

# ANNUAL REPORT OF THE COMMISSION FOR RACIAL EQUALITY

JANUARY TO DECEMBER 1998

TO THE  
RIGHT HONOURABLE  
JACK STRAW MP  
SECRETARY OF STATE  
FOR THE HOME  
DEPARTMENT

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## INTRODUCTION BY THE CHAIRMAN

In years to come 1998 will be seen as a watershed for race relations in Britain. No-one will ever forget that it was the year of the Macpherson Inquiry into the racist murder of the black teenager, Stephen Lawrence. The Commission made important submissions to the inquiry, which it had pressed for after the verdict of the coroner's inquest in February 1997. We warmly welcomed the Home Secretary Jack Straw's decision to set up the inquiry.

This annual report records the recommendations we made to the inquiry in 1998. Our chief concern was to ensure effective policing in a multi-ethnic society, but we also emphasised the roles of leadership at the highest levels and education in its widest sense in tackling institutional racism. Last but not least, we urged the inquiry to recognise the importance of discrimination legislation which affirms the right to be free from racial discrimination and which exempts no-one, least of all public law enforcement bodies, from the force of the Race Relations Act. We also made this recommendation, among others, to the Home Secretary as part of the Commission's third review of the Act.

As our own report for the year goes to press, we

already know the momentous conclusions and recommendations of that other Report, and the Home Secretary's response to it in Parliament. Our hope now is that out of this tragedy, and the countless other less publicised incidents of racist violence in Britain, will come a new determination to make racial equality a reality.

As the Macpherson Inquiry was getting under way in March 1998, new surveys and statistics were published indicating alarming increases in the number of racist incidents in Britain and, most disturbingly, rising levels of openly acknowledged racial prejudice. The



Commission felt impelled to put the issue on the public agenda and decided to launch a hardhitting advertising campaign. Our aim was to raise awareness of the extent to which racial prejudice still exists in Britain today and to suggest that everyone can and should do something to put a stop to it. The campaign itself became controversial, and was criticised for depicting the problem too crudely.

Before the year was

out, however, debate about 'institutional racism' – what it meant, and even whether it existed – had gripped the nation. Today, the greatest concern is to find ways of dealing with it that will command the widest popular support.

As we reported last year, and it bears repeating, one of the most positive developments in recent years has been the strong consensus among the main political parties on the subject of racial equality. This has allowed for more measured and focused discussion on how to achieve a common purpose.

The Commission has repeatedly said that its role is a crucial but necessarily limited one. We can only succeed in creating a more just and fair society for everyone if those who are in positions of power in Britain today are willing to use their standing and influence in the cause of eliminating discrimination and make a personal and visible commitment to action for racial equality.

By the end of 1998, the Leadership Challenge, initiated by the Commission in 1997, had attracted around 250 signatures, including those of the Prime Minister, his secretaries of state, permanent secretaries, heads of public services, chairs and chief executives of several large private companies and general secretaries of trade unions. Many of these commitments have already begun delivering much needed action; for example, the decision to introduce comprehensive ethnic monitoring at the Benefits Agency will enable it to detect any

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The success  
of the  
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work lies in  
persuading  
organisations  
that the only  
effective  
insurance  
policy against  
discrimination is  
good equal  
opportunities  
practice

unjustified discriminatory patterns in its services; while in the private sector, efforts by well-known companies such as Littlewoods, BT and Boots to increase recruitment from ethnic minority communities and to remove any barriers to their progress within the organisation have brought discernible business benefits, as well as stimulating local economic activity.

The Commission played an active role in the government's legislative and economic and social programmes during 1998: we responded to draft legislation, white papers and consultation documents, and successfully introduced vital amendments to the Crime and Disorder and Data Protection Bills. We were represented on numerous working groups, task forces, forums and committees, and contributed to conferences, seminars and public meetings on a wide range of issues – I was myself involved in over 200 events during 1998, and other commissioners and staff were equally busy.

Our participation has meant that we have been able nearly always to ensure that equality of opportunity is placed on the agenda, and frequently to influence policy at key stages of its development. For example, as a result of our lobbying and joint work with other equality organisations, the Greater London Authority will be covered by section 71 of the Race Relations Act, Training and Enterprise Councils will be required to comply with minimum

equal opportunity standards, and the Scottish Parliament and the Welsh Assembly will have equal opportunities committees. The success of the Commission's promotional work lies in persuading organisations that the only effective insurance policy against discrimination is good equal opportunities practice.

In 1998, we received around 80,000 enquiries about racial equality, the Commission's work and implementing equal opportunities policies. Around 10,000 calls came from people who thought they had been the victims of racial discrimination and wanted help in bringing legal proceedings.

We continued our strategy of using our formal investigation power as the ultimate sanction, preferring instead to pursue detailed preliminary enquiries into organisations, followed by negotiated agreements for change. This resulted last year in two widely publicised partnerships with the Ministry of Defence and Hackney Council.

We used a similar approach in our legal casework, and it explains the high level of satisfactory settlements of complaints before they reached the tribunals and courts. We also continued to follow up respondents after tribunal and court hearings and worked closely with them to prevent further complaints. Only rarely do employers refuse to cooperate with the Commission.

The Commission's work has always been controversial and 1998

was no exception. Our performance and our future role as the body responsible for equal and fair treatment for all ethnic groups were the subjects of lively debate. From time to time we were criticised, deservedly when we got things wrong, but more often without justification, and sometimes without even any sound basis in fact. As a public body, our performance is open to scrutiny and must be fully accountable within the context of the duties placed upon us and the resources at our disposal.

For the fourth successive year, the Commission has done more with less – in 1998 we were compelled to reduce our workforce by 25 posts. Nevertheless, we continued to build new partnerships and to expand the local network of racial equality councils, which do so much to translate our goals into local achievements. We remain optimistic, especially if others do their share by taking action for racial equality. This is the Millennium Challenge for us all, and one that we are capable of achieving without much pain and with much to gain.

The Commission and its staff are proud to be playing their part in working for a just and fair society for everyone. We should like to take this opportunity to thank the many individuals and organisations who share this goal and who have contributed towards its fulfilment.



**Herman Ouseley**

## 1. TACKLING INSTITUTIONAL DISCRIMINATION

**A**s the year ended, journalists, commentators and policy experts were absorbed in the debate over the existence of 'institutional racism' (following a question put to the Metropolitan Police Service by Sir William Macpherson at the Stephen Lawrence Inquiry), and the publication of the latest Labour Force Survey figures on ethnic minority participation in the labour market went unremarked. Covering a period of relatively high growth and falling unemployment, the data showed that the ratio of black and Asian to white unemployment had risen sharply from a low of 1.7:1 in the late eighties to a high of 2.4:1 in spring 1998. Some of this disparity can be explained by the different age profiles, qualifications and geographical distribution of the various ethnic groups, but these factors do not tell the whole story: there appears to be an undeniable, persistent overrepresentation of certain ethnic groups.

Nor are such ethnic disparities confined to the labour market; they are also recurrent features of the statistics on stops and searches by the police, permanent exclusions from school, detention under the Mental Health Act 1983

and admissions to medical schools, to name only a few prominent examples.

The Commission's work in 1998, as in previous years, was aimed at identifying, and opposing, legislative proposals, policies, organisational structures, operational processes and day-to-day practices which result, intentionally or inadvertently, in the unequal treatment, marginalisation and, ultimately, social and economic exclusion of people from particular ethnic groups. We used every opportunity during the year – in responses to government proposals and public inquiries, in speeches at conferences and seminars, through our membership of a wide variety of groups and working parties, and in our discussions with employers and other organisations – to emphasise that racial disadvantage would remain more or less unaffected by global strategies for change on their own – indeed, as the statistics on

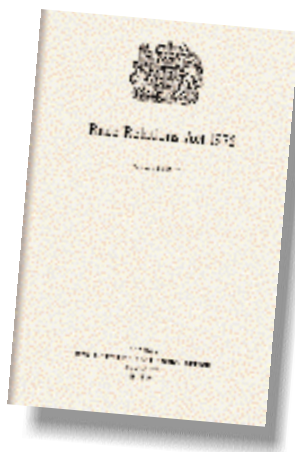
unemployment plainly show, it might be aggravated. Specific programmes to address racial inequality were imperative, we argued, as well as urgent reform of the Race Relations Act.

