



COMMISSION FOR RACIAL EQUALITY



ANNUAL REPORT 2001

The Commission for Racial Equality was set up by the Race Relations Act 1976. It has three main duties.

- To work towards the elimination of racial discrimination.
- To promote equality of opportunity and good relations between people of different racial groups.
- To keep the Act under review and to make proposals to the Secretary of State for amending it.

© Commission for Racial Equality

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ANNUAL REPORT OF THE
COMMISSION FOR RACIAL EQUALITY
1 JANUARY 2001 TO 31 DECEMBER 2001

TO THE RIGHT HONOURABLE
DAVID BLUNKETT MP
SECRETARY OF STATE
FOR THE HOME DEPARTMENT

CONTENTS

3	Introduction, by the chair
5	Promoting racial equality
19	Using our legal powers
29	Working with communities
35	Improving our services
42	Members of the Commission for Racial Equality, 1 January 2001 – 31 December 2001
46	Committees of the Commission for Racial Equality, at 31 December 2001
48	Financial accounts 1 April 2001 – 31 March 2002

INTRODUCTION

by Gurbux Singh, chair of the CRE

The year 2001 has been a challenging one. Few could have foreseen some of the events that took place in Britain and elsewhere – the most serious riots we have seen on these shores in recent years; and the attacks in New York and Washington that transfixed the world on 11 September. Many British ethnic minority communities, and British Muslims in particular, have borne the brunt of the backlash since then.

2001 marked the 25th anniversary of the Race Relations Act 1976, the primary legislative framework within which we work. So, it was fitting that it was also the year when we saw the biggest and most positive change in the law. The amended Act extends the original law to cover the way public authorities carry out all their functions. It also gives most of them a new statutory duty to promote racial equality and good race relations. Critically, this shifts the balance from a punitive approach to racial discrimination to an emphasis on taking proactive steps to prevent it, and to promote racial equality and good race relations.

Our bottom line is to see that racial equality is at the forefront of all public policy agendas. Our statutory code of practice on the new duty, and other supporting guidance, will help public authorities to meet the new duty and, I hope, ensure a determined drive across the public sector to promote racial equality throughout Britain.

The amended Act does not apply to private organisations and our challenge now is to promote the spirit of the duty throughout this sector, from the board rooms of the largest blue chip companies to the owner-managers of the newest micro-enterprises. We see work in this area as a priority over the next year.

Unfortunately, persuasion is not enough to prevent racial discrimination. Thousands

who felt they had been discriminated against approached us last year for advice. Our formal investigation work continued, as did our follow-up work with organisations that had been involved in tribunal cases.

The CRE was appointed as the UK National Focal Point for the work of the European Monitoring Centre on Racism and Xenophobia. We worked closely with the other equality commissions, and with government colleagues, on Article 13 of the EC Treaty. This will prohibit racial discrimination throughout the EU. It will also, for the first time, outlaw discrimination in employment for reasons of religious belief, age and sexual orientation. This is a developing and important area of our work.

To make sure the CRE is 'fit for purpose' and a developing 'centre of excellence', I have asked our new chief executive, Daniel Silverstone, to drive forward a comprehensive transformation programme. I am confident that this will lead to a stronger organisation, more tightly focused on the four priorities we have set ourselves for the next year: delivering the new duty; encouraging best practice in the private sector; connecting with all communities; and modernising the CRE.

Finally, as I look forward, I am optimistic. The amended Act gives us the best opportunity we have had to work for real change. Working with others, we must build the political will and commitment to deliver a better Britain: a Britain which embraces cultural and racial diversity, which condemns racial inequality, and which encourages 'stakeholdership' for all. I want 2002 to see a genuine shift in gear in the drive to deliver racial equality and social justice. And I intend to make sure we do just that.



Gurbux Singh



PROMOTING RACIAL EQUALITY

The year saw the biggest change in race relations law in a quarter of a century. The amended Race Relations Act now includes all public functions. It gives some 40,000 public bodies in Britain a new, enforceable, statutory general duty to promote racial equality and good race relations. The Race Relations (Amendment) Act 2000 came into force on 2 April 2001.

In October, the home secretary issued further specific duties, which came into effect on 3 December. The duties will apply to all the main public services and are designed to help them to meet the general duty. The specific duties are essentially practical steps that any organisation committed to racial equality should be taking to assess and improve their policies and practice. Public authorities bound by these duties had to meet them by 31 May 2002. Separate duties are expected to come into force for Scotland in early 2002.

The amendments to the Act were a response to recommendation 11 of the Stephen Lawrence Inquiry Report – that the full force of race relations legislation should apply to the police and other public bodies. The Act's aim is to make racial equality central to public policy, to prevent racial discrimination, and to promote good race relations.

On 3 Dec 2001, we launched the consultation draft of a statutory code of practice on the new duty.



We also asked for comments on a series of supplementary non-statutory guides. Over 40,000 copies of each document were printed and distributed to public authorities, racial equality councils, trade unions, and voluntary and community organisations.

At the launch of the draft code, speaking on behalf of the government, Angela Eagle, Home Office minister for race relations, said:

These changes are aimed at the hearts and minds of organisations. The government wants public organisations to make race equality core to their work. These new measures build a robust framework to help public bodies provide services to the public in a way that is fair and accessible to all, irrespective of race or ethnicity. By placing the public sector at the forefront of the drive for race equality in British society, we hope to create a powerful lever to raise standards in all sectors of society.

To lay solid foundations for the new statutory duty, we launched *Beyond Rhetoric*, a series of ten seminars and workshops for

▲ CRE chair, Gurbux Singh, welcomes the Race Relations (Amendment) Act 2000 as a historic step. 'Britain today moves into a new gear on racial equality,' he said.



▲ CRE staff explain the changes to the Race Relations Act to Manchester police officers. The CRE roadshow *Celebrating Change* accompanied *Beyond Rhetoric*, a series of conferences on the duty

public authorities across the country. In London, our chair, Gurbux Singh, was joined by Jack Straw, the home secretary at that time; in Manchester, by Mike O'Brien, former minister for race; in York by Callton Young, from the Home Office race equality unit; and in Cardiff by First Minister, the Rt Hon Rhodri Morgan AM.

Working closely with racial equality councils (RECs), our local partners, we took advantage of every opportunity, including invitations to address conferences, and our membership of boards, teams and working groups, to press the importance of understanding and framing policy within the wider context of the amended law. We made presentations to local authorities, health trusts, the police, the Ministry of Defence, central government departments, immigration lawyers, the Council of Heads of Medical Schools, the NHS Executive, the National Association of Councils for Voluntary Service, and many others. We also advised various public inspection bodies on how to make racial equality central to their inspection regimes.

Our message to all was that public authorities could not begin too soon to prepare for the changes – the most radical this country has seen – to the culture of providing public services. We explained that individual initiatives on racial equality could now be organised within a central framework,

covering most of the authority's activities. We also urged authorities to work as far as possible in partnership with other agencies, public and private, both to ensure consistency and coordination and to raise standards more generally.

We learned a lot, too, from these exchanges, especially about how public authorities expected the amendments to affect them, and about possible obstacles to meeting the duty.

Immigration and the amended Act

The Race Relations (Amendment) Act 2000 makes it legal to discriminate on the basis of nationality or ethnic or national origin (but not race or colour) when ministers expressly authorise this. The exemption in section 19D of the Act covers the areas of immigration, asylum and nationality law. The CRE receives reports of reviews of the way these ministerial authorisations are working.

Since April 2001 there have been three ministerial authorisations permitting immigration officers to discriminate. The first authorisation allows discrimination when it can be shown that people of a particular nationality are likely to break immigration laws, or when there is specific intelligence or information that a significant number of people of that nationality have broken, or will try to break, immigration laws.

The second authorisation allows immigration officers to examine passengers from specified groups with particular care. We are concerned that this could amount to racially discriminatory treatment. The groups currently specified are people of Chinese origin presenting a Malaysian or Japanese passport, and people of the following ethnic or national origins: Kurd, Roma, Albanian, Tamil, Somali and Afghan.

By the end of the year, we had received only a partial ministerial report on the second authorisation and had requested fuller reports on both authorisations.

A third authorisation was approved in

October, allowing immigration officers to pilot a project to analyse the language used by asylum seekers from Afghanistan, Somalia and Sri Lanka, where there are doubts about applicants' true nationality. We expect to receive a report on this after the initial pilot.

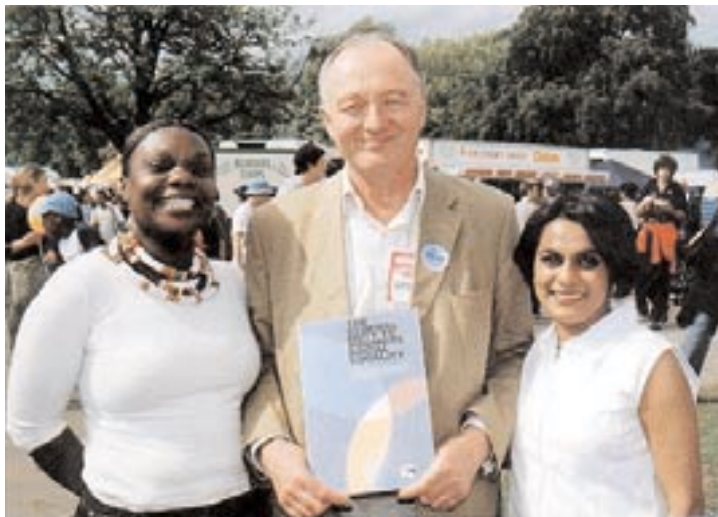
During the year, we responded to a review by the Home Office on family visitors' appeals and hosted a seminar on the EU directive on third country nationals.

We continued working closely with organisations in the field of immigration and asylum. We shared information with them about cases, developments in national and European law, and research.

Census 2001

Ethnic monitoring lies at the heart of the new specific duties for public authorities. The 2001 census, held in April, will provide the vital, up-to-date information needed to plan and provide public services for all parts of Britain's diverse population. The data will also help public authorities to meet the specific duty to make sure that everyone has access to their services. As well as the compulsory question on ethnic origin (which was differently framed in devolved Scotland), for the first time, the census also included voluntary questions on religion. Also for the first time, the question on ethnic origin included an Irish category, which the CRE has long supported.

The census sparked off a new debate about national identity in the twenty-first century. The CRE received several complaints from people who thought the census questions in England and Wales did not allow them to register their sense of themselves as Welsh, English or Scottish. In Scotland, one of the issues that attracted a lot of media attention was the use of the prefix 'black' with the categories 'Caribbean' and 'African'. There are plans to set up a national group to look at questions of classification, coordination, consistency, acceptability and use.



We worked closely with the Office for National Statistics and the Home Office during the year to develop an ethnic question that might be more acceptable than the census question, while at the same time providing data that can be compared with census information.

Legislation and racial equality

As public authorities bound by the new duty to promote racial equality, central government departments must make sure that they take account of the way their legislative proposals will affect people from different racial groups.

Scottish laws

In 2001, we responded to consultations on the forthcoming local government bill. This bill includes a clause binding Scottish ministers and councils to encourage equal opportunities and to meet equal opportunities requirements in carrying out their functions. The bill's aim is to mainstream equality in all local government functions.

We also lobbied successfully for amendments to two major bills during their passage through the Scottish Parliament.

■ The two bodies being set up under the Regulation of Care (Scotland) Bill to register and regulate care services and training for social services staff will now have a duty to

▲ In July, we took a stand at the Respect festival in London and joined the city in its celebration of diversity. We also used the occasion to tell people about their new rights under the amended race law.



THE RACE RELATIONS ACT – 25 YEARS

As part of a series of events throughout the year to celebrate 25 years of the Race Relations Act, CRE Scotland held a groundbreaking public event at the Scottish Parliament.

In partnership with the Equal Opportunities Committee, 100 members of ethnic minority communities in Scotland were invited to take part in a debate in the parliamentary chamber on race relations. The event was broadcast live on the internet through the Scottish Parliament’s website.

The aim of the occasion was to make people realise that the Scottish Parliament today has no members from non-white ethnic minority groups. At the end of the debate, a motion was passed, urging the Scottish Parliament to do more to promote racial equality. The Equal Opportunities Committee will be responsible for taking this forward.

encourage equality of opportunity when they carry out their functions.

■ The Housing (Scotland) Bill completed its passage through the Scottish Parliament in June. As a result of our lobbying, together with the Equal Opportunities Commission, the Equality Network, Positive Action in Housing and Positive Action Training in Housing, important amendments on equalities were passed. For the first time, local authorities will have to take account of equality issues in their strategic planning for housing and tackling homelessness. Providers of housing will now also receive specific guidance on how to tackle harassment and anti-social behaviour. These achievements are

especially notable, because they set precedents for integrating race, disability and sex equality within Scottish legislation.

Anti-terrorism, Crime and Security Act

Following the events of 11 September, and the subsequent backlash against Muslims and other ethnic minorities in Britain, we welcomed the announcement by the home secretary, David Blunkett, that he was planning to widen the public order law on incitement to include religious as well as racial hatred. In Scotland, we supported a private member’s bill to tackle sectarianism. However, we expressed reservations about some of the terminology, and the limited nature of some of the proposals.

