32	26	23	24	37	54
Essex	133	127	178	116	160	38
Gloucestershire	28	37	34	34	32	-6
Greater Manchester	658	637	776	595	624	5
Hampshire	212	210	279	178	219	23
Hertfordshire	117	183	234	295	288	-2
Humberside	79	75	58	55	72	31
Kent	160	173	129	256	276	8
Lancashire	262	222	320	337	311	-8
Leicestershire	315	366	270	299	237	-21
Lincolnshire	4	2	0	7	6	*
London, City of	1	6	2	10	6	*
Merseyside	155	131	130	162	241	49
Metropolitan Police	5,124	5,480	5,011	5,621	5,862	4
Norfolk	33	39	41	56	89	59
Northamptonshire	102	146	214	195	318	63
Northumbria	405	508	475	488	444	-9
North Yorkshire	22	30	37	43	41	-5
Nottinghamshire	264	259	362	330	391	18
South Yorkshire	115	156	194	169	213	26
Staffordshire	117	164	253	225	214	-5
Suffolk	73	73	74	74	54	-27
Surrey	79	39	77	55	45	-18
Sussex	214	247	263	260	298	15
Thames Valley	166	233	266	233	279	20
Warwickshire	87	114	99	66	107	62
West Mercia	100	35	46	64	57	-11
West Midlands	487	375	489	725	632	-13
West Yorkshire	244	254	355	623	644	3
Wiltshire	51	64	37	35	59	69
Dyfed Powys	0	3	23	18	17	-6
Gwent	21	22	32	60	45	-25
North Wales	2	3	5	4	12	*
South Wales	400	517	443	357	367	3
Total	11,006	11,878	12,222	13,151	13,878	6

120. The Guidance to drafting Reports under the Convention requests that we also include information on the number of prosecutions for offences of a racist character with an indication of the sentences imposed in representative cases. We hope to have this available for the Advisory Committee when we are examined on the Report.

121. Proposals for improving the handling of racial incidents are provided in the Home Secretary's Action Plan at Annex G.

Scotland

122. Recognising the need to develop an effective response to the complex and sensitive issue of racial attacks and harassment Scotland's Chief Constables have already developed and are vigorously pursuing progressive race relation policies both within their forces and reaching out to the communities they serve. These policies were developed in collaboration with leaders of ethnic communities. Police officers are required to give full weight to and robustly investigate racial incidents.

123. All Scottish forces currently work to the nationally agreed definition in the handling and recording of incidents of a racial nature, *ie any incident in which it appears to the reporting officer or the investigating officer that the complaint had an element of racial motivation or any incident which includes an allegation of racial motivation made by any person*. However, the scope for changing the current definition and recording procedures are being considered in light of the Stephen Lawrence Inquiry Report.

124. The regular inspection of police forces by Her Majesty's Chief Inspector of Constabulary ensures that an even-handed and sympathetic approach is maintained by individual forces in their handling of racial incidents.

125. Whilst there has been a steady rise in recorded racial incidents in Scotland, this is viewed as evidence of increased confidence among those belonging to ethnic communities to report such incidents to the police. Much of this increased confidence has arisen from the growth of innovative multi-agency approaches to racism. These are partnerships which are underpinned by increasingly good relationships between the police and Scotland's ethnic communities. A table of figures for racial incidents in Scotland is attached at Annex O.

126. The total number of racial incidents recorded by the Royal Ulster Constabulary for the last twelve months is 90 incidents.

Incitement to Racial Hatred

127. There is provision in UK legislation to address conduct which is intended to stir up racial hatred and conduct which involves the incitement of others to racial hatred. These provisions are contained in Part III of the Public Order Act 1986 and extend to the use of words or behaviour; the publication, distribution, display of written material, possession of written or recorded material with a view to publication, distribution, showing, playing etc; the public performance of a play; the distribution, showing or playing of a video or audio recordings and the broadcasting of a programme in order to incite racial hatred. A copy of the Act is attached at Annex P.

128. Recommendation 39 of the Stephen Lawrence Inquiry report suggests that consideration should be given to amendment of the law to allow prosecution of offences involving racist language or behaviour and of offences involving the possession of offensive weapons, where such conduct can be proved to have taken place otherwise than in a public place. We accept the Recommendation to consider this. However, we need to balance concerns expressed with the right to privacy and family life and freedom of speech. We will be examining whether the existing powers the police have are being used effectively enough and will be considering improvements to the guidance given to the police and criminal justice with a view to publishing revised guidance by the end of 1999.

Racism in the Media

129. The Broadcasting Act 1990 requires that the Independent Television Commission ensures that *'nothing is included in its (ie independent television) programme which offends against good taste or decency or is likely to incite crime or to lead to disorder or to be offensive to public feeling'*. The BBC's Producers' Guidelines and Charter and Agreement contain similar provisions.

130. For the non-broadcast media, the Press Complaints Commission's Code of Practice states that, *'the press should avoid prejudicial or pejorative reference to a person's race, colour, religion... and, should avoid publishing details of a person 's race, colour, religion unless these are directly relevant to the story'*.

Press Complaints Commission

131. The Press Complaints Commission (PCC) was set up by the newspaper and periodical industry in 1991 to resolve complaints that a newspaper or magazine has breached the industry's code of practice. The Commission comprises eight lay members and seven editors and is funded by the industry. In all cases, the Commission will at first try to resolve any complaint amicably between the complainant and the editor concerned. If this fails, the Commission adjudicates. In cases where the complaint is upheld by an adjudication, the newspaper will usually be censured and required to print the adjudication summary with due prominence.

[Note: During the consultation stage, the argument was put forward that groups should be covered under the code of practice in the same way as individuals. Although the Government has some sympathy this argument, our line remains firmly that self-regulation under the PCC is the best way of ensuring high reporting standards within the press industry. Any decision to strengthen the Code is a matter for the PCC]

Racism on the Internet

132. The UK Government is concerned at the growth in the use of the Internet as a medium for racist propaganda. We recognise the particular difficulties that policing the Internet for racist or other harmful material involves and will continue to work in a variety of European and international forums to seek to address these problems.

133. The use of the internet as a medium for racist propaganda is illegal in the UK. If Internet Service Providers become aware that their service is being used to conduct illegal activity and do not take action, they become liable to persecution as accessory to the crime. If they co-operate in identifying the perpetrator and cease providing the service to him or remove the illegal material concerned, they will be protected against such prosecution.

134. The Internet Watch Foundation (IWF) was established in 1996 and is funded by the UK internet service providers. It aims to determine whether particular newsgroups carry potentially illegal material, to trace the originator, and to ask Internet service providers to remove it from their servers. It also sends details of illegal material to the police or the National Criminal Intelligence Service (NGIS) if the originator is abroad. The IWF has established a hotline for members of the public to report the presence of illegal material, principally pornography but also racist material, in a newsgroup or web-site.

ARTICLE 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

135. People have a right to be free to carry out their lawful business without fear of intimidation and violence. Equally, it is a long-standing tradition in this country that people are free to gather together and to demonstrate their views provided that they do so within the law. There is, of course, a balance to be struck between protecting the rights of those undertaking lawful activities and the right of demonstrators.

136. The role of the police in controlling demonstrations is to preserve the peace, to uphold the law and to prevent the commission of offences. Under the Public Order Act 1986, chief officers may impose directions on assemblies and public processions to prevent serious public disorder, serious damage to property, or serious disruption to the life of the community. This would relate to the timing of the demonstration, the maximum number of people involved and the route to be taken.

ARTICLE 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

137. The Church of England is the Established Church in England, although other faiths are free to open places of worship. In Wales the (Anglican) Church in Wales was disestablished in the early part of this century, and no church is now established. State permission is not necessary in setting up a place of worship although it may be officially certified as such, making it possible for marriages to be performed there and exempting it from certain taxes. This is done by giving notice to the Registrar General.

138. There are a number of non-governmental organisations within the UK which have been set up to promote the specific needs of particular religious groups. The Government consults with these groups regularly (and has done so on the drafting of this report). A list of these groups is attached at Annex Q.

Religious Education

139. Religious education, as part of the basic curriculum, is provided for all registered pupils attending maintained schools. The subject is delivered by locally agreed syllabuses that must *'reflect the fact that the religious traditions are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.'* Syllabuses must not be designed to convert pupils, or to urge religious belief on them. Parents have the right to withdraw their children from religious education if they wish to do so.

140. Accountability for religious education is established through the procedures set up to agree syllabuses in each local education authority. Religious Education syllabuses are reviewed by agreed syllabus conferences. These bodies, which meet every five years, have a membership drawn from both Christian denominations and other religions, which reflect the proportionate strength of the religions in each area in order to ensure that the needs of local communities are met effectively.