### REFORM OF THE RACE RELATIONS ACT

Nearly 25 years after the Race Relations Act came into force, it is clear that the law is not a sufficient means of changing patterns of racial discrimination and disadvantage in Britain today, but it is a necessary one. It sets the legislative standard for equal rights, makes clear what is acceptable conduct and provides redress for individuals who believe they have suffered an injustice.

One of the Commission's duties under the Race Relations Act is 'to keep under review the workings of the Act and ... [to] draw up and submit to the Secretary of State proposals for amending it'. On 30 April 1998 a comprehensive set of proposals was submitted to the Home Secretary comprising the third review of the Act by the Commission since the law came into force in 1976. We are optimistic that the present Home Secretary will make a statement about his plans for future legislation in 1999, after consulting other organisations and government departments.

In setting out its recommendations, the Commission emphasised the importance of effective legislation. The Commission's purpose was two fold: first, to bring within the scope of the Act areas presently





▲  
*The Prime Minister made a personal commitment to the Leadership Challenge on behalf of the government in May 1998.*

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Tony Blair MP

left unregulated, including those where the individual is most vulnerable, such as policing, the criminal justice system and immigration procedures; and, second, to place some of the responsibility for action on the leaders of Britain's institutions: government, public services, employers and others. The proposals accordingly focused on three areas:

- increasing the duties on public bodies to promote racial equality and eliminate discrimination
- tackling institutional discrimination, and
- strengthening the law enforcement powers of the Act.

Broadly, the Commission's recommendations call for:

- the inclusion in the Act of a positive right not to be discriminated against on racial grounds
- extensions of the Act so that, for example, it becomes unlawful for any public body to discriminate in any of its functions; and volunteers and former employees are given protection against racial discrimination
- the empowering of tribunals to consider class actions brought on behalf of members of a group experiencing

discrimination

- compulsory ethnic monitoring for all private employers with more than 250 employees
- a duty on public bodies to promote racial equality, including ethnic monitoring and contract compliance
- clearer definitions of key concepts, such as positive action
- removal of some of the existing exceptions to the Act, so that it applies, for example, to all partnerships, whatever their size; and to work done in private households by tradespeople such as carpenters and plumbers.

### LEADERSHIP CHALLENGE

In June 1997, the Commission initiated the Leadership Challenge in order to secure commitment at the highest levels to action for racial equality. The heads of organisations and institutions in Britain were invited to give a personal lead in promoting racial equality and taking action to make it a reality. By the end of that year over 120 leaders had accepted the Challenge.

In May 1998, leaders from the private, public and voluntary sectors attended a reception with the Prime Minister, who also made a personal commitment to the Challenge on behalf of the government. 'There is an obligation and duty upon all of us in positions of leadership,' said Mr Blair, 'to try and offer a lead to everyone else. That includes government itself, and I am happy to take up the Leadership Challenge and to acknowledge that we've

got more to do to make progress.'

By the end of the year, the number of leaders who had accepted the Challenge had risen to 250. They represented trade unions, private companies, public bodies, voluntary agencies, national organisations and civil service departments and agencies. Much of the year was spent in discussions with new signatories advising them on the steps they might take both inside their organisations and outside, for example by hosting events for the wider sector or industry on the subjects of racial equality and the Leadership Challenge.

Action taken under the aegis of the Leadership Challenge, or reinforced by it, has included seminars and conferences to persuade others to sign up to it; research projects aimed at developing broad strategies to tackle problems of ethnic minority representation and participation; adoption of the Commission's racial equality standards; and comprehensive reviews of the scope and effectiveness of equal opportunities policies. Some of these initiatives are described briefly below, as well as in a brochure launched at the reception in May.

- Peter Mathison, chief executive of the Benefits Agency, followed up his acceptance of the Leadership Challenge by personally seeking and receiving ministerial agreement to monitor all benefit applicants, by ethnic group.
- Derrick Anderson, chief executive of Wolverhampton Metropolitan

Borough Council, pursued his commitment to the Challenge by holding a special event in September to urge all the council's partners to sign up; 25 of the 90 delegates did so there and then, and a further 30 joined by the end of the year. It was agreed to establish a biennial standing conference to discuss progress and further action.

- Graham Mackenzie, director-general of the Engineering Employers' Federation, endorsed the EEF's well-established, nation-wide programme of initiatives to attract young people from ethnic minorities to careers in engineering. The initiatives included the development of mentoring schemes; work with parents, schools and career services; and the production of good practice models for employers.

- Clive Jones, chief executive of Carlton Television, hosted an event for 40 heads of broadcasting in February, to promote better representation of people from ethnic minorities, both on and

off screen.

- Tim Melville Ross, director-general of the Institute of Directors, hosted a session with organisations representing small firms, to discuss the development of good practice guidance for the sector. Firms with fewer than 50 employees employ 45% of the active labour force and are responsible for 40% of all aggregate sales. During 1998, the Commission

worked with the Equal Opportunities Commission (EOC) and the National Disability Council to develop basic guidelines on good equal opportunities practice for small firms. The guidance, which will be produced following consultation in 1999, will be promoted widely throughout the sector.

- Alan Howarth, Parliamentary Under Secretary of State for Education and

Employment, shared a platform with Herman Ouseley, the Commission's chairman, at the third of a series of conferences for employers organised jointly by the Commission and the Department for Education and Employment (DfEE)



on the value of ethnic diversity for business.

- Sir Richard Wilson, head of the Home Civil Service, wrote personally to the permanent secretaries of government departments and the chief executives of agencies, urging those not already involved in the Challenge to take part. In addition to the main government departments and agencies, acceptances were received during the year from the Meteorological Office, the Office for National Statistics, London Ambulance Service, Radio Communications Agency, General Communications Headquarters and the Driver and



*A benefits office waiting room. The Benefits Agency received ministerial agreement to monitor all benefit applicants by ethnic group in 1998. The Commission has pressed for this over many years and welcomed the chief executive Peter Mathison's pursuit of it following his acceptance of the Leadership Challenge.*



*In 1998, the London Ambulance Service accepted the Leadership Challenge. LAS handles a daytime population of about eight million people, who, between them, speak 275 languages. In August, a revised Multi-lingual Emergency Phrase Book and new guidance on different cultures were published for LAS drivers and paramedics. 7% of LAS employees are from black and Asian minorities.*



Vehicle Licensing Agency, among others.

- In July, the leaders of the principal local government organisations in England and Wales agreed on a 'common programme' for racial equality, guided by the Commission's standard for local government, Racial Equality Means Quality. The main objectives were: to introduce ethnic monitoring of all council workforces and ensure that, by an agreed date, these would reflect the ethnic composition of the local populations; to incorporate measurable racial equality goals into Best Value schemes, which are set to replace compulsory competitive tendering; and to use their contracts to promote racial equality.
- The chief inspector of the Further Education Funding Council (FEFC) inspectorate called three public meetings in England to explain the role of the inspectorate to people from ethnic minorities interested in becoming FEFC inspectors. As a result, 36 individuals completed the training and are ready to apply for places on inspection teams.
- Stephen Crowne, chief executive of the Further Education Development Agency, undertook to produce new guidance for the sector covering race, sex and disability. *Equality Assurance: self assessment for equal opportunities in further education* was published in 1998, replacing the Commission's own guidance on the subject.
- The heads of the Higher Education Funding Council (England), the Association of University

Teachers, the National Association of Teachers in Further and Higher Education and the Committee of Vice-Chancellors and Principals set up a consortium to fund research on the reasons for the very small number of ethnic minority graduates considering academic careers. A report will be published in 1999.