We made representations on the Anti-terrorism, Crime and Security Act during its passage through parliament. We plan to take part in further debates on some of the issues raised, and in subsequent reviews of the Act. One of our main concerns is that the power of detention without trial, linked to immigration measures and focused on non-British nationals, will inevitably fuel hostility towards them. It could also lead to fear and a sense of exclusion among all ethnic minority communities. The additional powers given to the police under the legislation are more likely to affect people from ethnic minorities and will need to be carefully monitored.

Human rights commission

During the year we responded to the ‘call for evidence’ from the parliamentary joint committee on human rights on a human rights commission for the UK. We have consistently supported an independent human rights commission, with law enforcement, promotional and educational duties. Based on our experience, we believe that, if the Human Rights Act 1998 is to have any impact, an independent body, responsible for fostering and upholding a culture that values human rights, is essential. We also consider that the human rights commission should exist alongside the three statutory

equality commissions (on sex, disability and race), and that all the agencies should collaborate closely and be mutually represented at commissioner level.

EU directives on race and employment

In December, we welcomed the government’s proposal, in response to the EU directives on race and employment, to introduce a broader framework for anti-discrimination legislation, covering race, sex, religion, sexual orientation, age and disability. We also welcomed the recognition that there are arguments in favour of a single statutory commission, offering integrated advice and enforcement powers.

We saw this as an opportunity to reinforce the strengths of existing discrimination laws, and to remove inconsistencies between them, particularly by extending the new public duty to promote racial equality to other areas. However, we emphasised that there should be no dilution of the existing powers we have to protect the rights of victims of racial discrimination. We also argued that any move to a single equality commission must be a planned, managed process. This should involve:

- a comprehensive review of equality legislation, and the role, powers and functions of the statutory bodies; and
- a critical examination of legislation and institutional arrangements in Northern Ireland and other jurisdictions, to learn from their experience.

Housing

The summer disturbances in the north of England put housing policy high on the public agenda. The Race and Housing Inquiry, set up in 2000 by the CRE, the National Housing Federation, the Federation of Black Housing Organisations and the Housing Corporation, launched a *Challenge Report* in July. The report recommended that the four partners in the inquiry, housing associations, local authorities and the Department of Transport, Local Government



▲ A resident of Manningham Housing Association’s scheme for properties with multiple occupancy in Bradford. The new housing action plan will make the code of practice on social housing a ‘best value’ performance indicator.

and the Regions (DTLR) should ‘equality proof’ all housing policy, and introduce long term racial equality plans for housing associations.

Addressing the conference (chaired by Gurbux Singh), the housing and regeneration minister, Lord Falconer, welcomed the report’s recommendations, saying:

Our vision is that people from all ethnic groups have equality in opportunities to access housing and that they receive quality services. We are a long way from that at the moment. It is our commitment to achieve it.

Lord Falconer also announced a review of the effects of the government’s rent reforms on ethnic minority housing associations (being smaller, their rents are likely to be slightly higher).

Towards the end of the year, the inquiry panel produced a code of practice, which the Housing Corporation is planning to recommend to housing associations as good practice. Our own view was that the code should be part of the corporation’s regulatory framework.

We commented on the corporation’s new regulatory framework, and contributed to training courses for regulation and inspection staff on their new responsibilities under the amended Act.

On 23 November, Lord Falconer followed up on his commitment at the race

and housing inquiry conference by launching a new housing action plan, to put racial equality at the heart of all major DTLR housing policy. The plan includes assessing local authority housing strategies, making the code of practice on social renting a 'best value' performance indicator, tackling racial harassment, and improving research data on ethnic minority housing issues.

The action plan was drawn up following consultation with a number of organisations, including the CRE. The plan is timely in the light of the department's new duty to promote racial equality under the amended Act, the findings of the race and housing inquiry, and the department's work on community cohesion, following the riots in summer 2001.

Health

The new duty places racial equality at the heart of the government's agenda for reforming and modernising the NHS. This depends crucially on reducing health inequalities between ethnic groups, as outlined in the NHS Plan, issued in May 2001.

A CRE survey of 250 NHS trusts, published in February 2001, shows the scale of the problem. Most of the trusts we surveyed had written racial equality policies, but only five per cent had fully implemented their action plans. Fewer than half had written procedures for dealing with racial harassment and only 11 per cent had set themselves employment targets.

The challenge for all NHS bodies is to 'mainstream' equality in all aspects of their work, and to be accountable to the patients and communities they serve.

During the year, we worked closely with health authorities, such as Suffolk, Enfield and Haringey, to influence their health improvement strategies. We also monitored the five-year agreement we had signed on 4 December 2000 with Avon and Western Wiltshire mental health NHS trust, Bristol city council's social services department, and

Avon health authority, to improve their employment practice.

Most importantly, we began piloting *Bridging the Gap*, a set of 37 racial equality standards, developed with Sheffield health authority to improve health and social care services, and to help authorities to meet their specific duties under the amended Act.

Modelled on existing CRE standards such as *Racial Equality Means Business* (the standard for employers), the *Equality Standard* (for local government) and *Learning for All* (the standard for education), *Bridging the Gap* is aimed at acute, community, and ambulance services, NHS trusts, and social care providers such as social services departments and residential and nursing homes. A companion guide, *Measuring the Gap*, covers implementation, auditing and assessment.

Bridging the Gap has attracted considerable interest from organisations such as the London Health Commission, the Commission for Health Improvement, Thames Valley school of nursing (Mary Seacole Centre), Nottingham primary care trust, University of Sheffield's school of nursing and midwifery, and the University of Wales. A full evaluation of the pilot will inform the way forward.

Criminal justice

On 24 February 2001, a conference in London to mark the second anniversary of the Stephen Lawrence inquiry report concluded that public authorities have a long way to go before they can say that their policies and practice are promoting racial equality. CRE commissioner Bob Purkiss warned that the amended Act would only achieve its purpose if there was 'the political will at every level to put racial equality at the core of these institutions.'

A Home Office report, *Stephen Lawrence Inquiry: Home Secretary's Action Plan, Second Annual Report on Progress*, highlighted some of the problems police forces still face. These included:

- career progress and retaining staff;
- public confidence in the police; and
- stop and search.

We proposed detailed changes to the Association of Chief Police Officers' (ACPO's) draft 'Guide to the Use of Stop and Search' and many of our points were incorporated. As members of the home secretary's Lawrence steering group, we successfully argued, with others, that stops (as well as stops leading to searches) should be monitored on the basis of ethnicity, and in December we made detailed proposals for revising the statutory code on stops and searches.

We continued to contribute to ACPO's Race Portfolio Group, to working groups on police training, racist incidents and resettlement of young offenders, and to the probation group responsible for implementing the service's race equality action plan. The action plan had been adopted in July 2000, and by the end of 2001, the service had achieved half of it.

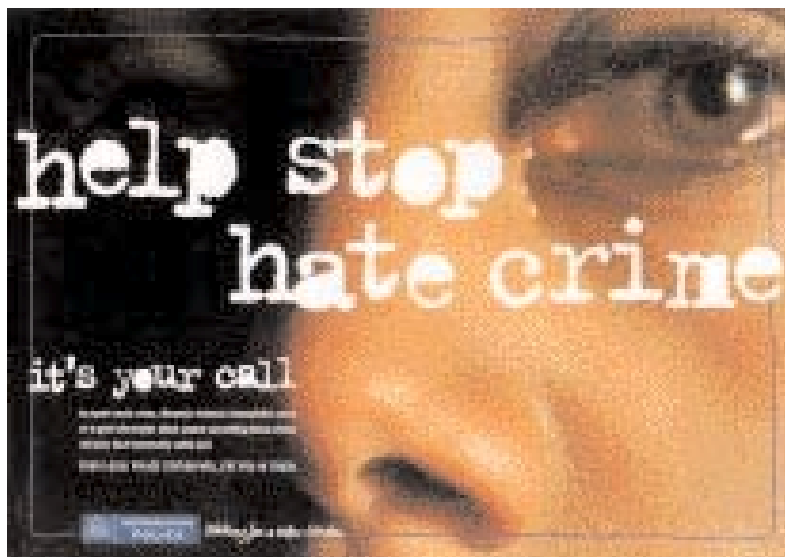
We gave written and verbal evidence to Lord Auld on his review of the criminal courts, and recommended the following:

- current arrangements for access to trial by jury should remain;
- judges should be given discretion to empanel a multi-racial jury;
- the effects of plea bargaining on ethnic minority defendants should be reviewed; and
- an independent judicial appointments commission should be set up, with judges appointed from a wider pool.

We worked with the Youth Justice Board to produce *Guidance for Youth Offending Teams on Achieving Equality*, which was published in May. Later in the year, we secured undertakings from the Lord Chancellor's Department on steps to improve their database for monitoring court sentences by ethnicity.

There were some encouraging outcomes during the year.

- Half of the net increase in police officers between spring 1999 and autumn 2000 were



officers of ethnic minority origin.

- Though the number of racist incidents recorded in the second half of the 1990s doubled (from 11,876 to 23,049), very reliable estimates from the British Crime Survey (published in October 2001), suggested that racist incidents actually fell over the period, from 390,000 to 280,000.
- The proportion of ethnic minority lay magistrates increased to five per cent of the total, and in June 2001 the national probation service's 6.5 per cent target for ethnic minority middle managers was exceeded, with a figure of 7.9%. The year also saw the appointment of the first ethnic minority chief officer of probation (out of a total of 42).

Surjit Singh Chhokar

Immediately following the acquittal of the accused men in the trials for the murder of Lanarkshire man, Surjit Singh Chhokar, the Lord Advocate for Scotland announced that he was planning two inquiries into the way the case was handled – one into the legal decision-making process, and the other into the support given to Mr Chhokar's family.

We were involved in discussions with the Solicitor General, the Lord Advocate and the Minister for Justice from an early stage. We urged that the Stephen Lawrence inquiry

▲ An advert, shown in 300 London cinemas, as part of a Metropolitan Police Service initiative to encourage young Londoners to report hate crimes. 200,000 leaflets containing free phonecards were also distributed in cinemas, clubs and pubs.

At 11.20 pm on 4 November 1998, 32-year old Surjit Singh Chhokar (inset photo) was brutally attacked and stabbed to death by three white men in Wishaw, Lanarkshire, outside his girlfriend's home. All three men were arrested, but only one of them, Ronnie Coulter, was charged. He was convicted for assault and walked free. Following an intense campaign, charges were brought against the other two men. Both were acquitted when they blamed Ronnie Coulter.

▶ At a rally in Glasgow, sister Manjit Kaur and father Darshan Singh Chhokar call for a new public inquiry into the killing.



should be used as a model and that the focus should be on the extent to which racism was a factor in any part of the case, from the question of motivation behind the murder to the support given to the family. We also recommended that the two inquiries should be combined and held as openly and accountably as possible, with help from lay experts on racial equality. We regret to report that our recommendations were largely disregarded, and that we had serious concerns about the way in which the question of racism was handled in both inquiries.

The publication of the reports of the two inquiries in October was a momentous occasion for race relations. The reports raised important questions about how Scotland's

criminal justice system safeguards racial equality. One key recommendation among several for improving the Scottish criminal justice system, was to set up an inspection body for the Crown Office.

When the Chhokar case was listed for debate in the Scottish Parliament, we took every opportunity to make it clear that our chief concern was with the terms of reference for both inquiries. We presented evidence to Parliament, both before and during the debate on the Chhokar case; we briefed all MSPs; and we issued statements to the media which were also circulated around Parliament and the Scottish Executive. As a result, we succeeded in getting a number of parliamentary questions asked.

Towards the end of the year, at a meeting with the Solicitor General to discuss the inquiries, we agreed to take part in two strategic reviews of the Scottish criminal justice system: one, led by Lord Bonomy, into the operations of the high court, and the other into summary justice.

Local government

On 16 October, a new *Equality Standard* for local government in services and employment in England was launched at Westminster Central Hall, London. For the first time, local authorities will be able to monitor and assess all their equality work using a single standard for race, sex and disability.

The standard was produced in partnership with the Equal Opportunities

Commission, the Disability Rights Commission and the Employers' Organisation for Local Government. We also worked closely with the Audit Commission, which was represented on the steering group, chaired by Richard Penn, former chief executive of Bradford City Council.

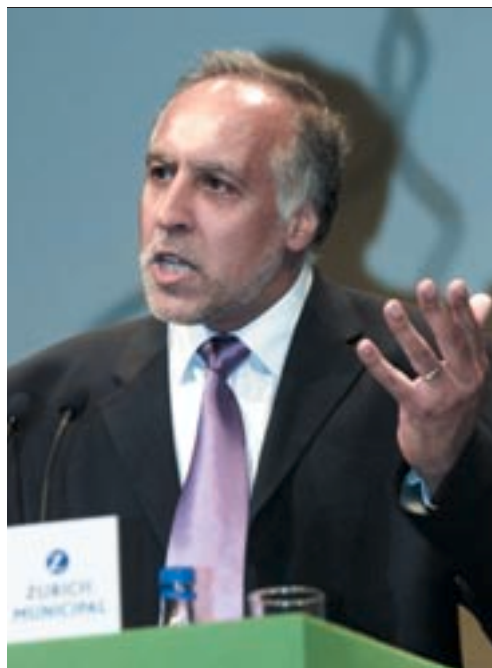
The *Equality Standard* is closely modelled on the original ground-breaking CRE standard for racial equality in local government, *Racial Equality Means Quality*. Councils are expected to work systematically through five levels, assessing the needs of different groups, and dealing with any barriers or disadvantages they might face by closely examining their policies and practices.