141. The law also requires that all pupils in maintained schools take part in daily collective worship, though parents have the right to withdraw their children. Worship organised by county (or equivalent grant maintained) schools must be 'wholly or mainly of a broadly Christian character'. Only the majority of acts each term need satisfy this requirement, and no act need contain solely Christian material.

142. There is provision for exemption from the requirement for broadly Christian worship, for some or all pupils, in schools where it is inappropriate because of pupils' faith backgrounds. In these circumstances, the head teacher may apply to a local Standing Advisory Council on Religious Education for a 'determination'. This lifts the broadly Christian requirement for the whole school or groups of pupils within it.

Faith schools

143. It is possible under existing legislation for independent promoters of all faiths and denominations to make proposals for new schools to receive State funding. The promoters must undertake a consultation process before publishing proposals, which go to the Secretary of State for consideration on their merits, taking into account of any objections and against the background of educational, organisational and financial factors. For example, the Secretary of State (or, in future in Wales, National assembly) would need to be assured that the school could comply with all the requirements of maintained schools, such as delivering the National Curriculum and appointing suitably qualified staff. He would also have to look at the financial, including capital expenditure, implications of providing a new school in a particular area.

144. The Government recently agreed to fund two Muslim schools - Islamia Primary in Brent, and Al-Furqan Primary in Birmingham. These schools met the criteria for acceptance, and demonstrated that they could meet requirements applying to all maintained schools.

145. The cultural and religious needs of children who attend non-religious schools should be recognised and validated by the school. If children feel their cultural and religious identity is being acknowledged they are more likely to be happy and successful in school. For example many schools with Muslim children will arrange for halal food to be part of the school meal, will make adjustments to the school uniform policy to take account of sensitivities on modest

dress, or will provide prayer facilities. A child may be absent from school on any day exclusively set apart for religious observance by the religious body to which the parents belong.

ARTICLE 9

1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

4. In the framework of their legal systems, the Parties shall adopt adequate measure in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

146. There is nothing in UK law or practice which hinders the creation and use of printed media by persons belonging to ethnic minorities. Anyone is free, jointly and severally, to set up media enterprises, and to use or use any media.

147. One of the main aims of the Broadcasting Act 1990 was to provide opportunities for communities of all kinds to have access to broadcasting stations, material designed to meet their specific tastes and interests.

148. The Radio Authority is required, in selecting licensees, to have regard for the extent to which any proposed radio station would cater for the tastes and interests of people living in the area and the extent to which it would broaden the range of programmes already available on independent local radio there. These provisions have facilitated applications from ethnic minorities to operate their own stations. There are now six licences to provide full-time local radio services aimed at catering for the tastes and interests of black and other ethnic minority audiences. In addition many short-term licences are granted for local events, including religious festivals.

149. The Independent Television Commission has issued over twenty broadcasting licences for television services aimed at the Asian, Chinese, Japanese, Turkish, Iranian and Afro-Caribbean communities. A number have been available on cable television since the late 1980's and it is likely that with the arrival of digital television services, more will become operational.

150. The Broadcasting Act 1996 made provision for broadcasting licences to be issued to provide television services for particular locations in the UK and an Indian language service seems likely to be one of the first to start transmissions.

151. The British Broadcasting Corporation's Statement of Promises to Viewers and Listeners includes a commitment to, '*work harder to reflect the wide interests and varied cultures of the whole of the United Kingdom and to provide programmes of particular interest to ethnic minority audiences.*'

ARTICLE 10

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and awe of any accusation against his or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

152. The Government recognises that members of ethnic minorities have the right to use their minority language freely and without interference. English is the language of the State and administration in England, Northern Ireland and Scotland. Welsh is spoken by some half a million people (18.7% of the population in Wales). The Welsh Language Act 1993 established the principle that 'in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on the basis of equality'.

153. The United Kingdom intends to sign a Council of Europe Charter for Regional or Minority Languages. Part II of the Charter sets out general principles of recognition, support and removal of discrimination. Part III specifies measures to be taken to promote the use of selected languages in public life. The Government intends to specify in due course Welsh in Wales and Gaelic in Scotland for the purposes of Part III. It has also been decided that Part III will be applied to Irish in Northern Ireland in the course of this calendar year.

154. The 1991 Census recorded 69,510 people (1.4% of the Scottish population) aged three years or over being able to speak, read or write Gaelic. A Minister for Gaelic has been appointed whose aim is to take an overview of the language and ensure the effective co-ordination of policy. The Government also provides around 1,11 million a year to support and promote the language.

155. In the Northern Ireland 1991 Census 142,003 people (9% of the population) aged three years and older recorded some knowledge of the Irish language and, of those, 79,012 recorded an ability to speak, read and write the language.

156. Under the terms of the Belfast Agreement an Implementation Body will deal with matters relating to the Irish language and Ulster-Scots. Its function in relation to the Irish language will be to facilitate and encourage the use of the language in speech and writing and the promotion of greater awareness and use of Ullans and of Ulster-Scots cultural issues.

Administrative Authorities and Public Services

157. In public administration, the Government's policy is to deal with non-English speakers on a basis of courtesy and respect for their linguistic preference. Persons from ethnic minorities may use their own language in their contacts with administrative authorities and public services. The Benefits Agency, for example, provides an interpreting service, details of which are provided later in this report.

158. National public services have access to translation services. Legal proceedings are generally conducted in the English language. In criminal proceedings a translation service would be made available for those not able to understand or speak English.

159. In Scotland, in the main traditional Gaelic speaking area, the local authority for the western Isles, Comhairle nan Eilean Siar, operates a bilingual policy in its contacts with the public, and conducts some of its business in Gaelic. In September 1998 the Highland Council launched a Gaelic Development Strategy to support and promote the language. Argyll and Bute Council will accommodate enquiries from Gaelic speakers in Gaelic wherever possible.

160. In Wales, the 1993 Welsh Language Act requires the adoption across the public sector of statutory Welsh language schemes. These schemes set out how public sector bodies will deliver their services to the public in Wales bilingually. Ninety bodies, including Government Departments and agencies and local authorities have so far adopted schemes, and more will follow. All schemes need to be approved by the Welsh Language Board, and there is a statutory procedure for the public to complain about failures to carry out schemes.

161. Public bodies operating statutory schemes (and many other organisations) welcome communications in Welsh and make arrangements to conduct business which they initiate with the public in Welsh and English as a matter of course. The Welsh language Act 1993 provides for the use of Welsh in all legal proceedings in Wales, subject to rules of court.

162. The National Assembly for Wales will give effect in the conduct of its business to the principle that Welsh and English should be treated on a basis of equality. Members of the Assembly will be able to contribute to the Assembly's proceedings in either language, and documents associated with the Assembly's proceedings will be produced bilingually.

The National Register of Public Service Interpreters

163. The National Register of Public Service Interpreters is a directory of public service interpreters across the United Kingdom and includes interpreters familiar with the terminology, structure and procedures in the fields of law, health and local government. It has been in existence since December 1994. It was developed by the Nuffield Foundation with part funding

by the Government. Funding ceased on 31 March 1996, when the Nuffield Foundation handed over control of the project to the Institute of Linguists, although the Government has provided a further grant for the financial year 1998/99.

164. The September 1998 version of the register contains information on approximately 900 interpreters offering some 160 languages. There are currently about 400 subscribers and 1,000 copies of the Register in circulation. The Register is updated twice a year.

Use of Interpreters

165. An agreement about the use of interpreters in criminal proceedings came into effect on 1 April 1998. It was developed by the inter-agency Trials Issues Group. This agreement is mainly concerned with standardising the arrangements for the attendance of interpreters for investigations into alleged offences and for defendants and witnesses appearing in criminal proceedings in England and Wales. It arose out of concern that the variety of procedures in existence for arranging interpreters was causing confusion.

166. The agreement also includes the aim that, by the end of the year 2001, every interpreter working in the courts and police stations should be selected from the National Register of Public Service Interpreters (or the Council of the Advancement and Communication with Deaf People National Directory of Sign Language Interpreters). In the meantime, agencies are strongly encouraged to select interpreters from the National Register, but are free to choose an interpreter from another list where that is not possible. An interpreter selected from another list should meet standards at least equal to those required for entry to the register.