- Richard Tilt, director-general of the Prison Service, announced a series of major initiatives to force the pace of change. These included: a new recruitment drive, production of a training manual, the establishment of an ethnic minority officers' network and a new ethnic monitoring initiative.
- John Orr, president of the Association of Chief Police Officers in Scotland (ACPOS), followed up his acceptance of the Challenge with a letter to all Scottish chief constables explaining the implications for them. ACPOS is now planning to work with the Commission to develop standards for policing racial incidents. John Newing, president of ACPO in England and Wales, also accepted the Challenge in 1998.



### STEPHEN LAWRENCE INQUIRY

Arguably, the most significant event for race relations in Britain in 1998 was the Stephen

Lawrence Inquiry. The Commission made substantial contributions to it. Part 1 of the inquiry was concerned with the events surrounding the murder of Stephen Lawrence, the ensuing police investigation and the failure to secure a successful prosecution. As one of the represented parties, the Commission played an integral role in Part 1. Counsel on behalf of the Commission submitted that, based on the evidence presented, race had operated as an influential factor.

Part 2 of the inquiry sought evidence from a wide range of sources, in London and elsewhere, on the lessons to be learned for the future investigation and prosecution of racially motivated crimes. In submitting the Commission's evidence, Herman Ouseley proposed in a covering letter that institutional racism might be defined as 'organisational structures, policies, processes and practices which result in ethnic minorities being treated unfairly and less equally, often without intention or knowledge', and urged the inquiry to recognise the existence of institutional racism in the police service as well as in other institutions in Britain.

In its detailed written evidence the Commission called for amendment of the Race Relations Act to make it unlawful for the police to discriminate in any of their activities, and to make policing subject to the Commission's law enforcement powers. With reference to the investigation and prosecution of racial incidents, detailed



recommendations were made on issues such as the definition of a racial incident, the reporting and recording of incidents where race is a factor and the treatment of victims, their families and witnesses. On the question of prevention of racial incidents, the Commission discussed the interrelated roles of various local agencies, while stressing the important role of government and Parliament in condemning racism, as well as the part which the media should play in discouraging it.

Finally, in his oral evidence to the inquiry, Herman Ouseley emphasised the vital role of education in creating a society free of racism, and outlined the steps needed to tackle institutional racism.

## CRIMINAL JUSTICE SYSTEM

### The police

One of the positive effects of the Stephen Lawrence Inquiry has been the greater attention that is being given to community and race relations in the police service nationally. The Commission has been involved in this in a number of ways. In addition to its involvement in the Stephen Lawrence Inquiry, the Commission was a member of the Home Secretary's working group following up Her Majesty's Inspectorate of Constabulary's (HMIC's) 1997 thematic report on community and race relations in the police service, *Winning the Race*. The Commission was also represented on the community and race relations subcommittee of ACPO.

With advice from the Commission, ACPO has developed a strategy and work programme to give the police service a lead in providing an equitable service to all communities, with particular emphasis on 'minority and vulnerable groups'. John Newing, the new president of ACPO, has also set up a 'presidential taskforce' to address race and community issues.

### *Training and recruitment*

The Commission submitted evidence to the Home Affairs Select Committee's inquiry into training and recruitment in the police service. We recommended national minimum training standards in equal opportunities and community and race relations for all police officers which would be enforced through effective inspection; and fair selection methods.

The Commission also stressed two other points:

- the close link between employment and fair service delivery – the police service will only attract the best people from all ethnic groups if the local force is seen to reflect the community it serves and respond to its policing needs
- the importance of commitment and direction at the highest levels, including government; the Commission recommended that the Home Secretary make clear the priority he expects to be given to race issues by including it among the priorities he sets for the police service.

During the year, the Commission also discussed community and

race relations training with the police operations faculty at Bramshill and with other experts in this field, and helped to set up a European project on community involvement in police training.

We were disappointed to learn in 1998 that ethnic monitoring data had shown that even the latest version of the initial police recruitment test, developed on the Commission's advice, had a statistically significant adverse impact on ethnic minority applicants. The Home Office is conducting further research to establish the reasons for this.

### *Stop and search*

The Commission commented on a number of government consultative documents and draft codes of practice during the year, including the Code of Practice under the Police and Criminal Evidence Act 1984 which regulates stops and searches by the police and Customs and Excise.

The Commission recommended strengthening the code by defining and regulating the exercise of stop and search powers. However, we also stressed that the just and fair use of these powers would require more than a well-drafted code of practice: a change in police culture and in police perceptions of people from ethnic minorities was essential, with standards set and enforced by supervising officers.

### *Metropolitan Police Service*

As in previous years, the Commission worked closely with individual forces, including the

**The Commission urged the Home Secretary to demonstrate his commitment to race issues by including them among the priorities he sets for the police service**

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Metropolitan Police Service (MPS). Commission officers met regularly with Denis O'Connor, assistant commissioner with particular responsibility for community relations, and John Grieve, head of the new Racial and Violent Crime Task Force, to discuss initiatives being taken as part of MPS's diversity strategy, such as Operation Athena, which is aimed at preventing and dealing with racial and violent crime. We also advised the MPS on policy and practice in a wide range of areas, including racial incidents, stop and search, employment, MPS priorities for 1999/2000 and the development of a service appropriate to London's highly diverse population.

In December, Paul Boateng, Minister of State, Herman Ouseley and Sir Paul Condon, MPS com-

missioner, addressed an MPS conference attended by community representatives and others on the steps the MPS should be taking to provide an anti-racist service. A lay advisory group on racially motivated crime has been set up.

#### **Crime and Disorder Act 1998**

The Crime and Disorder Act became law on 31 July 1998. The Commission welcomed the greater protection against racial harassment and violence which some of its provisions afford. The Act introduced two new measures: first, under section 33, which also amends the Criminal Law (Consolidation) (Scotland) Act 1995, a new offence of racially aggravated harassment; and, second, under section 96, a requirement that the courts take account of any

established racial motivation in any offence as an aggravating factor when passing sentence.

An amendment promoted by the Commission to include racially aggravated criminal damage was accepted by the government during debate in the House of Lords, and the government itself modified other definitions in line with the Commission's advice. The Commission's efforts to get a wider definition of what constitutes 'racial aggravation' were not successful, and we now await decisions of the courts to see what type of prosecutions succeed.

The Commission commented on draft guidance on the Crime and Disorder Act from the Home Office, and produced its own briefing on important provisions which came into force before the end of 1998, including local

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## **PUBLIC SETTLEMENT BY METROPOLITAN POLICE**

● *Detective Inspector Michael v Commissioner of Police of the Metropolis*

Detective Inspector (DI) Michael has worked in the Metropolitan Police Service (MPS) for nearly 25 years, but not without incident. He first made a complaint of racial discrimination in 1994 when his appraisal for the year concluded that he would not be promoted to DI Chief Inspector. Two further applications were lodged alleging continuing discrimination as well as victimisation.

The case was settled through the intervention of the Commissioner, Sir Paul Condon, who took the opportunity to reaffirm the MPS's commitment to a programme of reform on race issues. This included the appointment of John Grieve to a new post of Deputy Assistant Commissioner in charge of the recently established Racial and Violent Crime Task Force, and a new approach emphasising operational standards, quality control and effective and accountable management. The Commission welcomed the MPS's decision to make the settlement public.

crime and disorder partnerships, child curfews and police powers to remove truants, as well as the new racially aggravated offences. Racial equality councils and other community organisations were urged to play an active role in ensuring that reduction in racially motivated crime is given a high priority in local crime and disorder strategies and that the new police powers under the Act are properly monitored.