In line with the new specific duties under the amended Act, the standard also emphasises the importance of community scrutiny as a check on councils' own assessments. Then there is the role of the Audit Commission. Finally, *Racial Equality Means Quality* has been a national performance indicator since 1997, and, more recently, a 'corporate health' indicator of best value. This status is likely to be transferred to the *Equality Standard* (if the Department of Transport, Local Government and the Regions' proposal in its November 2001 consultation paper on best value performance indicators for 2002/03 is accepted).

The new general duty to promote racial equality, and the specific duties in policy and service delivery and employment, make many of the steps described in the standard mandatory, at least in terms of race. The Employers Organisation will be publishing a guide to the new standard in early 2002 which will cover this question in detail.

Education and training

The focus of our work in this area



At the Local Government Association conference in July, CRE chair, Gurbux Singh, called for 'new rules of engagement between local communities and the public agencies that serve them.'

during 2001 was on producing statutory and non-statutory guidance for education providers, to help them to meet their responsibilities under the new duty. We consulted our contacts in local education authorities (LEAs), national education agencies, schools, colleges and universities, to make sure that the documents we put out for consultation were practical and not too onerous, and to invite examples of good practice.

We held education workshops at all our *Beyond Rhetoric* conferences to promote the amended Act, and at conferences organised by the Association of LEA Advisory Officers for Multicultural Education, Universities UK, the Commission for Black Staff in Further Education, and ethnic minority members of the National Association of Teachers in Further and Higher Education.

One of our main concerns has been to make sure that the duty's requirements are built into inspection frameworks and guides. It was in this context that we worked last year with OFSTED, the inspectorate for education, on the training material and guidance they were producing for inspectors.





RETHINKING INTERVENTIONS IN RACISM

In May, the CRE and Trentham Books co-published *Rethinking Interventions in Racism*, Reena Bhavnani's timely book on the nature of racism. Bhavnani calls for a break with off-the-shelf approaches to education and race training and presses policy makers and

government to take a long term partnership approach that focuses on the unequal relationships between people rather than on 'cultures' and 'fixed racial identities.'

We also commented on their inspection frameworks for LEAs and schools.

Variations in educational achievement between pupils from different ethnic backgrounds have been a long standing area of concern for the CRE. In November, we commissioned the Office for Public Management to carry out research for us on the reasons for low achievement among pupils of Pakistani, Bangladeshi and Caribbean origin. Because of the riots last summer, we decided to concentrate on schools in northern English towns, specifically, Blackburn, Oldham and Sheffield. We are also represented on the new commission on race and education in London, set up by the Association of London Government to review policy and agree best practice.

During the year we advised the Department for Education and Skills on its guide to ethnic monitoring for LEAs and schools, and shall continue to work closely with them on this area, which is covered by a specific duty under the amended Act. We also welcomed the Teacher Training Agency's agreement to build our racial equality standards in education (*Learning for All*) into the guidance they are preparing on the revised regulations for initial teacher training.

We were represented on the Learning and Skills Council's (LSC's) equal opportunities advisory group, and helped to

produce two new guides on mainstreaming equality in local learning and skills councils. We also commented on the LSC's common inspection framework.

As members of the Connexions Service's equal opportunities advisory group, we were in a position, along with the Equal Opportunities Commission and the Disability Rights Commission, to influence the priority given to equality in Connexions partnerships. Partnerships have to show that they meet five broad equal opportunities principles. These must be built into their work in the different areas covered by Connexions quality standards, as laid out in the OFSTED inspection framework and quality management framework.

Regeneration

As the disturbances in northern English towns last summer showed, the decaying infrastructures of towns and cities mirror deeper social and economic inequalities. The findings of all the reviews and reports into the riots came as a jolt to everyone, except the people who live in those towns.

Regeneration, under various names, has been pursued by all governments, and, as we found in our own report on the disturbances, funding in itself is not the big issue. The overwhelming problem has been one of poor coordination between all the departments of central and local government, confusion and disjointedness on the ground, and, critically, lack of democratic accountability. Local people's voices need to be heard in all their diversity in all partnerships, and should be the driving force behind the regeneration of their neighbourhoods.

Addressing the Local Government Association conference in July, our chair, Gurbux Singh, spoke of worrying signs. 'In places like Burnley, Bradford and Oldham,' he said, 'people are shutting off from democracy, because they feel it isn't working for them.' He called for 'new rules of engagement between local communities and the public agencies that serve them.'

The aims of the amendments to the Act are to make ‘colour-blind’ policy-making a thing of the past; to make equality (as much as ‘value for money’ and efficiency) an essential part of the way public services are conceived and delivered; and to make dialogue with local communities central to developing policies and delivering services. Our role is to promote and enforce the new public duty to promote racial equality, and all our efforts last year in the area of regeneration and renewal were governed by this purpose.

We gave seminars on the duty to officers from the Department for Transport, Local Government and the Regions and regional development agencies (RDAs) in England, and we advised RDAs on their action plans.

We built good working relations with the new Neighbourhood Renewal Unit, and supported its efforts to make racial equality central to neighbourhood renewal programmes. We are currently represented on the New Deal for Communities’ race equality advisory group, which monitors and advises the unit on race issues.

We are working similarly with Government Offices in the Regions, especially on the equality implications of the accreditation process for local strategic partnerships (LSPs). We are represented on the special advisory panel for LSPs for the Government Office in East Midlands.

In December, we held a joint seminar with the Local Government Association on LSPs and on how racial equality contributes to community cohesion.

Leadership Challenge

The Leadership Challenge was launched in 1997 to encourage business leaders and heads of public and voluntary organisations to make a personal commitment to promoting racial equality. Since then, 380 leaders have signed.

We spent most of the year on a full-scale review of the challenge. The amended Race Relations Act, which came into force on 2 April 2001, gave some 40,000 public

authorities a statutory general duty to promote racial equality and good race relations. Many of them also have to meet specific duties. These duties override any commitments that public authorities might have made as signatories to the leadership challenge.

Following advice from the CRE business advisory group (see below) to keep our approach flexible, we have been developing a ‘mix and match’ approach to implementing racial equality strategies. A toolkit, which will be launched on our website in summer 2002, will offer a range of options, so that organisations can plan their progress on equality according to their individual circumstances.

CRE business advisory group

In 2001, CRE commissioners decided to refocus our work with the private sector. In October, a secondee from BT was appointed as head of a new business policy team, which will work closely with leading businesses to develop an effective CRE business strategy for promoting racial equality in the private sector.

The impact of globalisation, and the convergence of a human rights agenda with the growing importance of corporate social responsibility, offers us unprecedented opportunities to work with businesses to help re-energise communities and develop new markets. One of our chief aims is to create

Trevor Jones, chief executive of NHS Scotland, signed up to the Leadership Challenge. He made a commitment to tackle institutional racism in the NHS and urged the chief executives of all NHS trusts and boards to do the same.





▲ A British Bankers Association research project on ethnic minority access to finance, funded by high street banks, the Bank of England and the Small Business Service, will publish a report in 2002.

purposeful synergies between businesses, public bodies and the three equality commissions.

A new business advisory group was inaugurated in July 2001 to discuss policy and strategy with leading British businesses. Our aim was to create a forum where 'critical friends' could air their concerns. The group is made up of representatives from IBM, Shell, BP, Landrover, British Airways, HBOS, Barclays Bank, Lloyds TSB, J P Morgan and HSBC.

Construction

We worked closely with the Construction and Industry Training Board (CITB), which commissioned research from Royal Holloway

College on the experiences of black and Asian people who were looking for work in the industry. The findings and recommendations of the report will inform our work with the CITB and construction companies.

Banking and finance

We worked closely during the year with representatives of the British banking sector on a research project to investigate the relationship between high street banks and ethnic minority businesses. The project was set up in response to a Bank of England report, published in May 1999. The report found that, although the little data available did not point to discrimination against ethnic minority businesses, many of these businesses believed that their applications for finance were not treated fairly.

The research project is managed by the British Bankers' Association (BBA), with funding from the six main high street banks, the Bank of England and the Small Business Service. The BBA project is the first time these issues are being addressed using a significant sample. This will allow comparisons to be made between a range of businesses run by people from different ethnic backgrounds. The findings of the project, and the industry's response (which will be drawn up in consultation with the CRE) will be published in 2002.

EQUALITY DIRECT

A new one-stop telephone helpline was launched in 2001 to answer small firms' questions on equality laws and management issues. The service is free, confidential and provided by advisers trained by the international firm, DLA, and the helpline providers Broadcasting Support Services. The service was developed in partnership with the three equality commissions, the Federation of Small Businesses, the Small Business Service and ACAS.

Start-ups

We were pleased to learn that our joint bid with the Welsh Development Agency was successful. We secured £1.3 million for a project to encourage ethnic minority business start-ups. This was part of a £6.5 million bid under 'objective one' for under-represented groups. Ethnic Business Support Programmes will be managing the project.

Trade unions

In October, we held a seminar on the implications of the amendments to the Act for trade unions operating in the private sector. Speakers included Roger Mckenzie,

TUC race equalities officer, and former CRE commissioner, Bob Purkiss, of Focus Consultancy. The seminar also discussed collective bargaining and ethnic minority participation and representation in trade unions.

Media

The CRE's Race in the Media Awards (RIMA), like our football and Roots of the Future campaigns, is an example of outstanding success – it has won acceptance where it counts, in the hearts and minds of the

entire industry. Meera Syal, actor, writer and comedian, and TV newsreader Moira Stewart presented our ninth RIMA awards in London in April. Brookside star Louis Emerick won the media personality of the year award and Channel Four was declared broadcaster of the year.

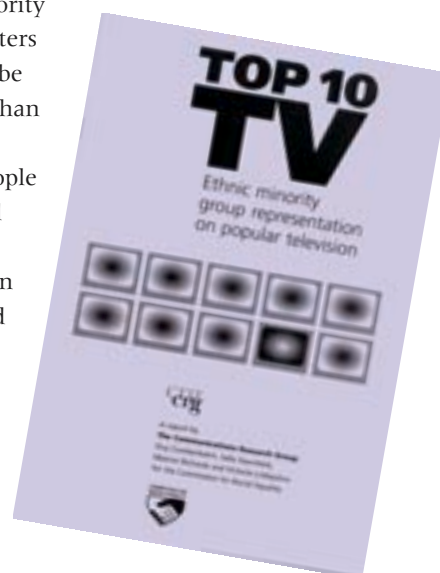
We used the occasion to launch *Top 10 TV*, a CRE-commissioned survey of ethnic minority representation in the ten most popular programmes shown on the five UK terrestrial channels. The findings confirmed our fears – the number of people from ethnic minorities performing in these shows would have to go up by 13 (or 31%) each week, to



On 6 April, we held our ninth Race in the Media Awards in London. Channel Four won broadcaster of the year award and Brookside star Louis Emerick was media personality of the year.

In his keynote speech, Clive Jones, chief executive of Carlton Channels, and chair of the Cultural Diversity Network (launched in 2000 to recruit more people from ethnic minorities) announced a new industry-wide 'commissioning clause.' This will make diversity a 'standard criterion against which new programme proposals are judged.'

match their population in the real world. Most striking were the disparities between different ethnic minority groups: black characters were more likely to be seen on TV (3.7%) than in the real world (2.1%), whereas people of Asian background were dramatically under-represented on TV (0.9%) compared to their presence in the real world (3.7%).





Race Relations Act 1976

CHAPTER 74



USING OUR LEGAL POWERS

The changes to the Race Relations Act came into force on 2 April 2001, 25 years after the original Act was passed. The strengthened Act outlaws discrimination in public functions that were not previously covered, and introduces a new, enforceable duty on most public authorities to promote racial equality and good race relations.

We have a new power under the Act to enforce the specific duties, by serving a compliance notice on any authority that has failed (or is failing) to meet them. We can also bring a claim for judicial review if a public authority does not meet the statutory general duty to promote racial equality. We are committed to using our powers strategically and appropriately.

Advice, assistance and representation

In 2001, some 10,000 people approached us, in person or by telephone, about possible discrimination cases. Many of these enquiries can be dealt with fairly quickly, particularly if the cases fall outside the scope of the Race Relations Act – for example, the Act does not cover disputes between neighbours, or abuse

in the street. To speed up our services, we have set up a complaints helpline, and are now working with the Equal Opportunities Commission and the Disability Rights Commission on a project to launch an internet-based ‘one-stop shop’ service, providing free advice across all areas of discrimination.

TABLE 1: APPLICATIONS FOR ASSISTANCE, BY ETHNIC GROUP AND SEX, 2001

	Male	Female	Total
Bangladeshi	8	3	11
African	114	69	183
Caribbean	126	104	230
Black Other	43	19	62
Chinese	8	7	15
Indian	145	35	180
Irish	20	9	29
Other	160	62	222
Pakistani	95	40	135
White	82	48	130
Total	801	396	1,197

Note: Nine applications in the Other group were from Gypsies (four from men and five from women) and 19 applications were from Jewish men. Both Gypsies and Jews are protected groups under the Race Relations Act.