Public Information

167. A large number of Government Departments produce information leaflets in ethnic minority languages. For example, the Department for Education and Employment publishes information leaflets on school attendance for parents in minority languages, and the Department of Health produces several leaflets, including ones on pregnancy, maternity services, and cot deaths. A list of examples of the type of material produced for Government Departments by the Central Office of Information is attached at Annex R.

ARTICLE 11

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other

topographical indications intended for the public also in the minority language when there is sufficient demand for such indications.

168. UK legislation allows individuals to maintain or change their surnames or to revert to a former surname. There is nothing to prevent anyone from displaying road signs, public notices etc in minority languages.

169. The Scottish Parliament will be making arrangements to allow Members to speak in Gaelic, and to provide for Gaelic in public information and in the signs for Parliament.

170. In Northern Ireland, Irish language personal names are recognised for all purposes. Under the Local Government (Miscellaneous Provisions (Northern Ireland) Order 1995, a District Council may, with the agreement of the occupiers of a street, erect a second nameplate in a language other than English.

171. In Wales, the use of place names, street names and similar information in both Welsh and English is well-established. Relevant public authorities are required to make commitments about this in their statutory Welsh language schemes.

ARTICLE 12

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

172. Racism, intolerance, prejudice and low expectations have no place whatsoever in our schools and educational institutions. Children from ethnic minority backgrounds now form a tenth of our pupil population and bring a cultural richness and diversity to our classrooms. Racial harassment undermines the confidence of pupils and students and it is our aim to ensure that schools provide an environment which accords respect for individuals and in which pupils and students of different ethnic and cultural backgrounds are able to develop their potential to the full.

173. The Government is proposing to introduce new arrangements for collecting statistical information from schools which will enable us to monitor achievement by the main ethnic groups based on individual pupil records. Schools will be encouraged to provide individual pupil records from January 2000. An Advisory Group to raise ethnic minority pupil achievement, set up to advise Ministers will oversee work on ethnic monitoring as part of its action plan to raise standards.

174. The Group will also take forward in England actions outlined in the Government's White Paper '*Excellence in Schools*' including providing guidance on good practice in tackling racial

harassment and stereotyping, in promoting attendance and reducing exclusion of ethnic minority pupils, and in creating a harmonious environment in which learning can flourish.

175. Further proposals for addressing and preventing racism in schools are provided in the Home Secretary's Action Plan at Annex G.

Teacher Training

176. In order to qualify, all trainee teachers must have demonstrated, during training, that they are able to set high standards for all pupils regardless of individual differences, including gender, cultural and linguistic backgrounds. This should ensure that teachers do not lower their expectations because of a pupils' background. Trainee teachers must also be taught their legal liabilities and responsibilities relating to anti-discrimination legislation.

177. The Government has introduced a new Ethnic Minority Achievement Grant with an investment of £430 million over the next three years. The grant will allow schools to provide more teachers and teacher assistants and will cover particularly those schools with pupils whose first language is not English.

School Exclusions

178. The Government is concerned about the disproportionate number of ethnic minority pupils, particularly African-Caribbean boys, who are being excluded from our schools and is committed to reducing the high level of school exclusions, particularly amongst over-represented groups.

179. Since this problem is so serious, we have decided that published performance data on school exclusions should be broken down by ethnic group for each local education authority. This information was issued for the first time in September 1998.

180. We have also written out to the Chief Education Officers of some fifty Local Education Authorities where Black pupils are disproportionately excluded providing them with the relevant data for their authority alongside comparative data for other authorities. We hope that the authorities concerned will find this information useful in drawing up their Behaviour Support Plans, particularly in preparing targets for reducing the level of exclusion.

181. The Social Exclusion Unit's report '*Truancy and School Exclusion*' set out the Government's ambitious agenda for reducing truancy and school exclusion. A number of measures are now being taken forward, including the following:

- * the introduction of annual, special inspections of schools with high levels of exclusion, including those disproportionately excluding particular groups such as ethnic minority pupils;
- * the promotion of community mentoring as part of the work to raise the achievement of ethnic minority pupils;
- * work to ensure that equal opportunities issues and behaviour management are adequately incorporated into initial and in-service teacher training.

Ethnic Diversity in the School Curriculum

182. The School Curriculum and Assessment Authority of England, which advises the Secretary of State, is required, in exercising its functions, to take account of the ethnic and cultural diversity of British society and the importance of promoting equal opportunities for all pupils,

regardless of ethnic origin or gender. Proposals to enhance the teaching of cultural diversity in schools are included in the Home Secretary's Action Plan at Annex G.

183. Cultural awareness in schools is reflected in the teaching of History in the National Curriculum in England and Wales: a number of study units cover a broad sweep of British, European and world history. The National Curriculum in England and Wales provides a framework for study which outlines the areas of historical understanding to be developed and the facts, concepts and skills to be learned. It is designed to ensure that pupils acquire a proper grasp of historical knowledge, including the key events, developments and personalities that have shaped the past.

184. Scope is also provided within the English National Curriculum for History for schools to introduce material about other cultures. Schools can focus on key historical issues for people with a non-European background in Asia, Africa, America or Australasia within a compulsory study unit, 'A past non-European society'. There are also opportunities to study African and American history in a 'twentieth century world' study unit.

185. The Universal Declaration of Human Rights also features in the National Curriculum for England and Wales. In the statutory programme of study for History Key stage 3 (11-14 year olds), the United Nations Charter and the Universal Declaration of Human Rights form one of a range of topics which pupils may cover for compulsory in- depth study within the unit on the twentieth century world.

186. The separate framework for the teaching of history in schools in Wales provides for specific study on the history of Wales. Schools are also required to give pupils opportunities to develop and apply their knowledge and understanding of the cultural, economic, environmental and linguistic characteristics of Wales. (The provision of such opportunities is referred to as the 'Cwricwlwm Cymreig' and runs through the curriculum requirements for schools in Wales).

Roma and Traveller Children

187. Specific grant is paid by the Local Education Authorities under Section 488 of the Education Act 1996 to meet the additional educational needs of the children of 'Travellers and Displaced Persons. In the current financial year (1998-99) the grant programme is supporting some £10.7 million of expenditure on Traveller education. There are Traveller Education Services supported by the programme in some 120 Local Education Authorities in England. The majority of the funding is for additional, peripatetic teaching staff working in authorities to support some 3,400 schools with Travelling children. There is a separate programme in Wales.

188. All provision supported by the grant programme aims to improve access to school and raise the achievement levels of children in these groups who are particularly at risk of educational failure and social exclusion. Historically, Gypsy/Traveller children have had very poor access to schools and have achieved less well than any other group. The programme is making significant progress particularly at primary level, but more remains to be done, notably at secondary level. Ministers have agreed that a further £1.5 million of grant be provided from the 1999-2000 financial year to form a Development Fund to support new work particularly in pre-school years and in secondary education.

Northern Ireland

Primary and Secondary Schools

189. The provision made for the education of children from ethnic minorities who were attending primary or secondary schools normally takes the form of a more generous staffing ratio or the support of a teacher specialising in teaching English as a foreign language (EFL) where the need for such provision has been established. For example, one Education and Library Board provides four primary peripatetic EFL teachers for a wide variety of ethnic minority children, including the Sikh and Chinese population, while others provide either full-time or part-time EFL teachers, field officer support and advisory courses.

Funding

190. Education and Library boards can mount specific initiatives within the overall block grant allocated to them by the Government. These could include special provision for, or in relation to, children from ethnic minorities where a Board is satisfied that the number of such children and their needs justify provision outside the resources made available to schools through the Board's LMS formula. The cost of providing interpreters for parent-teacher meetings where the parents are not fluent in English is met centrally by the Education and Library Boards and is not therefore a charge on an individual school's budget. Work on a common funding formula is in progress and will include a review of the formula funding arrangements for children from ethnic minorities.

ARTICLE 13

- 1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.**
- 2. The exercise of this right shall not entail any financial obligation for the Parties.**

191. The right of ethnic minority communities to establish their own independent schools is enshrined in the Education Act 1996. Such schools must be registered with the Registrar of Independent Schools and must meet certain minimum standards in respect of premises, accommodation, instruction and staffing. Where a school makes a provision for boarders the school must also make provisions to safeguard the welfare of the pupils.

192. UK legislation also allows independent promoters of all faiths and denominations to make proposals for new schools to receive State funding.

ARTICLE 14

- 1. The Parties undertake to recognise that every person belonging to a minority has the right to learn his or her minority language.**

2. In areas inhabited by person belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities to be taught the minority language or for receiving instruction in this language.