In February, Commission officers in Scotland secured an agreement from the Scottish Office Home Department that a comprehensive system of ethnic monitoring would be in place within two years, in order to comply fully with section 306 of the Criminal Procedures (Scotland) Act 1995 (the Scottish equivalent of section 95 in England and Wales).

### **Good practice guidance**

The Commission worked closely with the Home Office during 1998 to produce guidance on multi-agency approaches to tackling racial incidents. *In this together*, which includes examples of good practice from England and Wales, was produced at the request of the Racial Incidents Standing Committee, on which the Commission is represented.

The Commission also advised the magistrates'



courts service on guidance it was producing on equal opportunities, and was involved in launching it to magistrates' courts committees in November. We also commented on the guidance produced by the magistrates' courts inspectorate on recruitment and selection of senior managers.

### **Prison Service**

During 1998, the Commission advised the prison board and Prison Service staff on the development of a national programme of action in line with the Commission's standard, Racial Equality Means Business, to ensure racial equality in employment in all prisons in England and Wales. The programme will also be linked to racial equality in service delivery, as required under the Prison Service Order on Race Relations.

The Commission also contributed to Prison Service policy and practice through its representation

on the Prison Service Race Relations Group, chaired by the director-general, who has signed up to the Leadership Challenge (see p 8).

### **YOUNG PEOPLE**

More than half of Britain's black and Asian population are under 25 years of age, and they make up 7% of the total population in the 16-24 year age band. Worrying evidence that inequality, disadvantage, disaffection and marginalisation are increasing among young people from certain ethnic minority groups, both in the labour market and elsewhere, led the Commission to review its strategy for work in this area during the year. Our main priorities are:

- to secure the adoption of practical racial equality objectives and performance targets at national, regional and local levels in all areas, in order to improve access and outcomes for young people

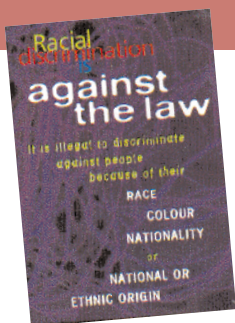
▲ *The Commission assisted the Association of Chief Police Officers (ACPO) to develop a strategy and work programme that would give the police service a lead in providing an equitable service to all communities, with particular emphasis on 'minority and vulnerable groups'.*

## YOUTH RIGHTS CARD

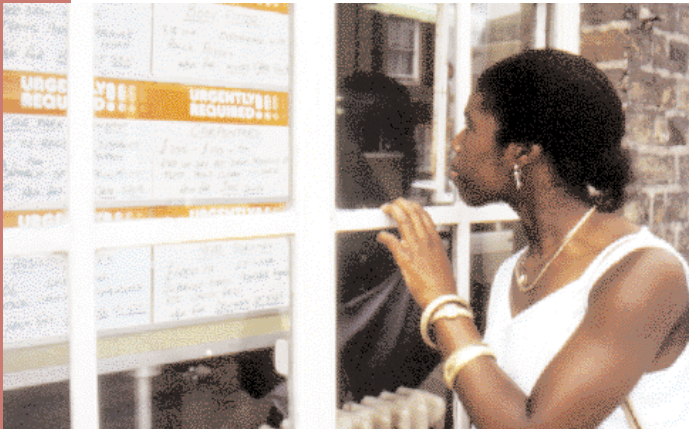
In June, the Commission piloted a pocket-sized card for young people in the north of England and Scotland, informing them of their rights under the Race Relations Act and of how the Commission can help them.

Tests on employers in the north of England and Scotland in 1996 had revealed substantial discrimination against young ethnic minority job applicants. Yet all the surveys suggest that young people are unaware of their legal rights.

By the end of the year, 300,000 cards had been distributed through racial equality councils, student unions and law centres. Glasgow City Council ordered cards for every high school student in the city following the alleged racist murder of an Asian student.



- to increase young people's awareness of their legal rights and to make it easier for them to obtain advice and legal representation



- to ensure that the services of the youth service, careers services and youth agencies in the voluntary sector are readily available to ethnic minority young people.

### New Start

Introduced in England in late 1997 as part of the government's strategy for Investing in Young People, New Start aims to encourage excluded and disaffected young people between the ages of 14 and 17 years back into education and training in order to improve their employability.

Through its membership of the Advisory Board and the Equal Opportunities Sub-Group, the Commission made substantial recommendations on the steps partnership projects should take to address the marginalisation and exclusion of ethnic minority young people from education and training opportunities. We also drew attention to the consideration that should be

given to the effects that racial discrimination, harassment and inequality can have on young people's expectations and motivation.

Partnership projects are effectively networks of local careers services, schools, further education colleges, Training and Enterprise Councils (or TECs, and LECs or Local Enterprise Companies in Scotland), local authority youth services and voluntary sector organisations. The Commission cautioned against allowing a bias towards the public sector and larger national voluntary organisations to work against the involvement of smaller community groups and agencies, which are usually best placed to reach the most disaffected and alienated young people. We also pressed for systematic ethnic monitoring of participation in the programme.

The Commission welcomed the government's acceptance of its recommendation that the second round of New Start funding should concentrate on projects aimed at reaching those most excluded from the system, including many ethnic

minority young people.

### New Deal

The New Deal programme for 18-24 year olds was piloted in the Pathfinder areas in January before going nation wide in April. That was the month, too, when ethnic monitoring of claimants of Job Seeker's Allowance came into effect.

In 1997, the Commission had made recommendations to the DfEE and the Employment Service (ES) to ensure that the New Deal did not replicate the ethnic inequalities that were a feature of other employment and training programmes. In 1998, we reinforced our earlier advice with detailed information on how to use ethnic monitoring systems and other good practice strategies, having first discussed these with ethnic minority organisations. The Commission's recommended standards for racial equality in the New Deal were also sent to all ES regional directors.

The DfEE has issued monthly press statements giving statistics on take-up of the New Deal; detailed figures broken down by ethnic group were made available for the first time in November. Continuing concerns for the Commission include:

- the significantly lower proportion of young people from black and Asian groups on placements with employers receiving a New Deal subsidy
- the overrepresentation of young black and Asian people on the full-time education and training option, even though they are more likely than

white young people to have a qualification on entry, and the qualification is more likely to be at NVQ level 2 or higher

- the slower rates of progress for young black and Asian people from the help and advice (or Gateway) stage to placement on one of the four options.

In December, the Commission wrote to Andrew Smith, the relevant Minister, and was assured that the DfEE would be looking into the reasons for this imbalance and taking appropriate action.

The Commission submitted early comments on a draft of the ES's ethnic minority strategy for the New Deal, *Engaging Ethnic Minority Jobseekers and Businesses*, which was launched in the autumn. We are also represented on the steering group set up to examine the extent to which people from ethnic minorities are involved in local New Deal partnerships, and the nature of their involvement.

In November, following the first national conference on 'Ethnic Minorities and the New Deal', organised jointly by Central Scotland REC, the ES, the Scottish Black Workers Forum and the Commission, the Scottish Office and the ES agreed to establish an official racial equality working group in Scotland. The Commission will be represented on the group.

### **Young people and drugs**

The Commission's main concern in this area stems from the lack of data on

the ethnic origins of users of drugs treatment agencies. Information about ethnicity has not been published nationally, making it very difficult to know whether treatment services are reaching ethnic minority drug users, and to evaluate strategies for prevention, care and treatment.

Responding to the government's consultation paper on an anti-drugs strategy, the Commission made a series of recommendations to the government, to drugs enforcement agencies, drugs service agencies and related drugs treatment programmes. We recommended that:

- racial equality should be incorporated into all aspects of service provision for drug users
- ethnic monitoring, of both employment and service delivery, should form an integral part of any assessment process
- local ethnic minority groups and racial equality councils should be consulted on all proposals
- the service should be promoted as widely as possible among all groups in the local community.