TABLE 2: APPLICATIONS FOR CRE ASSISTANCE, BY REGION AND COUNTRY, 2001

	EMPLOYMENT		NON-EMPLOYMENT		OUT OF SCOPE		TOTAL	
	Jan – Dec 2000	Jan – Dec 2001	Jan – Dec 2000	Jan – Dec 2001	Jan – Dec 2000	Jan – Dec 2001	Jan – Dec 2000	Jan – Dec 2001
Manchester	93	69	69	51	7	3	169	123
Leeds	90	79	79	48	4	2	173	129
Scotland	25	44	26	43	0	1	51	88
Birmingham	142	121	79	69	3	2	224	192
Wales	46	34	50	82	2	0	98	116
London and South	607	388	229	159	2	2	838	549
Total	1003	735	532	452	18	10	1,553	1,197

TABLE 3: OUTCOMES OF CRE-ASSISTED CASES, 2001

	EMPLOYMENT		NON-EMPLOYMENT		TOTAL	
	Jan – Dec 2000	Jan – Dec 2001	Jan – Dec 2000	Jan – Dec 2001	Jan – Dec 2000	Jan – Dec 2001
Successful	17	2	1	0	18	2
Dismissed	21	6	1	0	22	6
Settled (during litigation)	68	33	9	5	77	38
Other	5	4	3	1	8	5
TOTAL	111	45	14	6	125	51
	£	£	£	£	£	£
Awards	7,157	–	3,000	–	10,157	–
Settlements (during litigation)	1,307,044	804,241	55,400	27,800	1,362,444	832,041
TOTAL	1,314,201	804,241	58,400	27,800	1,372,601	832,041

NOTE: During the year, 66 cases were settled by CRE complaints officers for a total sum of £178,486, compared with 83 in 2000 for £418,320.

TABLE 4: LEGAL REPRESENTATION, 2001

	Jan – Dec 2000	Jan – Dec 2001
Full CRE legal representation	164	81
Limited CRE representation	58	41
Representation by trade unions	57	48
Representation by RECs	15	33
Representation by others	18	23
TOTAL	312	226

NOTE: In addition, in 2001, we gave 714 complainants full advice and assistance with their applications. In a further 79 cases, the advice and assistance was limited to conciliation. 120 applications were either out of scope or out of time.

Applications for assistance

In 2001, we received 1,197 formal applications for assistance. As table 2 shows, this represented a fall of 23% over 2000. Part of the reason for this was the introduction of a complaints helpline in London (see page 19). This service offers callers preliminary advice and, in many cases, can save people the time and effort of going through the formal application process before they learn that their complaint is outside the scope of the Act, or that it should be referred to

another agency. A reverse pattern emerged in Scotland and Wales, where the year saw a 72% and 18% increase, respectively.

Applications from men outnumbered those from women by 2.5 to 1 in 2001 (see table 1). Men in the ‘other’ category made the most applications for assistance, followed by men of Indian origin, men of Caribbean origin, and men of African origin. Women of Caribbean origin put in by far the largest number of applications we received from women. Among women of Asian background, the largest number of applications came from women of Pakistani origin.

The very small number of applications from people of Bangladeshi origin, men and women, was worrying; according to all the socio-economic indicators, they are the most disadvantaged group in Britain.

Table 5 gives a breakdown of applications by sector and compares them with data for 1998. It shows that, with the exception of local government, complaints against public bodies were higher in 2001.

Legal representation

In 2001, our legal committee approved full legal representation for 81 applicants and

more limited representation for a further 41. The number of applicants represented by racial equality councils (RECs) rose substantially. See table 4.

Over the same period, 66 cases were settled by our complaints officers early in the process, for a total sum of £178,486.

Case outcomes

Of the 51 cases we represented at tribunals and courts during the year (see table 3), two were successfully heard and 38 were settled for a total sum of £832,041. Six cases were dismissed following a hearing.

Case law

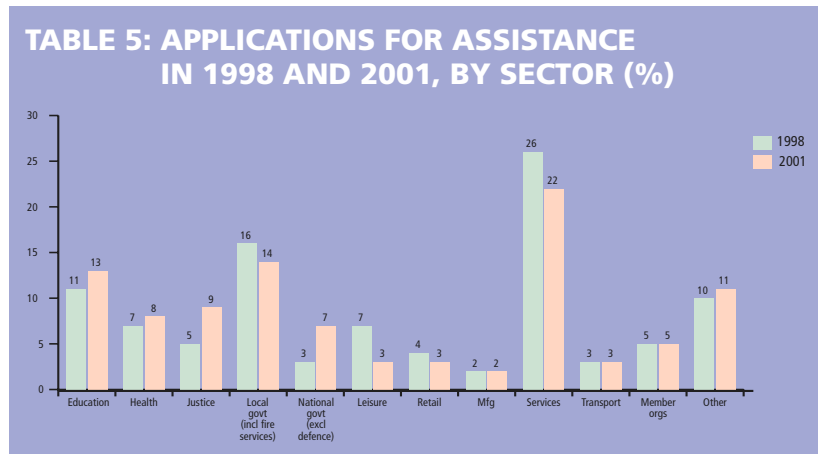
One of the CRE’s duties under the Race Relations Act is to monitor the way the Act is working and to submit reviews to the home secretary. In 2001, a number of significant decisions were handed down by the House of Lords, clarifying the Act. Some important cases are summarised below.

Chief Constable of West Yorkshire Police v Khan

The case involved victimisation, the legal term for treating someone who has made or supported a complaint of discrimination less favourably than others. In 1999, the Nagarajan case made victimisation much easier to prove, by giving us the ‘but for’ test. In other words, but for the complaint of discrimination, the complainant would not have been treated less favourably. Motivation was not an issue.

Raham Khan, a police sergeant in the West Yorkshire police force, had taken a racial discrimination complaint to the tribunal. Before the case could be heard, he applied for a job with another force, which asked for a reference. West Yorkshire police said they could not comment, because of the pending tribunal case.

The case reached the Court of Appeal, which upheld the earlier tribunal decisions and decided in Sgt Khan’s favour. The court made two legal points: that the correct



comparator was any employee who asks for a reference; and, applying the ‘but for’ test, that it was not necessary to show that West Yorkshire police had refused the reference because it was consciously motivated by Sgt Khan’s discrimination complaint. West Yorkshire police appealed on both these counts.

While agreeing with the Court of Appeal’s decision on the correct comparator, the House of Lords held that the correct test of less favourable treatment was not the ‘but for’ test. This, they said, required an examination of the ‘real reason, the core reason, the motive’, conscious or unconscious, for the treatment. In the Khan case, West Yorkshire police’s refusal of a reference need not be, ‘consciously or unconsciously, a response to the commencement of proceedings. It may simply be a reasonable response to the need

DISCRIMINATORY ADVERTISEMENTS

Section 29 of the Race Relations Act 1976 makes it unlawful to publish an advertisement which indicates an intention to discriminate on racial grounds. Only the CRE can take legal action in these cases.

We received 83 written complaints about advertisements in 2001. Many of them were about the use of positive action or the ‘genuine occupational qualification’ exemption in section 5(2)(d) of the Act (which permits discrimination if someone’s ethnic group is necessary for the job).

We also received 78 phone enquiries, mainly from employers wanting advice on positive action or the genuine occupational qualification exemption, and 150 requests for our booklet, *Job Advertisements and the Race Relations Act*.

We received 14 complaints about ‘No Travellers’ signs last year.

PRESSURE AND INSTRUCTIONS TO DISCRIMINATE

Sections 30 and 31 of the Race Relations Act make it unlawful to instruct someone, or put pressure on them, to discriminate on racial grounds. Only the CRE can take legal action in these cases.

We received 22 complaints of pressure or instructions to discriminate during 2001. The majority of cases dealt with job vacancies and were referred to us by the Employment Service.

During the year, we noticed a small but steady increase in the number of complaints of discrimination against asylum seekers and refugees. We also received a handful of complaints about insurance companies, which were refusing to cover premises let to asylum seekers, and about financial institutions, which were making it difficult for asylum seekers and refugees to open accounts by putting conditions on them. At our request, the Association of British Insurers wrote to its members warning them that it was illegal to discriminate on grounds of nationality.

We received several requests for advice on section 8 of the Immigration and Asylum Act 1996. This makes it a criminal offence for an employer to hire anyone over 16 years who is subject to immigration control, unless he or she is entitled to be employed in the UK (as laid down in the 1996 Act and the regulations). Employers are increasingly using the internet to advertise jobs and receive applications from all over the world. To keep these to a minimum, and to avoid their obligations under the 1996 Act, employers are trying to introduce conditions that restrict jobs to British and EU nationals only. The enquiries we received on section 8 also suggest that employers are misinterpreting it to mean that they have to carry out immigration checks on their employees.

A new statutory code of practice for employers came into effect in May 2001. One of its aims is to help employers to meet section 8 of the Immigration and Asylum Act without discriminating unlawfully on racial grounds.

to protect the employer's interests as a party to the litigation.'

Anya v University of Oxford

Dr Anya, a black academic applying for a vacancy, had been shortlisted with another academic, who was white. The white candidate got the job and Dr Anya claimed racial discrimination.

Dr Anya presented the tribunal with extensive evidence about shortcomings in the recruitment process, and about the way Dr Roberts (who was on the interview panel)

had blocked his career when they worked together. The tribunal ignored Dr Anya's evidence and concluded that Dr Roberts' evidence was 'credible and truthful'. Dr Anya appealed.

The Court of Appeal upheld Dr Anya's complaint. It pointed out that the tribunal had ignored precisely those background facts – the surrounding circumstances and the previous history – that enable tribunals to draw an inference of direct racial discrimination. It was a mistake, the court said, for a tribunal to dismiss a discrimination claim merely because it found the employer's witnesses to be credible – 'credibility is not necessarily "the end of the road", since a witness may be credible, honest and mistaken.'

The court added that, in a case where an employer behaves unreasonably towards a black employee, it is an error of law for a tribunal not to draw an inference of racial discrimination because the employer might behave in a similarly unreasonable way to a white employee. The assertion that an employer behaves equally badly to employees of all races would only be acceptable if there is evidence to show that this is what the employer actually does.

Coker and Osamor v the Lord Chancellor's Department

The case involving the appointment of a special adviser by the Lord Chancellor, and Coker's and Osamor's claims of indirect sex and racial discrimination, had reached the Court of Appeal. The court upheld the employment appeal tribunal's decision to overturn the original tribunal decision.

The tribunal had ruled that the requirement that candidates should be personally known to the Lord Chancellor would have screened out a considerably larger proportion of women and candidates from ethnic minorities than of white men. The Court of Appeal ruled that this decision was fundamentally flawed, because, if, as in this case, the requirement excludes almost

the entire pool of candidates, it cannot constitute indirect discrimination. Therefore, making an appointment from within a circle of family, friends and personal acquaintances is seldom likely to constitute indirect discrimination.

However, the court added that this does not mean that the practice is unobjectionable. It also emphasised that its judgement has no bearing on word of mouth recruitment, and that nothing in the judgement detracts from the importance of complying with the discrimination codes of practice.

BBC v Souster

In March, the Scottish Court of Session (the equivalent of the English Court of Appeal) ruled that the English and the Scots do have separate national origins and that the Race Relations Act does apply to discrimination between the Scots and English.

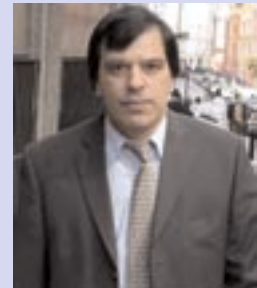
Mr Souster, a presenter for BBC Scotland's Rugby Special, claimed that he lost his job because he was English and the BBC wanted a Scottish person. The BBC's case was that, since Scots and English have the same British passport, they belong to the same nation.

The court decided that national origins should be interpreted more broadly and flexibly. The test, it suggested, should be to ascertain 'identifiable elements, both historically and geographically, which at least at some point in time reveals the existence of a nation.' As England and Scotland were once separate nations, the court ruled accordingly.

On the question of whether the English and Scots are part of a 'racial group', the court followed the House of Lords' definitive ruling in the Mandla case and accepted that people could find themselves in a group by 'birth or adherence, and it makes no difference, so far as the Act of 1976 is concerned, by which route he finds his way into the group.' The court also observed that it may be the perception of the discriminator that defines a racial group. If the way the

Professional foul

In December, Gurnam Singh, an Asian football referee, won his racial discrimination case against the Football League, the National Review Board (which oversees the promotion and demotion of referees) and two officials.



Mr Singh, an accountant from Wolverhampton, said he had been continually overlooked for promotion to the premiership, even though he had good assessment marks and was near the top of the merit list of officials. He became aware of a 'whispering campaign' against him and learned that Mr Ridden, ex-FA director of referees, had said 'we don't want people like him in the Premier League.' This led to Mr Singh's removal from the national list of referees and, after 22 years of satisfactory service, his unfair dismissal.

The tribunal in Birmingham found that the Football League had allocated fewer first division matches to Mr Singh than to white referees, even though their performance was worse. And changes in the way they allocated top league and cup matches meant that Mr Singh was excluded from these games. Damages will be decided in 2002.

discriminator treats someone is based on their perception of that person's national or ethnic origins, then their actual origins, let alone their passport nationality, are irrelevant.