3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

193. The Government believes that English should be the medium of instruction in schools (except in Wales, where the medium of instruction is English or Welsh) and it is our priority to equip all children with a good command of English. Without it, children whose mother tongue is not English will not be able to take full advantage of the opportunities schools have to offer, nor to participate fully as British citizens in their adult and working life. There are about two hundred mother tongues represented in British schools and as many as sixty mother tongues may be present in a particular school. It would not be practicable to provide teaching of the National Curriculum in the variety of mother tongues.

194. Extra funds are provided by the Government under Section 11 of the Local Government Act 1966 for extra teaching posts to help children's development of English. Section 11 funds may also be used to provide bilingual teachers and classroom assistants to provide mother tongue support, particularly in the early primary years, to ease the child's transition from home to school. Further details are provided at Annex S.

195. 470 projects are currently being funded with a total potential grant cost of £88m. This covers 117 local authorities, 55 grant-maintained schools and 37 colleges and supports 4900 teacher posts.

196. Pupils may also have the opportunity to study their own mother tongue at secondary level as part of the National Curriculum. A range of modern foreign languages may be offered by schools, which may include the mother tongue of pupils. The Government recognises the benefits that derive from the maintenance of ethnic minority linguistic and cultural traditions, but believes that the main responsibility for maintaining the mother tongue should rest with the ethnic minority communities themselves.

197. Many ethnic minority communities have set up supplementary schools (in the evening or on a Saturday) to maintain linguistic and cultural traditions. This is often with the support of Local Education Authorities who wish to help parents achieve what they want or regard the supplementary schooling as part of the appropriate provision for pupils that the Local Education Authority is under a duty to make. This support may take the form of premises made available at reduced rent or free of charge; grants for the purchase of materials and equipment; access to in-service teacher training or, in some cases, provision of additional staff under grant paid under Section 11 of the Local Government Act 1966.

Scotland

198. In 1999, the Government is providing £2.4 million to local authorities providing Gaelic-medium education. This will be increased over the next two years and will reach £2.8 million in the year 2001/02. There are now over 1,800 pupils in 56 primary schools in Gaelic-medium education and the numbers have been increasing annually. Extra funding has also been provided

to encourage Gaelic pre-school education and to support an in-service teaching course for Gaelic-speaking secondary school teachers.

Northern Ireland

199. Seven primary schools and one secondary school currently receive 100% Government grants. Those cater for 90% of the pupils receiving Irish-medium education.

200. The Education (Northern Ireland) Order 1998 places a duty on the Government to encourage and facilitate the development of Irish-medium education. The Order also contains provisions for the recurrent funding of Irish-medium schools and the funding of bodies to promote Irish-medium education. Some Irish-medium playgroups are also eligible to receive Government grants under new proposals for the expansion of pre-school education.

Wales

201. Over 500 primary and secondary schools in Wales use Welsh as their medium of instruction. These schools cater for over 80,000 children. The number of Welsh-medium schools has been steadily increasing for many years. Welsh-medium schools are located throughout Wales, including in areas where English is the more widely-spoken language.

202. Local education authorities in Wales are required to prepare statutory Welsh language education schemes, setting out their plans for providing education through the medium of both languages. These schemes require the approval of the Welsh Language Board.

203. All schools in Wales are required to teach both English and Welsh as subjects of study. In English-medium schools, Welsh will become compulsory up to the age of sixteen (currently it is up to the age of fourteen) in 1999. Welsh is taught to pupils either as a first or second language, as appropriate in the circumstances. In Welsh-medium schools, the study of English is optional until the age of seven.

ARTICLE 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

PARTICIPATION IN SOCIAL LIFE

Social Exclusion Unit

204. The Social Exclusion Unit was launched by the Prime Minister in December 1997. Social Exclusion is a shorthand label for that can happen then individuals, families, communities or whole areas, suffer from a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown. The Government has policies targeted at reducing all of these individually, but we have been less effective at tackling the interaction and linkages between these problems or preventing them arising in the first place.

205. The purpose of the Unit is to help break this vicious circle, and co-ordinate and improve Government action to reduce social exclusion, by both improving understanding of the key characteristics of social exclusion, and promoting solutions by encouraging co-operation, disseminating best practice and, where necessary, making recommendations for change in policies, machinery or delivery mechanisms.

206. Ethnic Minority communities are represented across all of these linked problem areas and particularly so in two of the first three priority areas established by the Prime Minister - Truancy and School exclusion, Neighbourhood Renewal and, to a lesser extent, Rough Sleeping. All of these reports have been published and are the result of research, consultation and visits across the country by the unit. Details on school exclusions were provided at paragraphs 172-175 of this document.

207. The unit has met with the Commission for Racial Equality and the Director of the Commission on the Future of Multi-Ethnic Britain, as well as with the Home Office Race Equality Unit. In arranging visits and consultation, the unit has taken pains to be in contact with, and listen to, people from ethnic minority communities and their representatives.

Northern Ireland

208. The New Targeting Social Needs (TSN) initiative is part of a wider agenda of action announced in the Partnership for Equality White Paper which is intended to make Northern Ireland a fairer and more equitable society. New TSN aims to tackle social need and exclusion by targeting efforts and resources at those in greatest need by objectively identifying the people and areas in Northern Ireland which are most disadvantaged and working to ensure that Government programmes are more effective in helping them.

209. New TSN comprises three complimentary elements:

- * special focus on the problems of unemployed people and on increasing the chances of finding a job;
- * targeting other types of inequality (e.g. health, housing and education);
- * a special Promoting Social Inclusion (PSI) initiative which will identify and tackle factors which can cause social exclusion.

210. Independent consultants have carried out audits of the activities of all Departments to assess how New TSN relates to each aspect of their work and to make recommendations. Departments are now using the output from these audits to draw up their own New TSN action plans which will be subject to public consultation. Following consultation with the voluntary and community sector and other interests it was announced on June 16 that under PSI, working groups would consider the difficulties faced by ethnic minority groups and Travellers and develop policies and strategies for tackling them. Consultation has already been held on PSI priorities.

211. The Government's Making Belfast Work initiative was launched in 1988 to advance and improve the efforts made by the community, private sector and Government to address the range of problems facing residents in the most disadvantaged areas of Belfast. By March 1999, a total of £237m had been allocated to the initiative which is linked at the highest level to other Government departments by the Belfast Special Action Group, chaired by the Head of the Northern Ireland Civil service. The initiative is run at grass roots level by four action teams

located in the targeted areas, which have day to day contact with local community workers and development groups.

Regeneration Policy

212. The Government is determined to join with local government, the voluntary and private sectors and local communities in a concerted attack against the causes of social and economic decline - unemployment, bad housing, crime, poor health and a degraded environment. The Comprehensive Spending Review for England announced in July 1998 included a New Deal for Regeneration which has two strands: a reshaped *Single Regeneration Budget* (SRB) and the *New Deal for Communities* (NDC). Our regeneration policy is designed to achieve regeneration of run-down areas, including helping the inhabitants of these areas who, in many cases, will be members of different ethnic groups.

213. A number of important steps forward have been taken which are crucial to understanding the distinctive nature of the Government's approach to regeneration. The key elements are found in our paper, *Regeneration Programmes: the Way Forward*. This outlines the government's commitment to targeting regeneration more intensively in areas of greatest need, often black and ethnic minority communities, and working with them in order to empower them. It makes clear that capacity-building must be undertaken to give the most disadvantaged communities real opportunity. This fits well with DETR's publication in 1997 of *Involving Communities in Urban and Rural Regeneration*, which has two major sections on involving black communities and faith communities.

Single Regeneration Budget (SRB)

214. More than 600 regeneration schemes are under way from Rounds 1,2,3 and 4 of the SRB (Challenge Fund) which are funded for up to seven years. SRB Round 5 has been launched, with a more regional focus and increased emphasis on partnership capacity-building. The SRB will receive over £2.3 billion over the next three years.

215. An increasing part of the SRB budget is allocated for the development of community-based groups, including ethnic minority groups. The Government has also put in place arrangements to frontload disbursement of finance, so that voluntary groups, including ethnic minority groups, leading SRB bids do not have to finance the first few months of work themselves.

216. The Government believes that it is crucial to ensure the active participation of local communities in the regeneration of their areas and that they should be directly involved, both in the preparation and implementation of bids. SRB Round 5 Bids should mobilise the talents and resources of all sectors including, for instance, the faith-based voluntary sector, the wider voluntary sector, ethnic minorities, local volunteers (including volunteers working from their local church, mosque etc.). Activities already being carried out by the local community (eg. community-led enterprises such as credit unions) and which rely very heavily on volunteers, should also be taken into account. Volunteers should be encouraged to participate fully in local regeneration activity because of the knowledge, skills and expertise they can make available.