### **Mentoring**

In December, the Commission was pleased to learn from the Millennium Commission that its joint application with RPS Rainer to run a national mentoring project under the Millennium Awards Scheme had been conditionally approved. The aim of the project is to encourage people to serve as mentors to disaffected and disadvantaged young people in their communi-

ties, particularly those from ethnic minorities, and to help raise their expectations, develop their self-confidence and fulfil their potential. If the bid is successful, the project is expected to recruit 480 mentors and 960 mentees over a period of three years.

In March, the Commission published a leaflet describing successful mentoring projects by Littlewoods, the BBC, John Lewis and BT, and the highly regarded voluntary project in Birmingham, Kwesi. The leaflet was produced as part of the Racial Equality Means Business case studies series promoting good practice by employers who have adopted the Commission's standard.

### **Careers services**

Concerned by variation in the services provided by careers services, the Commission urged the DfEE to issue more guidance on the basic equal opportunities standards careers services should be following. In our view, as with TECs, the contractual arrangements between the DfEE and careers services should be more rigorous. Service providers should be required to identify the specific barriers encountered by people from ethnic groups, and to use ethnic monitoring systems to keep close track of career progress.

We were pleased that the DfEE agreed both to include 'action notes' on ethnic monitoring and other aspects of equality of opportunity as part of its guidance programme



'... just like the writing in a stick of Blackpool rock, concern for equality must run right through your TEC'

Margaret Hodge MP

and to undertake an assessment of racial equality action programmes in 1999, with help from the Commission in designing the process.

### TRAINING

In 1998, the DfEE developed and introduced minimum equal opportunities standards for TECs based on detailed advice and recommendations from the Commission. We worked closely with the DfEE on the specification for a research study to evaluate the introduction of the TEC National Minimum Standard.

The findings of the study showed that none of the sampled TECs' equal opportunities strategies met all the requirements of the standard, and DfEE Minister Margaret Hodge, wrote to the chairs of all TECs to remind them that they had until the end of March 1999 to meet the standard in full: 'Equality of opportunity has to be delivered through every aspect of TEC business,' she wrote, 'just like the writing in a stick of Blackpool rock, concern for equality must run right through your TEC.'

Responding in detail to the DfEE's consultation paper on the review of TECs: *Meeting the Challenge of the Millennium*, the Commission made the following recommendations:

- the DfEE should provide guidance for TECs on consulting community groups, to whom they are accountable

- TECs should be required to set racial equality targets across all training programmes where there are significant gaps in participation and outcomes

- TECs should ensure that strategies are firmly grounded in the reasons they have identified for ethnic inequalities
- Government Offices should provide equal opportunities training for staff, specifically on the interpretation and application of the TEC National Standard.

The important question of ensuring equality of opportunity for ethnic minority providers of training and other services to TECs was brought to the Commission's attention during the year. We raised it with the Government Office for London, which agreed to give it further consideration.

The Commission worked in various ways during 1998 to improve access to Modern Apprenticeships. Although black and Asian representation rose overall to 4.7% during the year, disparities persisted in several sectors.

Recommendations were made to TECs, National Training Organisations and training providers through the Commission's contributions to two major conferences: the TEC National Council Equal Opportunities Conference (in November), and the National Conference on Engaging Employers: Training Tomorrow's Workforce (in June); and through our membership of the Modern Apprenticeships and National Traineeships working group on equal opportunities.

### SOCIAL EXCLUSION

The Commission responded to a variety of consultation documents

issued by the Social Exclusion Unit during 1998: on truancy and exclusion from school, worst estates, neighbourhood renewal and teenage parenthood. In each instance, the Commission argued that, without a specific focus on race, policies ran the danger of achieving an overall reduction in social exclusion whilst neglecting the effects of racial discrimination and disadvantage. Moreover, since racial discrimination and disadvantage are major contributors to social exclusion, failure to fight this battle effectively could undermine the wider war against social exclusion.

### REGENERATION AND REGIONAL DEVELOPMENT AGENCIES (RDAS)

In 1998, the government's strategy for regeneration of areas and communities included the planned introduction of RDAs, a fifth round of the Single Regeneration Budget (SRB) and the introduction of the New Deal for Communities.

Although the Commission's proposed amendments to the RDA Bill – to ensure that RDAs address racial equality issues – were not accepted, the Minister informed us that guidance on the subject would be considered at a later stage. In anticipation, we drew up a set of racial equality standards for RDAs which we discussed with officials at the Department of the Environment, Transport and the Regions (DETR) before circulating them to the chairs of the eight new RDAs. The

Commission urged the DETR when planning and developing regeneration programmes to take advantage of the extensive experience among ethnic minority groups and organisations. The Commission made similar recommendations on the Secretary of State's draft guidance on the development of RDAs' regional strategies.

The Commission welcomed the incorporation of racial equality issues within the overall aims of SRB Round V, and recommended that the DETR undertake an assessment of existing SRB schemes to determine the overall impact on ethnic minority



◀ The Commission drew up racial equality standards for Regional Development Authorities and circulated them to the chairs of the eight new RDAs. We also urged the DETR to take advantage of the extensive experience among ethnic minority groups and organisations when planning and developing regeneration programmes.

**Without a specific focus on race, policies run the danger of achieving an overall reduction in social exclusion whilst neglecting the effects of racial discrimination and disadvantage**

## 'GET ON WITH IT'

● *Mr Sunda v Coventry City Council*

The employment tribunal unanimously found that Mr Sunda had been unfairly dismissed by Coventry City Council and subjected to direct racial discrimination.

Mr Sunda joined the council in 1995 as an enthusiastic and highly motivated recreational assistant at a sports centre. He regularly applied for jobs in different areas, even obtaining the necessary qualifications at his own expense. Invariably he was pipped at the post by white employees with inferior qualifications, or no qualifications at all. Mr Sunda remained a lifeguard at the pool, where racial abuse was a regular accompaniment to the job and where Mr Sunda's complaints were equally regularly ignored. He was told to get on with it.

In April 1997, Mr Sunda was told that he was being suspended for gross misconduct, because he had finished his poolside shift 15 minutes early, contrary to lifeguard procedures, and also because he had been absent without leave from work. Mr Sunda protested that it was customary for lifeguards to lay off early, and that his leave had been authorised. Lengthy investigations followed, as Mr Sunda exhausted all his options of appeal, all the way up to the councillors. His last resort was the tribunal.

The case is awaiting a remedies hearing.

communities so far. As SRB Round V passes into the administration of RDAs, the Commission will expect to see continued attention to monitoring ethnic minority participation, involvement and outputs.

On the announcement of the New Deal for Communities, the Commission's chairman wrote to Hilary Armstrong, Minister of State at the DETR, welcoming the initiative and requesting that measures be built into the programme at an early stage, to ensure that ethnic minority communities are fully involved in Pathfinder and subsequent projects, and that they derive full benefit from them. The Commission's recommendations led to the establishment of a working group to produce practical guidance and to identify effective forms of neighbourhood involvement.

### LOCAL GOVERNMENT

The Commission's priorities over the past year have been to ensure that Best Value schemes take racial equality fully into

account, that councils maximise the use of contracting to achieve racial equality, and that councils make full use of the Commission's standard for racial equality in local government, Racial Equality Means Quality.

The Commission worked with the Audit Commission during the year to ensure that the Audit Commission's Direction for 1999/2000 includes performance indicators for racial equality achievements in local government.

The Commission, in partnership with the Equal Opportunities Commission (EOC), pressed its position on Best Value with the government, and met with the DETR's Best Value Pilot Steering Group and the Warwick University Business School research group monitoring Best Value pilot schemes. In partnership with the EOC, the Local Government Management Board and the Institute of Public Policy Research, the Commission contributed to two national conferences for local councils on

equality in Best Value.

The Commission remains concerned, however, that the government has not taken all the steps necessary to ensure that equality is fully integrated within Best Value regimes.