This definition of race takes into account the complex realities of racial prejudice and of national identity, where people can change their nationality by marriage or migration, or even by association.

The Souster case only concerns discrimination between the Scots and English, but the decision affects the Welsh, too. This was demonstrated when Lionel Kelleway, a veteran presenter for BBC Wales, successfully claimed that the BBC had dropped him because of his English accent.

Following up cases

The CRE's policy is to follow up cases that have resulted in a finding of racial discrimination, whether or not the CRE provided full legal representation. Our aim is to use these cases as a lever with employers and service providers, to prevent further discrimination. Sometimes, we use a case to

Breach of trust

In July 2001, Sheffield Employment Tribunal decided unanimously that Hazel Oliver, who is of Burmese origin, was racially discriminated against by Unison, the trade union she had paid to protect and represent her. The tribunal also found that she had been unlawfully victimised by her union, because she had dared to complain about their treatment of her.

After years of harassment by several white colleagues, two of whom were also Unison members, Ms Oliver decided to bring a complaint of racial harassment and bullying against them. Her branch secretary, the only officer with any experience of grievances and harassment, said he was too busy to represent her. It was only after she complained to Unison's regional office that her case was taken up by the branch chair, who admitted he had never done a grievance before.

Six months later, when she learned that the branch secretary was going to represent her alleged harassers, Ms Oliver told Unison's head office that she thought they had treated her less favourably and had failed to follow their own code of practice. Her complaint against the union was ignored and the officer in charge limited his enquiries to her grievance.

Ms Oliver was represented at the tribunal by Sheffield racial equality council.

influence policy and practice more widely in the sector as a whole.

In 2001, we recorded and considered 4,244 decisions, compared with 2,702 in 2000. The increase in the number of cases was partly due to improvements in the system for obtaining information from courts and tribunals in England and Wales. However, it was also a reflection of the

increase in the number of racial discrimination complaints brought by individuals during this period.

Of the total number of cases considered, 2,122 (50%) were dismissed, 297 (7%) had some other result, and 1,665 (39%) were settled. The number of successful cases was 170 (4%). However, due to appeals against successful decisions, settlement terms, reporting restrictions, and other constraints, the CRE was only able to follow up 122 successful cases in 2001 (102 in 2000).

The majority of the cases we followed up were related to employment, and often involved public authorities. Examples of

what we achieved in the cases we followed up last year are given below.

Defence Housing Executive (DHE)

The DHE, an agency of the Ministry of Defence, has revised its procedures for dealing with racial harassment complaints at all its properties, and revised both its occupants' handbook and staff manual. The agency has also made changes to its licence agreement, which spells out the consequences for occupants who harass their neighbours, and published details in its staff newsletter. The DHE has made new arrangements to monitor and review the procedures, and is training all its staff to use them.

National Car Parks (NCP)

The employment tribunal criticised NCP for not having proper equal opportunities procedures, or effective procedures for dealing with incidents of harassment and abuse. NCP has drawn up a new equal opportunities policy, and appointed a new human resources manager to put it into effect. The company has also reviewed its current policies and procedures, and has introduced ethnic monitoring of all its staff. It has set up an equal opportunities strategy group, made up of senior managers, to produce an action plan. NCP has also launched a diversity and equal opportunities training programme for all its managers.

National Association of Citizens Advice Bureaux (NACAB)

The case was brought by an employee at one of NACAB's member bureaux who had complained of bullying, racial harassment and the management committee's failure to deal properly with the grievance and complaint of racial discrimination. Following an investigation of the bureau, to see whether it had contravened the terms of NACAB membership, NACAB circulated a description of the case to all its member bureaux, with a letter explaining the steps it wanted them to take.



86,000 stewards' prompt cards have been produced in 24 different versions and 19 trade unions have had their own contact details included on the cards.

The initiative sprang from our efforts to work more closely with unions in the Midlands and the south.

Investigating discrimination

In 2001, as in previous years, we used our formal investigation powers as a last resort. Our policy is to resolve complaints of institutional discrimination, wherever possible, by working with the institution to tackle discriminatory practices and to ensure equality of opportunity.

During the year, we were able to negotiate changes in employment practice and service delivery with a wide range of public and private sector organisations, without resorting to our formal legal powers.

Preliminary inquiries

In 2001, we dealt with 42 preliminary inquiries. Of these, 36 were closed or referred to other CRE teams for further action. The remaining six inquiries are open and require further negotiation, monitoring and review. The inquiries covered a wide range of sectors and public bodies, including broadcasting, retail and local education authorities, and we succeeded in securing changes, or agreements to make changes, in potentially discriminatory employment practices.

Formal investigations

We did not begin any new investigations in 2001.

Crown prosecution service (CPS)

In July 2000, we decided to investigate staffing arrangements between June 1999 and June 2000 at the CPS's Croydon branch. Our decision was based on the findings of an interim report the CPS had commissioned from Sylvia Denman CBE, following our earlier decision in 1999 to investigate employment practice in the CPS. We had suspended that investigation pending Sylvia Denman's report. This suggested that the CPS's Croydon office was racially segregated and that its management had done nothing about this.

We published a report of our investigation into CPS's Croydon branch in July 2001. The investigation found that

Media bound by harassment law

In March, Esther Thomas, a civilian clerk for the City of London police made headlines when a senior judge at Lambeth county court ruled in her favour in a case she had brought against *The Sun* newspaper under the Protection from Harassment Act 1997.

The Sun published three 'strident, aggressive and inflammatory' articles about Ms Thomas' racial discrimination complaint against three City of London police officers. She had claimed that they had racially abused a Somali asylum seeker in her presence at Bishopsgate police station. She received violent race hate mail at work, after being named by *The Sun*, and was forced to change her job.

The judge held that victims of media reports which cause 'alarm or distress' can sue for damages for harassment, if at least two articles are published (to satisfy the legal requirement that there be a 'course of conduct'). The Act does not spell out what behaviour amounts to harassment and *The Sun* appealed against the decision. It argued that the Act was primarily designed to prevent stalking, not to endanger freedom of the press. The court of appeal rejected *The Sun's* appeal, which will be heard in the high court in 2002.

Esther Thomas was represented by Lawrence Davies at the London Race Discrimination Unit, which is one of the complainant aid agencies that the CRE funds.

managers had allowed a situation to develop where staff were segregated on racial lines.

The CPS accepted all our recommendations and the CPS board approved a programme of action in September. Our recommendations included the following:

- ethnic monitoring of specific areas at the Croydon branch, every three months;
- ethnic monitoring each year of all CPS staff, by grade, length of service in the post, appraisal, promotion, and complaints or grievances; and
- support for ethnic minority managers, and clear procedures to deal with racial harassment or racially motivated bullying.

In December 2001, we met senior CPS representatives to discuss the action plan and questions of accountability. The CPS will give us a full progress report in March 2002.

Ford Motor Company

In August 2000, our formal investigation into Ford Britain was suspended on the following terms. Ford would:

- conduct a diversity and equality assessment review at all plants in Britain by April 2001

Abuse in the 3rd Parachute Regiment

Mr Yazbeck, who is of Lebanese and Irish background, was a soldier with the 3rd Parachute Regiment. The abuse started on day one. He was called 'raghead', 'Jewboy', 'Jewpoof boy' and 'Arab', in a particularly nasty way. Other soldiers were given 'nicknames', but not on the basis of their race.

Mr Yazbeck was also severely physically abused by fellow officers. For example, about 15 to 20 times a week lance corporal Fisher would jab his fingers deep into Yazbeck's nostrils and yank his head back till he lost his balance, before finishing off with a string of vile racist expletives.

These incidents often took place in the presence of very senior officers. Mr Yazbeck told his sergeant and lieutenant what he was going through, but they did nothing about it.

The abuse continued and Mr Yazbeck tried to take his life, soon after going absent without leave. He has since been treated for depression.

The case was listed for hearing at Ashford employment tribunal in September 2001, but it was settled before that, for £20,000.

and work with us to draw up action plans;

- introduce new fast track procedures for discrimination complaints;
- make arrangements for an independent assessment of cultural change at all levels; and
- develop a clear framework for corporate leadership and accountability for the plan.

We met Ford representatives regularly in 2001 to review progress. Ford had carried out the diversity and equality reviews and prepared diversity action plans for each plant, and presented these to us in May. We discussed the details of the changes Ford was proposing, such as its arrangements for monitoring and assessing progress, and its proposals for accountability.

In November 2001, the new chair of Ford Europe instructed all UK managers to make sure they committed sufficient resources to the diversity action plans. A meeting between the CRE commissioners responsible for the investigation and Ford Europe's chair will be held in spring 2002.

Her Majesty's Prison Service

Work on this investigation was supervised by a panel of four nominated CRE commissioners and supported by specialists and experts seconded from other organisations, including HM Inspectorate of the

Prisons. The investigation team and the commissioners visited the three prisons in question – HMP Brixton, HMP Parc and HM Young Offenders Institution Feltham – to examine records and to interview staff and prisoners. They also inspected ten establishments for comparison. The team received written evidence from interested parties and interviewed representatives from other agencies and voluntary organisations.

As public interest in the investigation was very high, the nominated commissioners made the unprecedented decision to hold a public hearing on 18 September, where questions were put to the minister of state at the Home Office with responsibility for the prison service, the chief inspector of prisons, and the director general of the prison service.

During the year, the CRE faced proceedings in the High Court brought by the family of Zahid Mubarek. Mubarek was murdered by a white racist in Feltham prison in spring 2000, and his death was part of the terms of reference for our investigation. Lawyers for the family argued that the way we were conducting the investigation did not meet the state's obligation to them under Article 2 of the European Convention on Human Rights, which gave them a right to an independent hearing, where they could cross-examine witnesses. It was agreed before the court that the action against the CRE on this issue could be suspended while parallel action was being taken against the home secretary. The court decided in November that an independent inquiry should be held, to meet Article 2. The home secretary's appeal against the court's decision will be heard by the Court of Appeal in spring 2002. We expect to produce a report of our investigation in 2002.

Monitoring concluded investigations

Ministry of Defence (MoD)/Household Cavalry

In December 2001, our deputy chair met the deputy chief of defence staff and other MoD officers to review progress made by 31 March 2001 towards the targets set out in the

partnership agreement signed by the CRE and the MoD in March 1998. The agreement committed the MoD and the three armed services to equality aims that went beyond those set out in the five year action plan we signed with the MoD in March 1996.

Although none of the services met the four per cent target for ethnic minority recruits in the year ending 31 March 2001 (set by the secretary of state in 1998), all the services continued to make progress against the previous year's targets.

In the five years since the MoD signed the action plan in 1996, all three services have made considerable effort to improve their performance on racial equality, for example through rigorous ethnic monitoring, positive action initiatives, and new discrimination complaints procedures.

The five year action plan, and its requirements, ended in March 2001. However, all three services appreciate the value of ethnic monitoring and are committed to it, especially for recruitment.

The MoD and the three services told us at the December meeting that they would inform us by 31 May 2002 of the monitoring arrangements they are planning to introduce, to meet their duties under the amended Act.

London Borough of Hackney

In 2001, the first year since we served a non-discrimination notice on 5 December 2000, the council sent us various reports on the areas covered by the notice. The council also reported a drop in the number of racial discrimination complaints submitted to the Independent Referral Unit.

Towards the end of 2001, the council was under directions from the Department of Transport, Local Government and the Regions and the Department for Education and Skills to take steps on a wide range of areas. We shall make every effort to make sure the council meets the requirements of the non-discrimination notice while it is complying with these directions.

Testing times

Ms Mallidi, who is of Indian origin, worked for the Post Office in Preston on a casual basis from February 1998. In May that year, she was asked to take an aptitude test, to decide whether she should continue on a temporary or permanent contract. She complained about this, because she knew that some white workers had not been asked to sit the test, but her concerns were not taken seriously.

It became clear during the tribunal hearing that three white workers – in fact whole batches of casuals – had been given contracts without having passed the test. The Post Office was unable to explain why some people had to sit for tests and not others. The tribunal was critical of the way the Post Office treated its Asian employees, and Ms Mallidi in particular.

Ms Mallidi was awarded £19,757 in compensation, including £10,000 for injury to feelings.

Formal agreements

We monitored two agreements during the year, which were signed at the end of 2000.

- The three year agreement with Avon and Western Wiltshire mental health NHS trust, Bristol city council's social services department, and Avon health authority describes the ways in which the three organisations will work towards racial equality in employment.
- The five-year agreement with London Borough of Brent, signed by the leaders of the three main political parties, covers an ambitious action plan to tackle discrimination and change the culture of the council. To ensure openness, the plan will be on the agendas of the council's scrutiny committees. A leadership group, made up of the leaders of the three political groups on the council and a CRE representative, will serve as an informal consultative forum outside the council's formal decision making structures. The group will monitor the action plan and make recommendations to the chief executive or leader of the council.

Research

Following our study of employment tribunal cases in England, we have teamed up with the Legal Services Commission, the Disability Rights Commission and the Equal Opportunities Commission to conduct a similar study in Wales. The research will also look at the availability of legal advice.