217. SRB schemes, especially those which help develop a sense of community or build capacity in the voluntary sector and those involving crime prevention, community safety and victim support, can complement other work to tackle racial violence and harassment in local

communities, and also target economic development and training initiatives on such communities.

218. The Government's commitment to tackle social exclusion will have particular relevance for vulnerable groups in the community such as homeless people, frail elderly people and those with mental illnesses. SRB schemes can develop targeted housing and other projects to promote community-based care and improved quality of life for these groups.

New Deal for Communities (NDC)

219. The New Deal for Communities is a new programme designed to tackle multi- deprivation in some of the country's poorest neighbourhoods. It takes forward the Government's commitment to tackle social exclusion and to bridge the gap between poor neighbourhoods and the rest of Britain. The programme was launched by the Prime Minister in September 1998, alongside the Social Exclusion Unit's report on deprived neighbourhoods, 'A National Strategy for Neighbourhood Renewal - Bringing Britain Together'. (See also paragraphs 258-260 below.)

220. Under the programme, one Pathfinder partnership was invited to form in each of seventeen local authority districts in England. Each partnership will deliver, intensive, locally-focused regeneration for an identified neighbourhood. The programme will be flexible and innovative. Leadership opportunities will be extended to non-traditional organisations, such as the community and voluntary sectors. People in the most deprived neighbourhoods will be given the opportunity of real and lasting change.

Regional Development Agencies (RDA)

221. The Government is setting up Regional Development Agencies to take a lead in the development of the English Regions. They will have a key role to play in addressing deprivation, and economic and social regeneration is one of their roles. They will take over the administration of the SRB from the Government Offices. RDAs are independent regional players free to develop appropriate Regional strategies, within the strong framework set by the government's equal opportunity policies among other factors.

Inner Cities Religious Council

222. Religious identity can be significant in the ethnic minority communities – see the *Policy Studies Intensive Report, Diversity and Disadvantage - the 4th National Survey of Ethnic Minorities*, which the Government helped to fund. The Inner Cities Religious Council, chaired by a Government Minister, exists to help ensure the religious dimension is taken into account.

223. The Council is chaired by a Minister from the Department for Transport, Environment and the Regions, Mr Alan Meale. It meets three times a year and comprises representatives from the Hindu, Jewish, Muslim, Sikh and Christian faiths. It provides a forum through which the Government can engage with those communities which have a substantial presence in disadvantaged urban areas in its regeneration programme. It encourages the exchange of views and enables faith communities to be in dialogue with each other on issues of mutual concern. Members' own local knowledge and ties with their communities bring a unique expertise to the Council.

Special Grants Programme

224. The Special Grants Programme (SGP) is small with a budget of some £1.4m per year. It enables the Government to pay grants to voluntary organisations carrying out national projects. Valuable work is being done under this programme among ethnic and faith minority communities. For instance, in 1990/2000 the SGP is funding the Federation of Slack Housing Associations to increase awareness, knowledge and skills among ethnic minority communities so that they can be more involved in regeneration schemes. Grants are time-limited (normally lasting three financial years and only support about half of project costs. The remainder has to come from private or voluntary sector sources.

Section 11 Funding

225. Funding under section 11 of the Local Government Act 1966 is available to local authorities and education institutions to assist in employing staff on projects to address additional needs of people from ethnic minorities whose language or customs are different from those of the general community.

226. Grant-funded projects include the provision of:

- * Interpreting and translation services;
- * A range of social services activities concerned with, e.g the elderly, the physically and mentally ill, and fostering and adoption;
- * Advice and training for adults - e.g., in English language and basic skills to enable people to get a job or enter vocational training;
- * Advice for people wishing to set up or improve their own business;
- * Libraries and information services;
- * Advice and support in overcoming homelessness and racial harassment.

Social Services – the Benefits Agency (BA)

227. The Benefits Agency (BA) is the Government Agency responsible for the administration of over twenty social security benefits. Steps have been taken to ensure that the needs of ethnic minority communities are taken into account in the conduct of the Agency's business.

Consultation

228. Consultation at a national level with minority organisations representing people from ethnic minorities takes place through the BA Ethnic Minority Forum, chaired by a BA Director, which is held on annual basis.

229. In addition to the Ethnic Minority Forum, BA holds bi-annual Forums for customer organisations representing refugees and asylum seekers. The Refugee Council, Home Office and DSS Policy Group are actively involved in this Forum. Among the steps taken to improve service delivery to asylum seekers as a result of feedback at these Forums, has been a programme of jointly-run awareness seminars for staff providing background information on the issues and sensitivities involved in dealing with claims from Asylum Seekers.

230. The Agency produced guidance for all business units on local customer consultation in 1995, which emphasised the importance of including ethnic minority representatives in customer

groups. The need for consultation with local organisations has been emphasised in a letter to Managers by the Chief Executive (March 1997) and the BA Equal Opportunities Monitoring Guide (April 1997).

Service Provision

231. A National Ethnic Liaison Working Party (NELWP) of BA staff was set up in March 1995 to improve service provision for the ethnic minority community. Over a two and a half-year period, the working party concentrated on communication issues, including information & publicity, training and the production of guidance on good practices. This work of the NELWP earned the BA a short listing in the last five for the *British Diversity Awards* of 1997.

232. The good practice guide, *Service Delivery to Ethnic Minority Customers*, which was published for staff in April 1997, includes guidance and information about:

* providing interpreting and translating services * preventing discrimination * internal network arrangements, ie the role of the NELWP * useful liaison contacts * local initiatives and good practices * the role of community or ethnic liaison officers * cultural awareness * ethnic naming systems

233. Some BA Districts serving large ethnic minority communities provide advice and information surgeries in local community centres etc. Some of these Districts have Community or Ethnic Liaison Officers, fluent in ethnic minority languages, whose main role is to improve links with the local community, assist in the making of benefit claims and provide benefit information.

Interpreting Policy

234. It is a BA service delivery requirement that, where it is necessary to interview a customer who does not speak English and cannot or does not wish to provide their own interpreter, arrangements must be made for the provision of interpreter within 24 hours of the need for interview being established.

235. A code of practice on the provision of interpreters and guidance on obtaining interpreting services, '*Bridging the Language Barrier*', was produced by BA in June 1993 and fully updated in 1996 and 1998.

236. In some BA Districts, where there is a regular need for interpreting services in a fairly narrow band of languages, BA either employs interpreting staff or meets interpreting needs using bilingual staff. However, it is impractical to meet all interpreting needs in this way. The strategy for the provision for interpreting services is:

i BA staff - In liaison with Employment Service colleagues, offices are encouraged to maintain a list of bi-lingual staff who can undertake interpreting duties.

ii Community based interpreting services - Guidance is given on how to tap into and obtain the best from services available in the local community in '*Bridging de Language Barrier*'.

iii. Telephone interpreting services - These should be used only as a backstop where 'face to face' services are not available or are unable to meet a particular language need. A telephone interpreting service, provided by '*Language Line*' under national contract, started in December 1996. This allows access to the service at the most economical rate whenever it is needed.

237. BA is currently fully reviewing and revising its leaflet provision. When this is complete, all 'Customer Group' leaflets, covering a full range of benefit information, will be available in eight languages, in addition to English and Welsh.

Training

238. In addition to BA's mandatory equal opportunities training, the '*Serving the Needs of the Community*' training course deals with issues relating to discrimination and stereotyping and the need for cultural awareness. A '*Cultural Awareness*' training course, produced by BA Training for the Glasgow Districts, has been evaluated by the NELWP and is now being made available to all BA Units.

Northern Ireland

239. A project is currently underway within the Social Security Agency to review the services provided to people from ethnic minorities in Northern Ireland. The project team has worked to develop partnerships with various minority representatives and has already consulted with a number of organisations in Northern Ireland and the Benefits Agency in Great Britain to see what they can learn from the service these organisations provide to ethnic minority communities. The team has also visited different communities and issued questionnaires in order to gather as much information as possible about people's needs. A series of workshops has been held to allow ethnic communities the opportunity to give their views on the services provided by the Agency and to suggest improvements.

240. The project team is now looking at the issues raised as a result of the research so far and will be considering how best the Agency might address the problems identified. A report and implementation plan will be produced outlining proposals for the improvement of service provision.

PARTICIPATION IN ECONOMIC LIFE

Employment

241. Figures from the Summer 1998 Labour Force Survey indicate that unemployment rates in the UK are generally higher amongst the ethnic minority population. This situation is unacceptable and the Government is determined to address the problem. We are taking action in a number of areas, details of which are listed below.