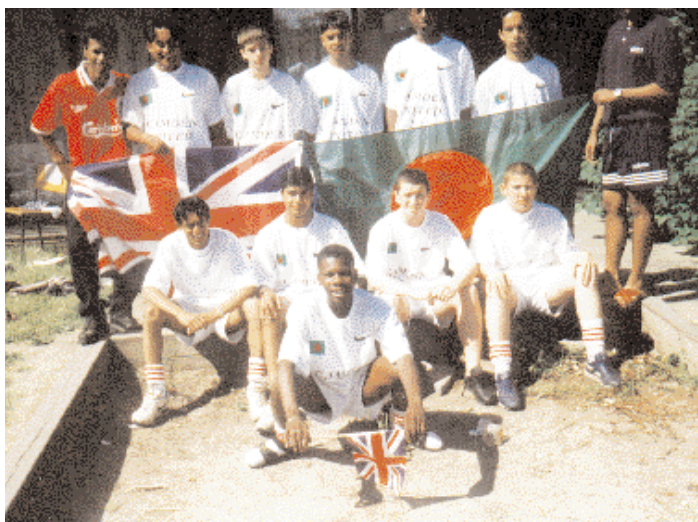
The Commission advised and worked with Social Partners, a national group of employers and unions, on proposals to extend the scope of achieving equality through contracts. Our recommendations were based on the measures outlined in the Local Authorities Tenders Bill 1998.

### EDUCATION

The year opened with Herman Ouseley outlining the Commission's main concerns in this area during a speech as president of the North of England Education Conference in Bradford. He emphasised the importance of promoting measures that would contribute to removing undue variation in academic achievement levels between pupils from different ethnic groups, and called for urgent steps to tackle the overrepresentation of pupils from certain ethnic groups among those excluded from school.

The Commission raised these and other issues during the year through its representation on various groups, including the

*Camden United, Camden Council's project in the category 'Tackling the Causes of Crime and Racial Harassment', received a commendation at the fourth Local Authority Race Awards in April. LARA was established in 1994 to recognise the promotion of racial equality by local authorities. Nearly 100 entries were received in eight categories. Overall winner was the London Borough of Newham, for creating a partnership to fund local ethnic minority groups providing training and services for their communities. Dudley, Edinburgh, and Hammersmith and Fulham councils were among the other winners. ►*





Ministerial Advisory Group for Raising the Achievement of Ethnic Minority Pupils; the Race Equality Advisory Group of the Qualifications and Curriculum Authority (QCA); the Ethnic Minority Focus Group of the Teacher Training Agency (TTA); and the DfEE Practitioner Group overseeing the implementation of the Social Exclusion Unit's report on truancy and exclusion from school. We pressed for:

- a school inspection system capable of reporting thoroughly and consistently on progress towards racial equality in schools
- a curriculum for initial and in-service teacher training that will equip teachers to perform well in a multi-ethnic environment
- a target date set by the government for the elimination of unjustifiable ethnic minority overrepresentation among those excluded from school.

At the end of the year, we remained seriously concerned by the lack of progress on these issues.

The Commission continued to press the DfEE to monitor pupils' achievements by ethnic group. We were encouraged by the department's plans to introduce a 'unique pupil identifier' for all pupils. This will contain data on race and gender, and will make it possible for the first time to track the relationship between ethnicity and achievement levels. The Commission believes that the scheme should be put into practice without further delay. We also urged

the DfEE to reintroduce ethnic monitoring of teachers' employment, as a matter of urgency.

The Commission worked throughout the year with the TTA, assisting with its efforts to encourage more people from ethnic minorities to enter teacher training. We welcomed the TTA's decision to set institutional targets for ethnic minority students on teacher training courses, and its agreement to produce detailed racial equality guidance for teacher trainers.

In September, the Commission, in partnership with the Institute of Education, University of London, held a national seminar on the need for a National Curriculum that

reflects Britain's multi-ethnic population. The Commission's chairman met with the QCA to press the case, which was also put to a national QCA research conference.

Finally, the Commission welcomed the announcement by the DfEE of the new Ethnic Minority Achievement Grant. We had been in discussion with the DfEE on this subject since July

*Preparations began in 1998 for the first ever equality reviews of the Fire Service. The Commission has already been involved in developing a new recruitment and selection process for the service, and will shortly be helping with the equality review of Greater Manchester Fire Service. In 1998, 1.5% of all firefighters were from ethnic minorities. In London, over 4% of uniformed staff were from ethnic minorities.*



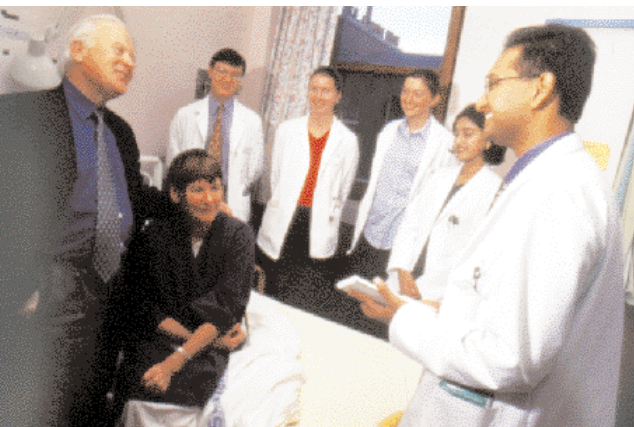
## AN UNWRITTEN REQUIREMENT

● *Mr Griffith v (1) Bridgend County Borough Council and (2) Cope*

The Cardiff Tribunal were unanimous that Mr Griffith, a quantity surveyor of Caribbean origin, had been unlawfully discriminated against by Bridgend County Borough Council on grounds of his race, and that he had been constructively dismissed.

Mr Griffith, who had worked for Ogwr Borough Council on successive fixed term contracts before it was merged to form the new unitary authority of Bridgend County Borough Council, was not among the staff who were redeployed. However, he applied for the post of Senior Quantity Surveyor, which was advertised. The advertisement stipulated that applicants should be associates of the Royal Institute of Chartered Surveyors, and have at least seven years' experience. The successful candidate held only an HND qualification, compared to Mr Griffith who met all the requirements as well as having experience of some of the duties of the post in the job he was doing. Mr Griffith's grievance was unsuccessful, and he resigned.

Cardiff Tribunal awarded Mr Griffith a total of £41,655 in compensation, including £8,000 for injury to feelings, the largest award in Wales to date.



▲  
*Research by the Council of Heads of Medical Schools (CHMS) showed that, all else being equal, ethnic minority applicants' chances of obtaining an offer of a place were significantly poorer than those of white applicants in 18 (or 66%) of the 27 medical schools in the UK. The Commission worked closely with the CHMS on an action plan to prevent racial discrimination in the admissions process.*

1997 and were pleased to see our advice incorporated in the new arrangements.

### HEALTH

The Commission continued to press the National Health Service Executive (NHS Executive) to produce a national standard for racial equality in the NHS covering both employment and service delivery. While disappointed by the slow rate of progress, we were nevertheless encouraged by developments in the Positively Diverse Programme and the potential this holds for the introduction of a national standard.

In December 1998, the NHS Charter Advisory Group, on which the Commission was represented, produced the *NHS Charter: A Different Approach*. The charter incorporates our advice on setting standards for language provision and on effective consultation with ethnic minority communities.

In April, the Commission responded to the government's green paper on public health, *Our Healthier Nation*. Our concern was to ensure that racial equality was built

into all public health objectives, and that race-specific targets were set, both at national and regional levels. The Commission also submitted evidence to the Department of Health as part of the review of the Mental Health Act 1983.

In July, the chairs of the Commission and the Equal Opportunities Commission met the Secretary of State for Health to discuss the 'mainstreaming' of equality in the NHS through performance management. We were encouraged by the emphasis placed in the NHS Human Resources Strategy on eradicating racism from the health service. The strategy requires NHS Trusts to demonstrate measurable progress in

recruiting and retaining a diverse workforce.