WORKING WITH COMMUNITIES

From April to July, violent confrontations broke out between white and Asian people and the police in Oldham, Burnley and Bradford. A report on Bradford by our former chairman, Sir Herman Ouseley, published just after the disturbances in Bradford, spoke of divided communities and 'parallel lives', separated by colour, religion, and poverty. Young people, it said, were growing up excluded and alienated from the society in which they lived, but to which they felt they did not belong. They also felt alienated from their own community leaders.

Four working parties were set up to ask what had gone wrong and what should be done. Our chair, Gurbux Singh, and CRE officers were involved in inter-departmental work in Whitehall, led by Home Office minister John Denham. We worked closely with all the review teams, especially the Oldham review panel and Ted Cattle's community cohesion review team, as well as with local, regional and national agencies.

Addressing the Local Government Association conference in July, Gurbux Singh called for 'new rules of engagement' between local communities and public services, based on the recently strengthened Race Relations Act. Partnership and empowerment, not quick fixes, he said, were the way forward.

CRE officers from our office in the north of England produced their own analysis of the communities in Oldham, Burnley and Bradford, which were fragmented by ethnicity and poverty, and segregated by prejudice. Our report underlines the potential of the new duty to provide a framework for bringing communities closer. The report will be published in mid-2002.



11 September

Racist attacks in Britain – from verbal abuse, spitting and racist graffiti on mosques to fire-bombings and attempted murder – have escalated since the attacks in New York and Washington on 11 September.

■ On September 19, an Afghan taxi driver, was left paralysed after an attack in London.

■ In Swindon, a young Asian woman was repeatedly hit over the head with a baseball bat.

■ In South Shields, Manchester, the Al Hazar mosque was torched, after it had been sprayed with the message 'Avenge USA - Kill a Muslim now.'

■ A nursery school with many Muslim children, in Kingston, Surrey, was forced to close down after it was vandalised and daubed with racist graffiti.

■ Two Sikh councillors in Birmingham were mistaken for Muslims and attacked.

■ The British National Party, which successfully exploited the riots in the summer to win an unprecedented share of the votes in Burnley and Oldham at the general

▲ After the rioting in Bradford



▲ Two days after the World Trade Centre disaster, *The Sun* told its 3.5 million readers that 'Muslims in Britain are British. They may have a different culture to most of us but they love this country and they respect democracy.'



BRINGING PEOPLE TOGETHER

Ten days after the 11 September attacks in America, race relations in Peterborough dived to an all-time low, when Ross Parker, a white teenager, was fatally stabbed by Asian youths.

Peterborough REC dropped everything to help return the town to some sort of normality. The most important task was to get people talking to each other and PREC helped to set up regular meetings between faith leaders, community representatives and the police. PREC and the police wisely decided to include representatives from the Westwood and Ravensthorpe estates, the areas most affected by the murder.

Within a matter of days, PREC and the Pakistani community had helped the police to arrest and charge four young men with Ross Parker's murder. It took much longer for the wound in community relations to heal, as the bombing campaign in Afghanistan intensified.

Harmesh Lakhanpaul, PREC's director, says that Peterborough's taxi drivers and take-away delivery men, who are mostly of Pakistani origin, are still taking the brunt of the abuse. Few of them are prepared to go out on calls to the Westwood estate, and this only fuels the tension. PREC has no doubt that the only way out of this dead end is through dialogue. But this gets no easier, as world events continue to rouse deep passions. Most recently, the standoff between India and Pakistan has led to more meetings to try to defuse tensions, and even violence, between members of these communities.

election, stepped up its campaign against Asians, and used the bombings in the USA to call for segregating Muslims in walled-off ghettos.

We held meetings with faith leaders and launched *Dialogue*, a series of national conferences with ethnic minority women, to encourage them to talk about their concerns. On 27 October we launched a new series of posters in the tabloid press – Unique Faces of Britain – to remind people that Britain is a multicultural, multi-ethnic and multi-faith society.

Racial equality councils, our local partners, intensified their activities and used their membership of a wide range of

organisations – councils, health groups, the police, citizens advice bureaux, housing associations, schools, local business associations, victim support schemes, and renewal and regeneration projects – to mediate and keep the peace. For example:

- Wolverhampton REC is working with faith groups, the city council, and other organisations in a new partnership to tackle religious and racial prejudice in the aftermath of the attacks in the USA.
- Derby REC, which is a member of the local ethnic minority communities advisory committee, has encouraged the committee to put £3,000 towards a 24-hour racist crime hot-line at the REC office.
- In Wellingborough, the REC won funding, for the first time, from East Northants district council, to do more racist incident casework in their area – in 2001, the REC dealt with 195 reported racist incidents.
- Racial harassment projects, like the one in Rugby, set up more racist incident reporting centres, at police stations, town halls and the local REC office.
- Peterborough and Dudley RECs both succeeded in getting funding to recruit extra racist incident officers; Peterborough from the single regeneration budget, and Dudley from the Community Fund.

RECs and the public duty

The greatest strengths of RECs lie in the local and regional partnerships they build with organisations across the public, private and voluntary sectors, and in the support they give to their local communities. The new general duty for public authorities is based on dialogue with the communities they serve. It is also a powerful lever for promoting racial equality in the organisations they work with. RECs are strategically placed to help public authorities develop and communicate their policies and plans, and to make sure that the voices of ethnic minority communities are heard.

RECs throughout the country gave us invaluable help during the year in organising

or taking part in conferences and other events to discuss the implications of the amended Act. For example, Peterborough REC organised a conference at the town hall, hosted by the city council, to encourage organisations to develop a city-wide equality action plan. Redbridge and East Staffordshire RECs organised conferences on the progress local organisations had made in adopting the Stephen Lawrence inquiry report's recommendations, and on how the amendments to the Act would affect them.

RECs and funding

As well as funding from the CRE of around £5 million annually, RECs continued to secure grants from other sources. For example:

- Derby REC was successful in its bid for a grant of £90,000 from the Home Office's Connecting Communities programme. The aim of the project, which will be managed by the REC in partnership with Derbyshire's constabulary and fire services, is to strengthen links between ethnic minority communities, and to set up a mentoring network for people from ethnic minorities who are interested in working for the emergency services.
- Walsall Strategic Race Equality Partnership secured a £189,000 grant from the Home Office, to work with local voluntary and public agencies (like the police) on improving skills and job opportunities for men from ethnic minorities.
- Leicester REC launched a new £40,000 sports project in April, funded by Sport England and based at the REC.
- Dudley REC received £33,536 per annum for two years from the Consortium on Opportunities for Volunteering, to reduce local health inequalities.
- Wolverhampton REC secured £112,500 in neighbourhood renewal funding for the next three years.

Greater London Authority

Partnership working arrangements with all members of the GLA 'family,' and with the



DIALOGUE CONFERENCES

In 2001, we organised *Dialogue: in conversation with ethnic minority women*, five joint conferences with the Equal Opportunities Commission, the Women's National Commission, and the Cabinet Office's Women and Equality Unit. The aim was to promote the new public duty. The conferences proved very successful. They gave ethnic minority women the chance to talk about issues that were important to them. Recurring themes at all the conferences were: employment rights and equal pay; access to networks and networking opportunities, both locally and nationally; and information about rights and services for women.

centre, are now firmly in place. We were closely involved in the GLA's current equalities 'best value' review, and made sure that all parts of the GLA will have similar equality targets and performance measures in all areas of service delivery. We will also advise the GLA on its individual race equality schemes, including the Metropolitan Police Authority's scheme.

In June, Ken Livingstone, Mayor of London, approved the London Development Agency's (LDA) economic development strategy. Because of our contributions, we were asked to become a charter partner. This should let us influence the LDA's racial equality plans and targets. We continue to be represented on the LDA's equalities committee.

Europe and elsewhere

International efforts to combat racism are an important and growing area of activity for the CRE. In 2001, our chair, Gurbux Singh, spoke at events across Europe, and further

afield. He was a member of the UK's delegation to the UN's World Conference against Racism in Durban, South Africa, in August/September 2001. We also welcomed international visitors interested in our work to our offices.

The CRE has been involved in efforts to combat racism and xenophobia in the EU from the early days of the 1986 Declaration against Racism and Xenophobia. With the introduction of Article 13 in the EC Treaty, the EU now has a firm legal base for future

SPORTING EQUALS

In 2001, Sporting Equals, a partnership between the CRE and Sport England, began the second phase of its work, following the publication in 2000 of *Achieving Racial Equality: A Standard for Sport*. Sporting Equals helped six national sports organisations to draw up their racial equality policies and action plans, and published a guide for organisations that had adopted the standard.

In September, the Local Government Association, in partnership with Sporting Equals, published *Promoting Racial Equality: A standard for local authority sport and leisure services*. This is a good practice framework, modelled on the Sporting Equals standard.



CRE NORTH WEST ENGLAND POLL

In April, we published the results of a street poll conducted for us in north-west England by AC Neilsen. 537 people in Manchester, Blackburn, Liverpool and Bradford were questioned. The survey found the following.

- Racial harassment was the top race issue for south Asians (59%), and immigration and asylum for white people (55%).
- 60% thought race relations had improved over the last 20 years and 50% thought they would continue to improve.
- 70% of south Asians and 54% of white people agreed that 'ethnic minorities have enriched British culture.'
- 71% of south Asians and 73% of white people thought religious differences were the main cause of racial tension.
- 67% of south Asians and 69% of white people said racism was most likely to be a problem at work. 40% of south Asians said they had 'encountered racism at work.'
- 72% of white people and 36% of south Asians agreed that 'ethnic minority communities receive too much support from the government and others.'
- 79% of south Asians and 68% of white people thought there should be a law making employers hire fixed quotas of people from different ethnic groups.
- 84% of south Asians and 88% of white people agreed that 'political correctness had gone too far.'

action. We played a pivotal role in developing the race and employment directives adopted under Article 13, and will continue our work, as the UK government takes steps to incorporate them in domestic laws and procedures.

In 2001, we were appointed as the managing partner of the UK National Focal Point for the European Racism and Xenophobia Network (RAXEN), set up by the European Monitoring Centre on Racism and Xenophobia. RAXEN's task is to provide the EU and its member states with objective, reliable and comparable data on racism, xenophobia and anti-Semitism. The RAXEN network consists of 15 national focal points, one in each member state.

The EU has also instituted a Community Action Programme to Combat Discrimination (including racial discrimination), to complement the two Article 13 directives. We are currently working on a project under this programme, to improve cooperation between anti-discrimination bodies in the different member states.

In October, as a response to the 11 September attacks in the USA, and to the mounting tensions between communities in Britain, we launched our latest national advertising campaign to celebrate Britain's diversity. The thirty people in the poster were approached in the street and were delighted to take part in the campaign. By the end of the year we had distributed thousands of copies of the poster to schools, councils, community organisations and others.



Paul, Warrchester

Larry, Tisbury Wells

El, Bradford

Katie, Edinburgh

Ajona, London

Tom, Woking

Britain.

We all make it unique.



Kadia, London

Wenachen, Colford

Jenny, Hull

Yoko, London



Laura, Basing

Michael, Chesham



Burwal, London

Robertson, Lincoln

Michael, Hull

Julia, Barnegate



Josphon, Guildford

Boris, York

Sari, London

Robert, Liverpool

Gill, Ingleby

Kerry, Warrchester



Keris, St Neots

Olivia, Cardiff

Oliver, Birmingham

Zulak, Walthamstow

Wong, Leeds

Rachal, Tamworth

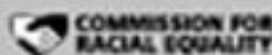


Paul, Isle of Wight

Angela, Stoke on Trent

Julian, Grays

**56 million people, over 300
languages and at least 14 faiths make
us what we are today.**





IMPROVING OUR SERVICES

As the statutory body responsible for eliminating racial discrimination and promoting racial equality, efficiency and effectiveness have always been high priorities. Two years ago, we began a major evaluation of the services we provide, and the way we provide them. The new public duty, which came into effect on 2 April 2001, applies to us. It demands continuous monitoring of all our services, based on regular consultation and assessment of their effectiveness and relevance to the duty. In 2001, we began a thorough scrutiny of our policies and procedures, our administrative and technical systems, and our methods of communication and consultation.

Transformation

In April, we were fortunate to secure the secondment of Daniel Silverstone, then director of London Borough Grants, to lead our transformation process. His first step was to set up a transformation team, drawn from CRE staff. The team also includes a representative from the race equality unit at the Home Office (our sponsor department) and Beverley Alimo-Metcalf, professor of leadership studies at the University of Leeds.

The team's work programme included:

- a SWOT (strengths, weaknesses, opportunities, threats) analysis;
- a 'mystery shopping' exercise, to tell us what users of our services think of them;
- a review of the staff appraisal system, in the context of proposals to introduce a 'competency-based' system, where staff have individual work programmes linked to corporate goals; and
- a new training programme for all staff.

Most of these initiatives will report results in 2002, with the exception of the

training programme (ACTION – access to CRE training, investment and opportunity network), which was launched towards the end of the year, and welcomed by staff.

In November, Mr Silverstone was appointed to the post of chief executive.

Best value

In August, the transformation team commissioned a best value review of the CRE. The aim was to assess our performance, and to suggest ways of improving our services.

The Improvement and Development Agency (IDeA) won the contract and worked closely with a review team, drawn from staff. The team also includes a representative of the Home Office audit team, to ensure consistency and compatibility with the quinquennial review of the CRE, due next year.