Race for the Future

242. This is a Government initiative promoting the message to employers that racial diversity in the workplace is essential for good business practice, and that in today's Britain, ethnic minority people play an increasingly important role in helping businesses compete and prosper.

243. Working in partnership with others, such as the Commission for Racial Equality and Race for Opportunity, we have led regional conferences, held in Birmingham and Manchester, aimed at local business leaders. Forthcoming events will target specific business sectors.

Race Employment and Education Forum

244. This is a new race advisory body chaired by our Equal Opportunities Minister. It will focus on issues of employment, further and higher education and training and represents an important step towards identifying action to overcome the disadvantage suffered by people from ethnic minorities. The Forum's remit is to address current problems which impede the progress of ethnic minorities in the labour market.

Race Relations Employment Advisory Service

245. The Government's established Race Relations Employment Advisory Service offers a free and confidential advice and consultancy service to employers. It aims to help the development and implementation of equal opportunity policies and good practice in the area of racial diversity in the workforce. It is a nationwide service delivered through a team of advisors covering a specific area of the country. In addition to their equal opportunities expertise, the advisers also have local knowledge of the companies which operate in their area.

Poor Neighbourhoods

246. Recent research undertaken by the Social Exclusion Unit on Neighbourhood renewal has found that, on Britain's poorest housing estates, almost all ethnic minority groups are at higher risk of unemployment. Young black men are two to three times more likely to be unemployed as white men with similar educational qualifications. Over 40% of young black men aged 16-24 are unemployed, as are around 30% of young black women, and Pakistani and Bangladeshi people of both sexes. This problem is acute in some neighbourhoods, where almost nobody who is young and black has jobs.

247. As a result, a Policy Action Team, led by the Department for Education and Employment, has been set up to report on the extent to which labour market interventions, including the New Deal, are effective in enabling people in poor neighbourhoods to enter the labour market. The Team has been asked to produce an action plan to:

- reduce the difference between levels of worklessness in poor neighbourhoods and the national average; and
- within that to reduce the disproportionate unemployment rates for people from ethnic minorities.

248. The Team is due to report in the summer and will consider what scope there might be for pilot projects.

249. Record by the Social Exclusion Unit suggests that, in other countries, better access to capital has been an important part of strategies to regenerate poor neighbourhoods and encourage greater self-reliance. Self-employment and small business start-up can also be a successful way to combat ethnic minority unemployment. But people living in poor neighbourhoods find it hard to access the finance and advice they need to start up business or to

become self-employed, and benefit rules can also hinder enterprise. The Action Team on business, led by the Treasury, will consider this issue, and is due to report by July 1999.

New Deal

250. The New Deal scheme has been set up by the Government to help young unemployed people aged 18-24 who have been claiming Jobseekers Allowance for six months, to move from welfare into work and to improve their longer term employability. It offers counselling, advice, guidance, work experience, education and training—Support is also offered to those wishing to enter self-employment in the form of advice, training and the opportunity to test a trade. Ethnic minority communities have been extensively consulted on and involved in the planning and implementation of this scheme.

251. We are now working to identify and address the barriers preventing ethnic minorities from achieving their full potential under New Deal, and to make it more responsive to the needs of our ethnic minority young unemployed and employers. Possible barriers to effective participation were identified during the consultation process and our strategy reflects these.

252. 33,000 businesses have now signed up in support of New Deal and there is a national drive to recruit more black and Asian New Deal Employers to take on job seekers.

253. The performance of ethnic minority entrants to the scheme will be closely monitored by Government. Ethnic minority statistics are published on a monthly basis but it is too early to judge whether people from ethnic minorities are facing barriers in New Deal related to race. Results so far indicate that, compared to the overall average, as many young people from ethnic minorities are getting unsubsidised work as their white counterparts (29% ethnic, 30% white).

256. However, we are also aware that ethnic minority participants are less likely to be on work experience under the scheme and significantly more likely to be in full-time education and training (68% against 54% white). The New Deal research and evaluation programme should help us to establish the reasons behind this trend.

Training and Enterprise Councils (TECs)

257. The Training and Enterprise Councils (TECs) are a national network of offices responsible for delivering Government job creation, training and enterprise programmes. This includes support and advice for those wishing to enter self-employment, including: initial support and advice on the implications of self-employment, help to develop business plans; skills training; and mentoring.

258. The TECs assess the local labour market needs in their particular areas, and develop strategies with other local partners in order to meet. Those needs. The Government requires all Training and Enterprise Councils to have a strategy to address equal opportunities in terms of access to, treatment on, and outcomes from, all their activities. The new National Standard for Training and Enterprise Councils Equal Opportunity Strategies, which sets out our expectations of Training and Enterprise Councils Equal Opportunity strategies, was developed in consultation with national equal opportunity partners including the Commission for Racial Equality. All 72 English Training and Enterprise Councils' updated equal opportunity strategies were agreed with Government Offices in 1998.

259. A report published in November 1998 suggests that most TECs still have some way to go to meet the National Standard in full, but confirms that equality of opportunity is now given a much higher profile than previously. The evaluation also highlights the need for further improvement in the collection and analysis of information on disadvantaged client groups, programme performance and target-setting; and more effective consultation with local partners on TEC equal opportunities plans and performance. A second stage evaluation in 1999 will look at the impact of strates on TEC performance.

Minimum Performance Levels

260. Every Training and Enterprise Council's Business Plan includes two equal opportunities minimum performance levels, one each for adult and young training, targeting ethnic minority groups. These targets must be achieved to avoid the risk of financial sanctions.

261. TEC Equal Opportunity Performance Indicators were first published in September 1997 to show how Training and Enterprise Councils compared in closing equality gaps in adult and youth training. The tables for 1997-98 show a national improvement in the number of ethnic minority leavers gaining jobs from adult training, but there has been no narrowing of the gap between young people from ethnic minorities and white trainees achieving vocational qualifications.

Plans for Further Work

262. Training and Enterprise Councils are now working with Government Offices to bring their equal opportunity strategies fully up to the National Standard by 31 March 1999 with particular intention to arrangements for continuing consultation with local partners and equably organisations on plans and performance.

Northern Ireland

263. The Training and Employment Agency is currently engaged in a programme of research to determine how well the Agency's programmes and services meet the need of minority ethnic groups in Northern Ireland and to determine what action should be taken to improve access.

264. The Action for Community Employment (ACE) programme supported groups of Travellers in Belfast and Londonderry. Funding was provided for one ACE post in Belfast and for two posts in Londonderry during the 1998/99 financial year. The ACE programme is due to close at the end of July and will be replaced by 'Worktrack'. It is hoped that this new programme will serve the needs of the long-term unemployed more effectively and at the same time complement the various New Deal initiatives.

PATICIPATION IN POLITICAL LIFE

Voting Rights and Elections

265. In the UK the right to vote is restricted to British, Commonwealth and Irish citizens, who are eligible to vote at all elections, and to citizens of the EU, who may vote at European Parliamentary elections and local elections. EU citizens may also vote at elections for the National Assembly for Wales.

266. Research commissioned by the Government after the 1991 Census showed that some groups were less likely to register than others, including young people and those living in inner city areas, as well as members of ethnic minority communities.

267. A recent survey undertaken on behalf of Operation Black Vote (the principal organisation concerned with electoral participation by people from ethnic minorities) argued that the concentration of unregistered ethnic minority voters in inner city areas has maximised their statistical significance in the UK electoral process. It quotes an estimate that 27% of ethnic minorities compared with 18% of whites do not appear on the electoral register for these areas. However the Government's own recent research suggests that non-registration is increasing at a slower rate among ethnic minority groups as compared with those describing themselves as white.

Encouraging electoral registration

268. In addition to maintaining regular contacts with Operation Black Vote, the Government also carries out an annual advertising campaign to encourage people to register, which is particularly targeted at young people and people from ethnic minorities. The Government spent around £700,000 on television advertising during the 1998 canvass, the majority of which was targeted at ethnic minority channels and programmes. In addition, campaigns conducted by local registration officers employed targeted publicity material, citizenship initiatives with schools, and some joint working with groups such as Operation Black Vote. Guidance notes on registration are provided in eight minority languages.

269. A review covering a wide range of electoral procedures is now being conducted by a Working Party on Electoral Procedures under the chairmanship of the Parliamentary Under-Secretary of State, Mr George Howarth MP; it is due to deliver its final report to the Home Secretary in the summer.