The Commission also met with the British Medical Association during the year to discuss a joint strategy for dealing with the growing number of complaints from ethnic minority doctors that they were being denied access to the Specialist Training Register and to consultant appointments.

In 1998, the Commission began a survey of progress by NHS Trusts in London and the south in implementing racial equality employment policies in line with recommendations by the Commission and the NHS Executive. Of the 250 Trusts targeted, 126 responded, and 124 of these reported that they had racial equality

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## A CASE OF CUMULATIVE HARASSMENT

● *Mrs Lewin-Coward v (1) Birmingham City Council and (2) Mr Clarke*

**Birmingham Employment Tribunal unanimously decided that Mrs Lewin-Coward had been discriminated against on grounds of race, but not sex, and that the council was liable for the discriminatory actions of its employee.**

Mrs Lewin-Coward, who is of Caribbean origin, worked for the council as a team manager responsible for 15 residential homes and day centres in four localities, some of which had a history of concerns about quality of care and racial conflict. Mrs Lewin-Coward received no induction from her manager, Mr Clarke, nor any support or counselling when she was threatened by a client, and, on another occasion, received hate mail.

programmes. However, the response on ethnic monitoring was less reassuring. Although 111 Trusts said they kept ethnic records, this was usually limited to staff in post and recruitment; very few Trusts monitored areas such as promotion, redundancy, disciplinary action and grievances. The initial survey findings will be followed up with individual Trusts.

The chairman of the Commission and its new chief executive, Susie Parsons, were judges for the NHS Equality Awards, launched in 1998.

### ELDERLY PEOPLE

In response to a request from the Royal Commission on the Long Term Care of the Elderly, the Commission, in partnership with the Policy Research Institute on Age and Ethnicity, organised a series of meetings to consult elderly people from ethnic minorities, their carers and organisations working for them about their needs and how these were being met. The findings, which showed wide variation in the services provided by local authorities, were presented to the Royal Commission in October.

### LONDON

#### Greater London Authority

The elections for London's new Mayor and Assembly, which will form the Greater London Authority (GLA), are expected to take place in May 2000. It is vital that all Londoners are involved and that ethnic minority communities, which, if we

include white minorities, will make up a third of London's population by the year 2001, are consulted on issues which affect them and London as a whole. They should be able to play their full part as voters, candidates for Mayor and Assembly, and members of the various London bodies concerned with transport, the arts and the new Metropolitan Police Authority to be set up under the legislation.

The Commission, having contributed to the debate on the green paper and made a number of recommendations to government, met with the Minister for London, Nick Raynsford, in 1998 to discuss the proposals in the London white paper. The Commission welcomed the government's agreement to apply section 71 of the Race Relations Act, the racial equality obligation on local government, to the GLA.

We were also able to advise on plans for encouraging ethnic minority voter registration and participation through the ballot box, an issue we had discussed with Operation Black Vote. The Commission wrote to the main political parties urging them to encourage ethnic minority candidates (for London, Scotland and Wales).

#### London Development Agency

The London Development Agency (LDA) will come into existence at the same time as the GLA, to which it will be accountable. The London Development Partnership has been set

up as a shadow body in the meantime, and the Commission plays a part as a member of the project group Improving Black and Ethnic Minority Opportunities. The group is looking at how the LDA can ensure that the needs of all sections of London's diverse population are addressed.

#### Association for London Government

The Commission was represented on the steering group set up to develop a

### ETHNIC MINORITIES AND ELECTORAL POLITICS

Ethnic Minorities and Electoral Politics, by Dr Shamit Sagar, was jointly

funded by the Commission and the Economic and Social Research Council. Based on the British Election Study, the official audit of the 1997 election, the study found that registration rates were surprisingly uniform across all ethnic groups, with only a 5% difference between white people and black and Asian people. In contrast, turnout rates for black voters were generally lower than for other groups, while the rate for Indians exceeded the rates for all other groups, including white. The study also examined party strategies, ethnic minority attitudes on key issues and policies and the lessons to be learned from the performance of ethnic minority candidates in the election.

Launching the book, the Commission's chairman called for transparent candidate selection procedures, targets for ethnic minority representation, and the adoption of policies that address ethnic minority experiences and concerns.



Good race relations require fair, just and compassionate immigration policies which respect the dignity of those who seek to enter or remain in Britain

'vision' for London and an action plan to achieve it. The report, *The London Study: the future of the city*, which recognises equity alongside the environment and the economy as a key part of its tripartite approach to regeneration – one of its seven success indicators is the reduction of unemployment among ethnic minority groups to the London average – is expected to play a useful part in the development of strategies for the new GLA and LDA.

#### SCOTTISH PARLIAMENT

The Commission played an active part throughout the year in the public debate on the role and functions of the parliament, and monitored the progress of the Scotland Act 1998. Although equal opportunities will be reserved to the UK parlia-

ment, the Scottish parliament will, as a result of the Commission's lobbying, be able to encourage the observance of equal opportunity requirements, and will be able to impose duties on public bodies in devolved areas, similar to those provided in section 71 of the Race Relations Act.

In December, Dr Moussa Jogee, the Commission's deputy chairman, and Commission officers met with Henry McLeish MP, Minister with responsibility for devolution. The discussion centred on the establishment of an Equal Opportunities Committee by the new parliament, participation and consultation, and a number of issues of current concern, such as ethnic monitoring, policy towards Travellers, and community language provision by local authorities.

#### WELSH NATIONAL ASSEMBLY

Extensive lobbying by the Commission and others during the year has ensured that:

- an Equal Opportunities Committee chaired by the First Secretary will be established by the Assembly
- the Committee will submit an annual report to members reviewing progress during the year
- members will be required to ensure that the Assembly gives due consideration to equality of opportunity in all its functions.

The Secretary of State for Wales, Alun Michael, has given a commitment to improve employment opportunities for ethnic

minorities at all levels and to consult them on all issues.

#### IMMIGRATION AND ASYLUM

In October 1998 the Commission submitted a detailed response to the proposals set out in the government's white paper on immigration and asylum, *Fairer, faster and firmer: a modern approach to immigration and asylum*.

The Commission stressed that good race relations require fair, just and compassionate immigration policies which respect the dignity of those who seek to enter or remain in Britain. While welcoming the proposals that are intended to increase openness and to reduce delays, the Commission had serious reservations about others, including:

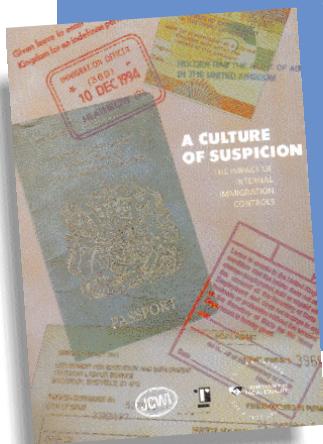
- increased pre-entry controls
- fees for visa appeals
- a bond scheme for 'doubtful' visitors
- retention of section 8 of the Asylum and Immigration Act 1996
- restrictions on asylum-seekers' access to legal representation
- removal of rights to benefits for all asylum seekers
- a Home Office controlled scheme for the dispersal and maintenance of asylum seekers
- new search and seizure powers for immigration officers
- absence of a presumption of bail for immigration detainees.

During the year, the Commission convened a series of meetings to discuss issues arising from a report by the Health

### A CULTURE OF SUSPICION

Published in February, *A Culture of Suspicion* reports the findings of research on the impact of internal immigration controls. The research was sponsored by the Commission, the Joint Council for the Welfare of Immigrants and the Refugee Council, and was funded by the Joseph Rowntree Charitable Trust, the Barrow Cadbury Trust and Unison.