The review is based on the best value framework – consult, challenge, compare and compete – and the team are expected to report back in February 2002. Its recommendations, and those of the SWOT and mystery shopping exercises, will be used to develop a three-year improvement strategy for the CRE.

Training and development

Since its launch in October 2001, ACTION, the CRE's training and development programme, has delivered:

- a steady stream of 'core competency' courses for managers and non-managers; and
- an assortment of courses in additional skills.



▲ Chief executive Daniel Silverstone and CRE staff member Tatiana Mais, after her speech at the annual CRE staff conference

TABLE 6: Permanent staff in post on 31 December 2001, by ethnic origin, sex, and grade, in full-time equivalents

	Band A1		Band A2		Band B		Band C		Band D		Band E		Chief exec		Total		Total
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	
White																	
English		4			3	7	14	5	2	2	1	2		1	20	21	41
Scottish	1				2		1	1	1		1				6	1	7
Welsh	1						3		2		1				7		7
Irish		1				1	2	1							2	4	6
Other white background	1	1					4	1	3						8	2	10
Mixed background																	
White & Black Caribbean																	
White & Black African																	
White and Asian																	
Other mixed background		1			2		1	1	2		1				6	2	8
Asian or Asian British																	
Indian		1			7	1	5	5		2	1				13	9	22
Pakistani							2				1				2	1	3
Bangladeshi							2	1							2	1	3
Other Asian background							2								2		2
Black or Black British																	
Caribbean	1	1	1	1	4	2	10	6	11	1	3	3			30	14	44
African						2	3	2	4	1	4				11	5	16
Other Black background					1		1	1			1				3	1	4
Chinese, Chinese British or other ethnic group																	
Chinese											1				1		1
Other background																	
Not known																	39
Total	4	9	1	1	19	13	49	25	26	6	14	6	1	113	61	213	

NOTE: Figures include staff on fixed-term contracts, but not secondees.

Each directorate has nominated a training coordinator, to help identify specific training needs, to support their staff and managers, and to serve as a link between the CRE's five offices.

CRE London and South office get their slice of the ACTION



Plans for 2002 include courses on leadership, people management, teamwork and computer use. We shall also be placing more emphasis on desk-based training and training for accreditation. We have



successfully negotiated free, NVQ-accredited training for staff based in London, at levels 1 to 5, in administration, customer service, English, IT systems, management and media.

Training on the amended Race Relations Act 1976, the Human Rights Act 1998, the Data Protection Act 1998 and the CRE's equal opportunities policy are compulsory for all staff.

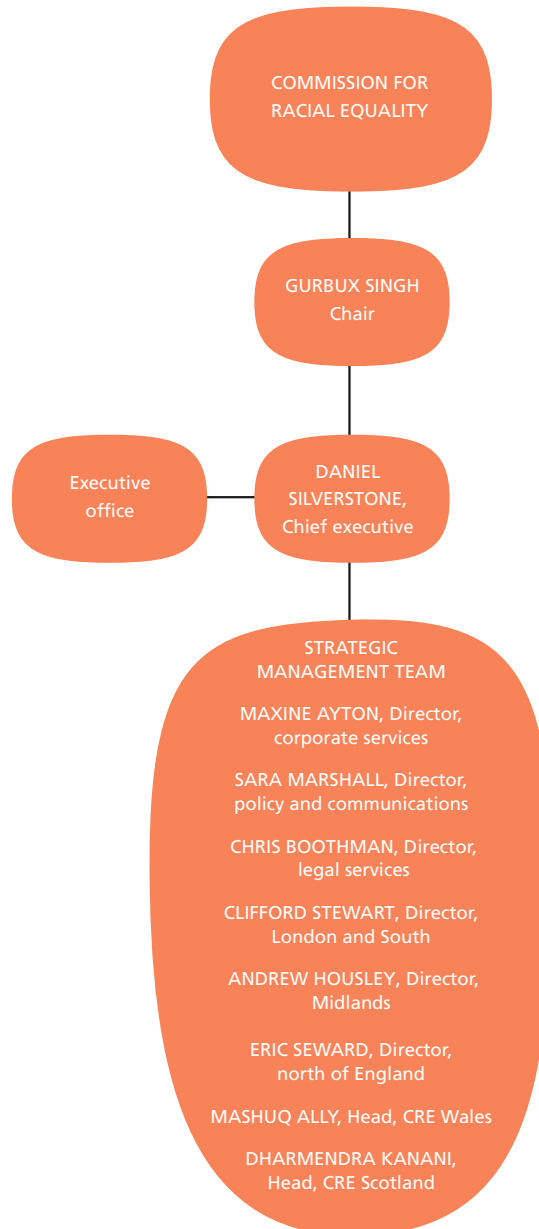
Investors in People

We worked closely with the Learning and Skills Council in 2001, to prepare for re-assessment against the national standard during summer 2002.

IT

In 2001, we launched a major IT hardware improvement plan, backed by substantial resources. The immediate benefit was the introduction of Wide Area Network links that

CRE SENIOR MANAGEMENT
at 31 December 2001



brought us external e-mail and internet access.

We succeeded in getting funding from the Treasury’s Invest to Save programme for a joint initiative with the Equal Opportunities Commission and the Disability Rights Commission. The grant will amount to over £700,000, over three years, and will be used to develop a one-stop equality website for people with complaints of discrimination. The aim is to use a common database to answer questions, and to provide information about case law. We expect a significant drop in personal and phone inquiries, once the website is fully functional.

Corporate governance

Following the cancellation of the Global Diversity Conference in 2000, we set up a corporate governance review group, made up of commissioners and CRE officers, to implement the recommendations of the Gurbux Singh report. These included:

- updating the standing orders of the CRE; and
- revising the code of conduct for commissioners, so that their roles and responsibilities are clear.

Staffing

Faced with the work-intensive demands of producing a statutory code of practice on the new public duty, and four supplementary non-statutory guides, we succeeded in attracting secondees at senior levels from BT, the Department for Transport, Local Government and the Regions, KPMG, the Home Office and the Inland Revenue. This was at next to no cost for the CRE. Two more secondees, from health authorities, will be joining us in January 2002. The strategy proved very successful, with secondees bringing new skills, fresh approaches, and welcome support for hard-pressed staff.

We also secured an additional grant from the Home Office, in acknowledgement of our increased workload. Most of the extra money was used to recruit more staff. Over 50 new

staff joined us during the year. Table 6 gives a breakdown of staff on 31 December 2001, by grade, sex and ethnic group.

Accommodation

With more staff joining us at all our offices, space quickly became a pressing issue, especially in Cardiff and Edinburgh. More spacious accommodation was found for both these offices. The Home Office also approved our plans to move from our London head office in Victoria to larger, open-plan offices near London Bridge. We expect this to take place in autumn 2002.



▲ Over 160 delegates from 80 RECs gathered in Stoke Rochford for the last major training event in a three-year training programme for RECs on the new core standards

The CRE and the public duty

As a public body, the CRE is bound by the statutory general duty to promote racial equality. We are also bound by the specific duties which the home secretary placed on key public authorities in October. This means we must produce a race equality scheme by 31 May 2002, outlining our arrangements for meeting the duties.

In 2001 we set up a task group to produce a first draft of the scheme. We are also planning to review and revise a number of our policies, including equal opportunities, and pay and grading.

Racial equality councils

Our aim is to give RECs the support they need to deliver quality services. The context within which we work

today has changed dramatically since the framework defining our current relationship with RECs was agreed.

■ Publicly funded bodies are under growing pressure from government and the public to account systematically for their performance, against agreed national standards of excellence.

■ The amended Race Relations Act and the statutory code of practice on the public duty to promote racial equality have introduced new considerations for partnership work.

As a funding body for the voluntary sector, we have a duty to develop an exemplary framework for delivering accountable local racial equality services to the highest standards. During the year, we launched a series of regional and country pilots to test out new approaches to delivering these services. We shall evaluate the pilots in 2002, and use them to revise our corporate policy on supporting local racial equality work.

In 1999, we introduced core standards for RECs (and other funded partners), based closely on a quality assurance system developed for the voluntary sector by the Charities Evaluation Service. This was backed by an extensive three-year training programme. In 2001, we focused on making the core standards fully compatible with the Legal Services Commission's (LSC's) own quality assurance standard, the Quality Mark.



www.cre.gov.uk

In September, we relaunched our website. The new cleaner, crisper look will provide the platform from which we can build an essential, readily accessible resource for race issues.

Our records show that in 2001:

- we had 118,435 visitors (up 13% on 2000)
- they visited 1,485,268 pages (up 51%)
- the most popular page (31,302 visits) was ethnic diversity and the most popular download was our guide to the new general duty. The public duty code of practice and guides can be downloaded from the site.

This will reduce the paperwork for those RECs that have to comply with both quality systems (that is, those doing legal casework). It will also help us to coordinate our auditing or inspection arrangements with the LSC's inspectorate.

We also worked with the LSC on a review of its standard for racial equality casework. The review group completed its work in December and a new standard for work on racial discrimination and harassment is now out for public consultation. The casework standard should come into effect in April 2002.

Corporate planning

With advice from the Civil Service College's Centre for Management and Policy Studies, and the National Audit Office, we reviewed our corporate planning process. Our aim is to introduce planning methods and performance monitoring systems that equal the best in the public sector. In 2002, we are planning to introduce a three-year corporate plan, with clear targets and performance indicators, linked to our four strategic objectives. These are:

- to promote the new duty;
- to encourage best practice in the private sector;
- to work with all communities; and
- to modernise the CRE.

Connections

Subscriptions to the CRE's quarterly magazine continued to rise – from 5,540 for the spring issue to 6,140 for the winter issue, an increase of 11 per cent. A readers' survey found that 70 per cent of the respondents were from education, local government and the voluntary sectors. And 60 per cent liked the magazine so much they said they would be willing to pay for it.

Connections reflected the growing debates – occasionally controversial – surrounding the subject of race and multiculturalism in Britain. The spring issue opened with an article from the new home secretary, David Blunkett, setting out his aims: '... to create an inclusive society ... and a dialogue which transcends differences.' The last issue of the year closed with journalist Kenan Malik arguing that 'multiculturalism' could be an obstacle to this dialogue.



APPENDICES

MEMBERS OF THE COMMISSION FOR RACIAL QUALITY



GURBUX SINGH

Chair, Commission for Racial Equality (15 May 2000 –). Gurbux Singh began his career in 1972 with the former Community Relations Commission, as a housing specialist. He progressed to a senior position in housing and local government under the newly established Commission for Racial Equality. In the early eighties, Gurbux Singh went into local government, working in housing services for the former Greater London Council. He moved to the London Borough of Hackney, then Brent, before joining Haringey in 1987. He was director of housing for two years before being appointed chief executive in 1989. Gurbux Singh was a member of Middlesex University Court, a founding member of North London Training and Enterprise Council, and a member of the board of the Food Standards Agency between January 2000 and May 2001. He lives in north London with his wife and three young sons.



BEVERLEY BERNARD

Deputy Chair, Commission for Racial Equality (July 2000 –); consultant in organisational and personal development and training and facilitator;; co-founder and executive director, The Windsor Fellowship (1986 – 95); part-time adviser, The Stephen Lawrence Charitable Trust (1998 – 99); adviser, The Kagiso Trust, South African NGO (1995 – 96); managing trustee, The Nations Trust, South Africa (1996 – 98); former member, Parole Board for England and Wales; former trustee, Community Development Foundation.



DR MOUSSA JOGEE MBE JP

Deputy Chair, Commission for Racial Equality (December 1998 –) and CRE commissioner (September 1994 –); former president, Edinburgh Indian Association; patron, Positive Action in Housing; former deputy chair, Edinburgh MELA; member, Hospitality Committee, Commonwealth Games; director, Ethnic Enterprise Trust; vice-convenor, Children in Scotland; director, Scottish Refugee Council; patron, Scottish Refugee Survival Trust; patron, Thistle and Protea Trust; member, Centre for Scottish Public Policy; trustee, Uniting Britain Trust; board member, Scottish Working People's History Trust; fellow, Royal Society of Arts; member, Advisory Committee, Threads in the Tartan Festival; honorary president, Marchmont Cricket Club.