270. Among other issues, the Working Party is considering what further good practices can be recommended in order to maximise electoral registration and to encourage voter participation among under-registered groups. We understand that the Association of Electoral Administrators (which is represented on the Working Party) is also encouraging electoral registration offices to submit useful ideas on improving minority registration, and will in due course be publishing best practice guidance notes to its members.

Proportional representation (PR)

271. The Operation Black Vote survey results suggest that ethnic minorities would be more likely to vote than white people if a system of proportional representation were introduced. An independent commission, chaired by Lord Jenkins of Hillhead, has recommended a system of PR as an alternative to first-past-the-post, and in due course the general public will be asked to decide, in a referendum, between retaining the present system or adopting the system identified by the Commission as the most suitable alternative.

Representation in Political Life

Central Government

272. Any individual who meets a citizenship qualification may put himself or herself forward for election at local government or parliamentary elections. All the major parties take steps to encourage ethnic minority participation. There are currently nine elected Members of Parliament from ethnic minority groups.

Devolution

273. The intention behind the devolution process has been to bring decision-making as close as possible to the needs and circumstances of the people it most affects. Devolution will help to strengthen the Union by giving the people of Wales, Scotland and Northern Ireland more say in their affairs, while maintaining the sovereignty of the UK Parliament in those matters which impact on the whole of the UK. Powers in certain clearly defined areas are being devolved from a Sovereign UK Parliament to the Scottish Parliament and the National Assembly of Wales. Powers are to be devolved to the Northern Ireland assembly in due course.

Local Government

274. The local Government Management Board carried out the first national census of all local authority councillors in England and Wales in the Autumn of 1997. The results of this survey were published in March 1998, and showed that at 3.1% of all councillors, ethnic minorities were under-represented in local government.

275. However, the Government is seeking to address this problem, and wishes to see councils actively engage with all sectors of their local communities. On 24 March, we published the paper: "Local leadership, local choice". This included a draft Bill on radical proposals for the modernisation of local government political management structures. Public participation in decision making underpins this agenda.

276. Modern councils will need to be outward-looking and responsive to the needs and aspirations of local communities they serve, and actively involve people from all backgrounds. It is hoped that once people from ethnic minorities are more consulted in decision making by their councils, turnout at local elections will increase, and more people among these groups will be encouraged to stand for election in due course.

PARTICIPATION IN PUBLIC LIFE

Public Appointments

277. The Government is committed to a policy of equal opportunities in public appointments. We recognise that members of ethnic minorities are under-represented on the boards of public bodies and we are working to improve that position.

278. In 1992, when ethnic monitoring of public appointees was first introduced, 2% of appointments were held by members of ethnic minority communities. By 1998, this had risen to 3.7% of appointments.

279. Although this increase is welcome, we are keen to ensure that further progress is made. A plan of action has been drawn up based on the Government's overall commitment to the equal representation of women and men in public appointments and a pro-rata representation of members of ethnic minority groups. As a result, all Government Departments have produced individual plans which include goals and objectives for increasing the number of appointments held by members of the ethnic minorities for the period 1998-2001. Details of the Government's plan of action and individual departmental plans were published in a paper *Quangos: Opening Up Public Appointments* on 29 June 1998. A copy is attached at Annex T.

280. This work is supported by our Public Appointments Unit (PAU) which monitors the progress made by Departments on an annual basis. Departments are currently updating their plans with a view to producing revised plans for 1999-2002 for publication in May 1999.

281. In addition, the PAU actively promotes equal opportunities through its various programmes of work. There is regular contact with companies, universities, professional bodies and representative organisations, and members of the Unit participate in events and seminars run by such groups. The Unit provides guidance to Departments on all aspects of equal opportunities policy, and is advised by a small working group, with representatives from key equal opportunities organisations, including the Commission for Racial Equality. The Unit also works closely with the Commissioner for Public Appointments who has a keen interest in equal opportunities issues.

282. Public appointments to many bodies in Wales will in future be the responsibility of the National Assembly, rather than the UK Government. The Assembly will adopt its own code of practice on making public appointments.

Equal Opportunities in the Civil Service

283. The Civil Service equal opportunities policy provides that all eligible people must have equality of opportunity and advancement on the basis of their suitability for the work. There must be no unfair discrimination on the basis of race, colour, nationality or ethnic origin.

Ethnic monitoring

284. The '*Civil Service Management Code*' requires Departments and agencies to monitor data on the ethnic origin, age, gender, disability, and (In Northern Ireland) community background on staff and applicants. The information is used to assess the effectiveness of their plans and action plans, and the effects on each group of key personnel procedures.

285. '*The Civil Service Programme for Action to Achieve Equality of Opportunity in the Civil Service*' for ethnic minorities also advocates the use of monitoring procedures and follow-up actions for people of ethnic minority origin.

286. The Civil Service publishes an annual Equal Opportunities Data which includes monitoring data on ethnic minority staff.

287. Overall, ethnic minority representation in the Civil Service was 5.7% on 1 April 1998. This is slightly higher than the figure of 5.4% in the economically active population. However, we recognise that there is a need to focus attention on improving representation across management

grades, particularly in the more senior parts of the Service where ethnic minority representation is less than 2%: in 1998, 1.6% of Senior Civil Service level staff (SCS) were from an ethnic minority background.

288. The number and percentage of Civil Servants from ethnic minorities as a 1 April 1998 is set out in the table below.

Total ethnic minority staff in post by responsibility level at 1 April 1997 (1)

Responsibility level	SCS	Grade 6	Grade 7	SEO	HEO	EO	AO	AA	Total
Ethnic minority staff (number)	53	109	369	477	1050	4482	10744	4331	21615
Ethnic minority staff (percentage)	1.6	2.7	2.5	2.4	2.5	5.1	7.3	7.4	5.7

(1) Non industrial staff who responded to departmental surveys on ethnic origin
Source: Mandate and Departmental Returns

289. The Head of the Home Civil Service, Sir Richard Wilson and a number of Permanent Secretaries and Agency Chief Executives have signed up to the Commission for Racial Equality's Leadership Challenge. This invites those in positions of influence to give a personal lead in promoting racial equality in their organisation.

290. An Advisory Board on Equal Opportunities in the Senior Civil Service was set up in 1994 to provide advice on improving the representation of ethnic minorities in the Senior Civil Service. Its Chair supports the Head of the Home Civil Service. Additionally, a Working Group of Personnel Heads from across Government commissioned research to examine what factors help or hinder ethnic minority staff to progress into the Senior Civil Service (SCS). Further, a Joint Charter for Action to redress the under-representation of ethnic minorities in the Senior Civil Service was launched by the Government in February 1999. The Charter is an important demonstration of the Service's commitment to racial equality and, particularly, redressing the under-representation of ethnic minorities in the to Senior Civil Service.

291. Taking forward the work in paragraph 167, the 1999 Modernising Government White Paper clearly recognises that the public service must be a fair employer, reflecting the full diversity of society and that, at present, it does not since people from ethnic minorities and others are seriously under-represented in the more senior parts of the public service. The White Paper sets the target that for 2004/5, 3-2% of the Senior Civil Service will be from an ethnic minority background. In 1998, as shown in the table above, the figure was 1.6%.

Training and Development

292. The Civil Service is a major sponsor of the Windsor Fellowship's Undergraduate Programme, through which work placement opportunities are offered to high calibre ethnic minority undergraduates. Civil Service departments and agencies have sponsored some 150 Fellows since the Fellowship was set up in 1986.

293. A number of Civil Service Departments have set up, or are about to set up, development programmes and mentoring opportunities for ethnic minority staff, for example the Department for Social Security (DSS) Development Scheme for ethnic minority staff 'Realising Potential'. All business units in the DSS have signed up to the programme and are contributing resources for bursaries. Although these schemes do not guarantee participation promotion, they do provide an opportunity to gain experience and an insight into work at the next level. Other Departments, such as the Department for Education and Employment, have similar schemes.
Armed Forces.

294. In March 1998 the Ministry of Defence (MOD) and the Commission for Racial Equality (CRE) signed a unique five-year '*Partnership Agreement*' to promote racial equality within the Armed Forces.

295. The Partnership Agreement is comprehensive and reflects the considerable challenges that lie ahead. As we are striving to achieve our recruitment goals, each of the Services will also continue to take action to improve retention of ethnic minorities, which includes implementing measures to prevent racial harassment and discrimination and providing effective procedures to deal with complaints of harassment and discrimination.

296. The MOD won seven awards at the British Diversity Awards in November 1998. The Chief of the Defence Staff was awarded the Bronze award for his commitment to the CKE Leadership Challenge. The Gold award was received for Raising Diversity Awareness in establishing an Equal Opportunities Training Centre at Shrivenham. A further five awards went to the Naval Service.

297. However, despite these achievements, ethnic minorities remain under-represented in the Armed Forces, making up around 1% of the personnel. The Services wish to increase representation to better reflect the diversity of the UK population and ethnic minority recruiting goals were set at 2% for 1998/1999, rising by 1% each year to reach 5% by 2001/02.

Leadership

298. The duet of the Defence Staff and the individual Service Chiefs have accepted the CRE's Leadership Challenge. They have given their personal commitment to promote racial equality together with taking practical steps to promote change within their own organisations.

299. Each Service has issued individual Equal Opportunity Directives and leaflets on harassment and complaints procedures. These are supported by individual Service Equal Opportunities Action Plans which allow the Services to monitor their policies and practices. They also ensure that awareness of all diversity issues are considered when forming new policy or initiatives.

300. It has been made absolutely clear to all Service personnel that the MOD has a '*Zero tolerance*' policy on racial discrimination and harassment, and the Armed Forces will be unremitting in their efforts to remove any racist attitudes, racially discriminatory practice, behaviour or language.

301. The MOD held an Equal Opportunities Conference in November 1998, at which General Colin Powell, former Chairman of the Joint Chiefs of Staff, gave a keynote address. The Conference, the first of its kind in Europe, was hosted by the Secretary of State for Defence and

provided a unique occasion in which to showcase the work of the Armed Forces on equal opportunity issues and increase and share knowledge in this area between the Ministry of Defence and recognised leaders in the field. The Chief of the Defence Staff, during his speech at the Conference, gave his commitment no removing racism from the Armed Forces. He said, '*In short, we are fighting war on racism.*'

Recruitment

302. Overall, more strategic approach has now been adopted to encourage members of the ethnic minorities to join the Armed Forces. All three Services continue to supplement their individual initiatives with targeted recruitment advertising, marketing activity, and attendance a local ethnic minority carnivals, festival and careers conventions.

303. Equal Opportunities Recruitment Initiatives continue in Newham, East London and Sandwell, West Midlands. The RAF have taken the lead in Newham and the Army in Sandwell, supported by the other Services and Ethnic Minority Recruitment Teams. Their aim is to build on contacts already established and to win the confidence of local communities.

304. In order to attract more ethnic minority personnel the Armed Forces have been looking at ways to remove barriers to their recruitment so long as these do not affect operational capability. Wherever possible personnel are permitted to carry out their religious observances. Special dietary requirements are catered for and Operational Ration Packs for Sikhs/Hindus, Muslims and Jewish personnel became available in January 1999.

305. In June/July 1996 the Armed Forces successfully implemented a new system of ethnic monitoring of Applicants and Entrants to the Armed Forces and a new Management-led Self-Classification system for In-Service personnel. These have achieved response rates of over 99% (far in excess of previous monitoring exercises). The Armed Forces are looking closely at current and future analysis for emerging trends to ensure that resources are available to make any necessary changes.

Training

306. The Tri-Service Equal Opportunities Training Centre (TSEOTC) was officially opened in September 1998. The TSEOTC, the first of its kind in Europe, currently runs two courses; a five day Equal Opportunities Advisers (EOA) Course and a mandatory one day senior Officers (Brigadier level and above) seminar for Service and civilian personnel. The EOA course is an intense and highly interactive course designed to challenge people's ideas and beliefs. It covers Tri-Service equal opportunities policy and related legislation, and gives advice on how to handle discrimination and harassment complaints.

The Police Service

307. The Home Secretary has made it clear that targets will be set for the recruitment, retention and career progression of ethnic minority officers. He hosted a conference in April 1999, which addressed the issues of managing targets and will be looking into the selection and promotion procedures to establish why ethnic minority officers are leaving the service. There is only one ethnic minority officer at chief officer level. He is an Assistant Chief Constable.

308. Detailed proposals for improving the system for recruiting and retaining ethnic minority police officers are provided in the Home Secretary's Action Plan at Annex G.

ARTICLE 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

309. The electoral boundaries of more than half of the Parliamentary constituencies in the United Kingdom were varied to some extent following the general review of constituencies completed by the Parliamentary Boundary Commissions in 1995. These changes took effect at the General Election in 1997.

310. There are four permanent Parliamentary Boundary Commissions (one each for England, Northern Ireland, Scotland and Wales) constituted under the Parliamentary Constituencies Act of 1986, which are charged with maintaining continuous review of constituency boundaries. The Commissions are required by statute to conduct a general review of all the constituencies in their area once every 8 to 12 years and to submit a report on their final recommendations. The Commissions' reports must be presented before the Parliament for debate and approval.

311. The Commissions are independent bodies which conduct their reviews in accordance with the procedures and rules laid down by the Act. In broad outline these rules have the following features:

- (a) a limit on the total number of constituencies;
- (b) every constituency to return a single member;
- (c) constituencies not to cross county boundaries; and
- (d) constituency electorates to be as close as practicable to the electoral quota for the area (total area electorate divided by number of constituencies).

314. After taking all available information into account, provisional recommendations are published in each area and, where objections are made, public inquiries are held. Final recommendations are not presented until full consideration has been given to all the matters raised. All interested parties are notified of the final recommendations with a brief explanation of the Commission's reasons.

313. The last general review was completed in 1995. An increase in, and movement of, the registered electorate, coupled with changes to local government districts, resulted in the Reports of the Commissions recommending an increase in the overall number of Members of Parliament and changes to a large number of constituency boundaries. The reports of the Commissions were approved by Parliament in 1995 but in accordance with legislative requirements, changes to boundaries did not come into force until the next General Election in 1997.

314. The Commissions also have discretion to conduct interim reviews of constituencies and to submit a report of their recommendations. One such review has been completed and approved since 1997. The changes it recommends will come into force at the time of the next general election.

ARTICLE 17

1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a cultural heritage.

315. Members of ethnic minority groups within the UK are free to establish and maintain peaceful links with members of other states for the purpose of exchanging good practice, fostering knowledge and understanding and sharing and developing their cultural, linguistic or religious identity.

316. The Government supports a number of international youth exchange programmes aimed at fostering an understanding between cultures. We have also developed and maintained links with a number of organisations and individuals across Europe through the course of our work on the European Year Against Racism.

317. The European Bureau of Lesser-Used Languages, based in the Isle of Lewis, has worked to develop and promote trans-regional initiatives to foster links between the minority language communities of the UK and Europe. Examples include the recent visit of the Euroschool Festival (Iuroscoil '99) project to the Western Isles, which involved 500 children from fifteen linguistic minorities from across Europe. The St Columba Initiative/Iomairt Chialium Chille is a cross-border initiative between the UK (Scotland and Northern Ireland) and the Republic of Ireland to foster links between Gaelic communities.

[Notes: During the consultation exercise, concern was expressed by one organisation that Article 17 of the Convention might not be compatible with the Criminal Justice (Terrorism and Conspiracy) Act 1998. The Act is entirely compatible with the European Convention on Human Rights. The conspiracy provisions of the Act deal with those who get together in this country to organise terrorist and other crimes abroad: it does not affect the right to freedom of expression.

Furthermore, these provisions only apply to people plotting to commit acts which are criminal offences both in this country and the overseas country concerned. The new Act does not, therefore, make it an offence to send genuinely humanitarian aid to organisation overseas. Whatever the law might be in another country, that would not be an offence in the UK. The act does not make expressions of support for organisations overseas an offence.

The conspiracy provisions are not designed to be used against any specific groups in the UK. Crucial safeguards contained within the legislation make it impossible to use the law against those who express legitimate, peaceful expressions of support to organisations overseas.]

ARTICLE 17

2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.

318. The UK Government values and supports the work of a number of NGOs working in the field of race relations and we positively encourage the participation of ethnic minorities in these groups, both at the national and international level. A list of UK organisations with whom we have regular contacts is attached at Annex B.

ARTICLE 18

1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.

2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.

319. The UK Government is strongly committed to working closely with Member States to tackle racism and plays a major role in a variety of international fora where the focus is on pragmatic action, sharing experience and expertise and encouraging practical initiatives which can be adapted to reflect the various experiences of different countries. The UK takes an active part in discussions under the European Union, the Council of Europe and the United Nations to encourage the adoption of good practice at national level.

320. The UK Government has signed a number of international agreements designed to protect ethnic minorities, most notably the: European Convention for the Protection of Covenant for Civil and Political Rights and International Convention for the Elimination of All Forms of Racial Discrimination. The text of the latter two UN instruments is provided at Annex U.

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