MOHAMMED AMRAN

CRE commissioner (April 1998 –); qualified youth and community worker; outreach manager, Prince's Trust; European representative, Prince's Trust, Bradford Committee; member, Department of Culture, Media and Sports policy action team; member, Bradford Police Ethnic Minorities Liaison Committee; member, Criminal Justice Forum; member, New Deal Strategic Partnership Committee (Bradford); steering group, Home Office Holocaust Memorial Day; board director, Bradford Youth Partnership; member, board of directors, Single Regeneration Board, Manningham and Girdlington (1998 – 2000); former founding member and

chairperson, Young People's Forum; former member, European Commission Anti-Racism Project (1995 – 1997); former treasurer, Manningham Drugs Forum (1993 – 1997)>



MICHAEL HASTINGS

CRE commissioner (May 1993 – June 2001); head, BBC Public Affairs; former presenter, BBC's Around Westminster, and education correspondent, BBC South East; former chief political correspondent, Reuters TV; chair, Crime Concern; former member, Social Security Advisory Committee; former member, Metropolitan Police Committee; founder, Cities in Schools 'Anti-truancy schemes'; former urban issues consultant to Task Force Unit, Department of Trade and Industry; former school teacher; former adviser to Downing Street Policy Unit on Race, Urban and Community Affairs



KAMALJEET JANDU

CRE commissioner (June 2000 –); economist; member, Public Duty Committee responsible for the Race Relations Amendment Act 2000; national diversity manager, Ford Motor Company (Britain), responsible for organisational culture change; former policy development officer, TUC; ensured trade union support for the Stephen Lawrence Family Campaign; former economic development officer, London Borough of Ealing; representative of the European TUC, European Commission Economic and Social Affairs Committee working on the equal treatment directive; and member, advisory panel to Fourth National Survey on Ethnic Minorities



SHAHID MALIK

CRE commissioner (April 1998 –); consultant, commentator and speaker on urban regeneration and social exclusion, community cohesion and partnerships, diversity and conflict resolution; British commissioner, Equality Commission for Northern Ireland (1999 –); chair, board of directors, Urban Forum; vice-chair, UK UNESCO; member, policy action team on jobs, Social Exclusion Unit; independent governor, Sheffield Hallam University; member, executive committee, Fabian Society; member, national executive committee, Labour Party; independent assessor, DETR; fellow, Institute of Management; fellow, Royal Society of Arts; adviser, Neighbourhood Renewal Unit; adviser, Prison Service; adviser, Joseph Rowntree Trust; adviser, Middlesex University; former chief executive, Haringey Regeneration Agency; former head of policy and development, Greater Nottingham TEC; former group chief executive, PMC Group (Sheffield); former general manager, KYP Ltd (Rochdale); former chair, board of directors, Voluntary Organisations Network for European Funding (Yorkshire and Humber region); former non-executive director, Sheffield Careers Company; former member, English Advisory Committee on European Funding; former school governor in Lancashire and Yorkshire.



JULIE MELLOR

CRE commissioner (November 1995 –); chair, Equal Opportunities Commission; board member, Employers Forum on Disability; board member, Youth at Risk; former corporate human resources director, British Gas; member, CBI equal opportunities panel; member, National Advisory Council on the Employment of People with Disabilities; member of steering group, 'Race for Opportunity' campaign, Business in the Community; fellow, Royal Society of Arts.



PATRICK PASSLEY

CRE commissioner (April 1999 –); consultant on diversity and fundraising; council member, Prince's Trust Council; member, Sport England Equity sub-group; member, Race Equality Consultation Group, Football Association; member, Adult Learning Committee, National Learning and Skills Council; council member, London East Learning and Skills Council; CRE observer, Disability Rights Commission; fellow, Royal Society of Arts; lecturer in law, Barnet College, University of London (external); marketing and project support manager, City Awards Academy; managing director, Paralegal Charity; secretary, African Caribbean Finance Forum; critical friend, Duke of Edinburgh's Award Scheme; member, management committee, Joint Council of Anglo-Caribbean Churches; Great Britain Super Heavyweight boxing representative, 1990 Commonwealth Games; National Super Heavy Heavyweight ABA champion, 1989; and National Schools Boxing Champion, 1982.



SHUSHILA PATEL

CRE commissioner (April 1999 –); independent consultant on equal opportunities, health and race, and organisation development; member, Home Office Race Relations Panel (March 1998 – 2001); non-executive director, Redbridge and Waltham Forest Health Authority (April 1998 –); deputy chair (and former chair, 1997 – 1999), Redbridge Refugee Forum; senior equal opportunities adviser, Royal London Hospital (1990 – 93); former deputy director, NHS Ethnic Health Unit (1994 – 1997); senior executive officer, Department of Health (1993 – 94); project manager, NAHA (now NHS Confederation) (1987 – 90); established DoH-funded project group on black and minority health, which produced *Action Not Words: A strategy to improve health services for black and minority ethnic groups*.



BOB PURKISS

CRE commissioner (May 1993 – June 2001); T&GWU national secretary for equalities; national officer, automotive industry; member, TUC General Council; chair, TUC Race Committee; former chair of Southampton Community School Governors; former treasurer, Labour Party Black Socialist Society; former member, Department of Employment Race Committee; former national officer, Jamaican National Workers Union; qualified Class 1 football referee and assessor; UK representative and vice-chair, European Monitoring Centre.



CHERRY SHORT

CRE commissioner (April 1998 –); councillor, Cardiff County Council; chair, Cardiff Council Gypsy Sites Committee; member, Equal Opportunities Committee, Cardiff County Council; member, government task force on implementing Welfare to Work and New Deal programmes in Wales; national member, Home Office Race, Education and Employment forum; management committee member, Children in Wales; race adviser to University of Wales, Cardiff Social Work Diploma Programme; probation officer, South Glamorgan Probation Service; quality assurance adviser, Postqualifying Consortium for Wales; former chair, Cardiff and the Vale Racial Equality Council; co-author, *Working with Difference* (CCETSW, 1997).



RAY SINGH CBE

CRE commissioner (July 1996 –); barrister at law; district judge; former part-time chair, Child Support Appeals Tribunal; Wales and Chester Circuit; member, Welsh Advisory Committee on Drug and Alcohol Misuse; member, Judicial Studies Board; member, Family Court Services Committee; member, National Assembly Advisory Group; member, South and South West Wales Criminal Justice Liaison Committee; former member, Race Relations Committee, General Council of the Bar; former member, Bar Council; honorary member, Society of Middle Temple; member, Family Law Bar Association; former member, Criminal Law Bar Association; former member, Swansea Court Users Committee; former honorary president, Swansea Bay Racial Equality Council; former chair, Indian Society of West Wales; former chair, West Glamorgan Racial Equality Council.



GITA SOOTARSING

CRE commissioner (July 1999 –); independent member, Central Police Training and Development Authority; winner, first Windrush High Flyer Award, Small Business High Flyer category (1990); member, London Central Region, Panel of Employment Tribunals for England and Wales; vice-chair, Essex Police Authority; former member, Race Relations Employment Advisory Group (DfEE Ministerial Group); former executive director, Ionian Management Consultants; former officer, Bank of England.

COMMITTEES OF THE COMMISSION FOR RACIAL EQUALITY

(AT 31 DECEMBER 2001)

Legal Committee

Ray Singh (chair)
Mohammed Amran
Moussa Jogee
Patrick Passley
Beverley Bernard
Shahid Malik
Shushila Patel

Finance and General Purposes Committee

Beverley Bernard (chair)
Moussa Jogee
Patrick Passley
Kamaljeet Jandu
Cherry Short

Remuneration Subcommittee

Kamaljeet Jandu (chair)
Moussa Jogee
Cherry Short

Audit Committee

Gita Sootarsing (chair)
Julie Mellor
Kamaljeet Jandu

Policy and Communications Committee

Beverley Bernard (chair)
Mohammed Amran
Julie Mellor
Gita Sootarsing

Public Duty Committee

Julie Mellor (chair)
Shushila Patel
Kamaljeet Jandu
Patrick Passley

Sports Committee

Patrick Passley (chair)
Ray Singh
Mohammed Amran
Gita Sootarsing
Two officers from Sport England
Two members of Sport
England Racial Equality
Advisory Group

North of England Committee

Mohammed Amran (chair)

Moussa Jogee
Kamaljeet Jandu
Shahid Malik

Midlands Committee

Shahid Malik (chair)

Beverley Bernard
Cherry Short
Ray Singh

London and South of England Committee

Shushila Patel (chair)

Patrick Passley
Gita Sootarsing

Scotland Committee

Moussa Jogee (chair)

Mohammed Amran
Shahid Malik
Ray Singh
Shushila Patel

Wales Committee

Cherry Short (chair)

Beverley Bernard
Ray Singh

The Commission met in January, March, May, July, September, and December during 2001. A register of commissioners' interests is available for inspection at the CRE's London office.

FINANCIAL ACCOUNTS

1 APRIL 2001 – 31 MARCH 2002

Summary provisional income and expenditure account for the year ended 31 March 2002

	2001/2002 provisional unaudited £,000	2000/2001 provisional unaudited £,000
INCOME		
Grant in aid received-revenue*	19,325	16,456
	19,325	16,456
EXPENDITURE		
Staff costs**	8,002	6,739
Depreciation	216	191
Impairment of fixed assets	14	71
Property costs	1,786	1,361
Office costs	663	571
Audit fees	35	40
Legal services	914	787
Travel, recruitment and staff training	922	619
Research and library services	250	270
REC grants	5,159	4,818
Complainant aid	418	378
Publicity and information services	1,158	959
Conferences, seminars and meetings	198	208
Miscellaneous	45	35
Computer services	674	759
	20,454	17,806
Deficit on operating activities	(1,129)	(1,350)
Interest receivable – grant in aid	106	138
Other income	444	429
Notional cost of capital	11	(15)
	(568)	(798)
Add back notional cost of capital	(11)	15
Transfer from government grant reserve	230	262
Retained deficit for the financial year	(349)	(521)
* Not including grant in aid received – capital transferred to government grant reserve	277	229
** Including Commission members' emoluments	277	290

Summary provisional balance sheet for the year ended 31 March 2002

	2001/2002 provisional unaudited £,000	2000/2001 provisional unaudited £,000
Fixed assets	347	300
Current assets	543	666
Creditors: amounts falling due within one year	(886)	(575)
Net current liabilities/assets	(343)	91
Total assets less current liabilities	4	391
Creditors: amounts falling due after one year	(278)	(364)
Net liabilities/assets	(274)	27
Capital and reserves	(274)	27

The above figures for income and expenditure, and the balance sheet for 2000/2001 and 2001/2002, are provisional and subject to audit by the Comptroller and Auditor General.

PROJECT AID 2001/2002

The Commission has power under section 44 of the Race Relations Act to give financial assistance to organisations involved in promoting equality of opportunity and good race relations. In 2001/2002, we gave three organisations a total of £418,000. Discretionary and supplementary grant aid to racial equality councils amounted to a further £173,000.

Organisations receiving short term project aid during 2001/2002

Avon and Bristol Community Law Centre

To provide a complainant aid service in the west of England: £30,000

North Lambeth Law Centre

To provide a complainant aid service in the Lambeth area: £150,000

Northern Complainant Aid Fund

To provide a complainant aid service in the Midlands and north of England: £238,000

Note: All figures to the nearest £1,000

FINANCIAL ASSISTANCE TO RACIAL EQUALITY COUNCILS, 2001/2002

Under section 44 of the Race Relations Act, the CRE provided financial assistance to 95 racial equality councils around the country during 2001/2002. CRE funding relates to salaries and pensions only. The figures below show the financial assistance we gave each REC, including pension contributions, to the nearest thousand pounds.

RECs also receive funding from local authorities to cover project aid and administrative costs.

REC	FROM CRE (£000)	REC	FROM CRE (£000)
Aylesbury	48	Gloucestershire	38
Barking	51	Grampian	84
Barnet	29	Greenwich	85
Bath	27	Hackney	43
Bedford	15	Haringey	79
Bexley	50	Harrow	70
Birmingham Partnership	49	Havering	6
Blackburn	91	Hillingdon	30
Bolton	39	Hounslow	84
Bradford law centre	15	Ipswich & Suffolk	48
Bristol	75	Kingston	51
Bromley	33	Kirklees	77
Bury	29	Leeds	88
Calderdale	28	Leicestershire	86
Cardiff & Vale	49	Lewisham	39
Central Scotland	75	Liverpool 8 Law Centre	24
Charnwood	47	Manchester	130
Cheshire	55	Medway	47
Cleveland	33	Merton	31
Coventry	89	Milton Keynes	30
Derby	49	Newham	71
Devon & Exeter	14	North Staffordshire	54
Dorset	7	North West Kent	62
Dudley	45	Norfolk & Norwich	73
Darlington & Durham	23	Nottingham	70
Ealing	79	Oldham	29
East Staffordshire	53	Oxfordshire	48
Edinburgh & Lothian	79	Peterborough	81
Enfield	93	Plymouth	47
Essex	20	Preston & West Lancashire	88
Fife	47	Reading	63

REC	FROM CRE (£000)	REC	FROM CRE (£000)
Redbridge	68	Telford & Shropshire	30
Rochdale	60	Tower Hamlets	63
Rotherham	48	Tyne & Wear	67
Rugby	65	Valleys	43
Sandwell Partnership	29	Walsall	18
Sheffield	120	Waltham Forest	80
Slough	47	Warwick	48
Somerset	20	Watford	37
South East Wales (Newport)	24	Wellingborough	88
Southwark	39	West of Scotland	115
Stafford	48	Westminster	32
Sussex	24	Wiltshire	43
Sutton	35	Wolverhampton	69
Swansea Bay	37	Worcester	63
Swindon	49	Wycombe	47
Tameside	69	York	21
Tayside	48	TOTAL (including pensions)	4,986



OFFICES

HEAD OFFICE

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PICTURE CREDITS

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23	David Jones PA Photos
28	Chris Oldham, Greater Manchester Police
29	(Top) Ross Parry Picture Agency (Bottom) The Sun
30	Peterborough Evening Telegraph
31	MEWN Swansea
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34	Sharron Wallace
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36	CRE
38	(Topp) Stoke Rochford (Bottom) CRE
42-45	Andrew Wiard and IP Studios

*The Commission for Racial Equality
works in partnership with individuals
and organisations for a fair and just society
which values diversity and gives everyone
an equal chance to work, learn
and live free from discrimination,
prejudice and racism.*