The research found examples of employers who misunderstood the relatively simple checks they had to carry out to avoid conviction under section 8 of the Asylum and Immigration Act 1996. In some cases, long-serving ethnic minority employees (who should not have been checked at all) lost their jobs, and non-UK nationals lawfully able to work were rejected because employers did not understand their immigration status.



Education Authority on refugees and health, 'Under the Umbrella', which will be published in 1999. A seminar was held, with support from the Kings' Fund, to discuss the report.

### HUMAN RIGHTS

The Human Rights Act 1998, giving a right to enforce the European Convention on Human Rights in UK courts, received Royal Assent on 9 November 1998. Most of its provisions will not come into force for more than a year.

With the prospect of a Human Rights Commission or Commissioner now deferred by the government for several years, the Commission expects to develop closer working relationships with other statutory and non-governmental organisations to promote racial equality within a human rights culture, and to explore possible legal challenges for breach of a convention right which includes discrimination on racial grounds.

'Making Rights Real', a conference in October 1998, sponsored by the Commission jointly with the Discrimination Law Association, the 1990 Trust and the Immigration Law Practitioners Association, considered how the Human Rights Act could be used to tackle racial discrimination in Britain. Speakers from the South African Legal Resources Centre and the Southern Poverty Law Centre in the USA contributed their experiences. A handbook for community organisations on the same topic will be

produced by the four organisations during 1999.

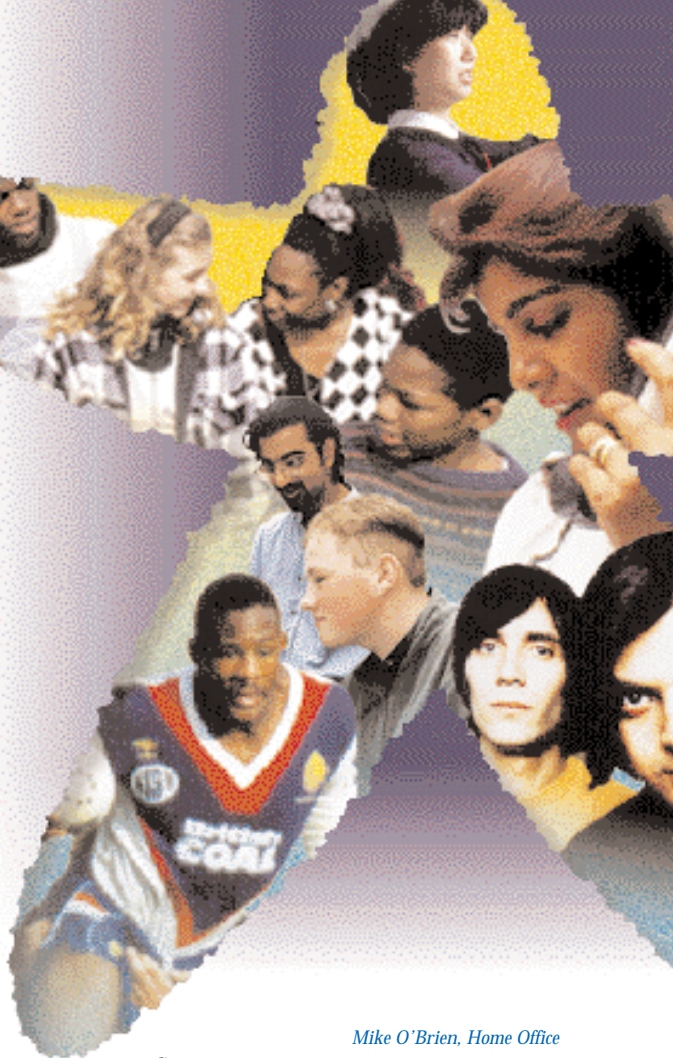
### EUROPE

The Commission worked with the Starting Line Group and others during 1998 in drafting new proposals for a directive based on the new Article 13, adopted with the signing of the Treaty of Amsterdam in June 1997, which awaits ratification by the member states. Proposals were also drafted for a second directive aimed at strengthening the rights of third country nationals legally resident and working in the EU. Both directives were published in English, German and French as *Proposals for Legislative Measures to Combat Racism and to Promote Equal Rights in the European Union*, and launched in May at a major conference, 'Europe against Racism'.

### Europe against Racism

The UK Presidency of the EU began in January 1998 as the European Year Against Racism (EYAR) came to an end in December 1997. To maintain the momentum generated by the EYAR, and to reaffirm the government's commitment to creating a fair and equal society, the Home Office invited the Commission to mount a joint conference in June, at the end of the UK Presidency, with Home Secretary Jack Straw as the keynote speaker.

The conference, which was held in Manchester, attracted representatives from the European

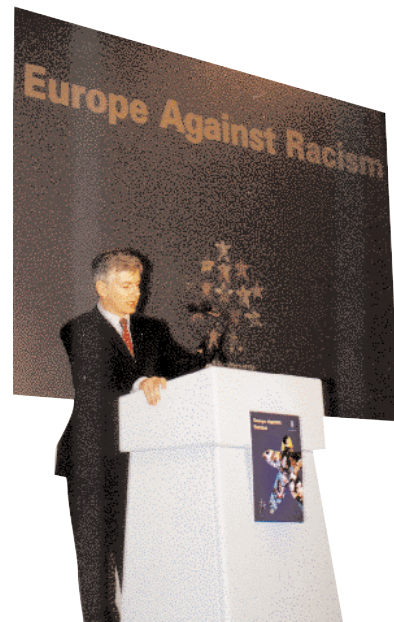


Commission, member states and non-governmental organisations throughout the EU.

### PUBLIC APPOINTMENTS

Following a Select Committee recommendation that greater effort should be made to attract ethnic minority candidates for public appointments, the Cabinet Office set up a Working Group on Public Appointments and Equal Opportunities and invited the Commission, the Equal Opportunities Commission (EOC) and others

*Mike O'Brien, Home Office Minister, who chaired the conference, Europe against Racism, summed up by calling for more consistent legislation on racial equality in Europe. He also warned of the dangers of complacency, particularly on the issue of racist attacks, and the absence of people from ethnic minorities in positions of authority.*



to join it. Ethnic monitoring data for 1997/8 showed that 2.2% of chairs appointed to public bodies, and 7.9% of members, were from black and Asian groups. At 11%, the largest proportion of non-white ethnic minority appointments were in the NHS.

Guidance produced by the Working Group – *Implementing Equal Opportunities Policy in Public Appointments* – was announced by means of a written parliamentary question on 11 November 1998. A new policy on ethnic monitoring, which comes into effect on 1 April 1999, was also introduced.

The Commission and the EOC were also invited to a meeting with officials at the Department of Trade and Industry to discuss proposed changes to the system for recruiting and appointing lay

members to employment tribunals as a means of recruiting more women and more people from ethnic minorities. The next round of appointments will be filled through public advertisements as well as by nomination. The Commission suggested that targets should be set for tribunals where there is ethnic minority underrepresentation, and that articles about 'role models' should be placed in the ethnic minority press to give its readers a better idea of the work involved.

### DATA PROTECTION

At the beginning of 1998 the Commission wrote to the Home Secretary to draw his attention to the fact that the Data Protection Bill which he had recently introduced would make it unlawful for any organisation to carry out ethnic monitor-

ing without the specific consent of every person to be included in the exercise. He was reminded of the Commission's statutory Code of Practice in employment, which sets out ethnic monitoring as an essential element of good practice.

Following further correspondence with the government and officials, and an amendment supported by the Commission and moved in the House of Lords, the government accepted that the legislation itself, rather than subsequent regulations, should specifically provide for the recording and holding of information about racial or ethnic origins where this is necessary to evaluate or promote or maintain equality of opportunity or treatment. This provision is now included in the Data Protection Act.

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## HARRODS RULING STARTS TO BITE

● *O'Shea Construction Ltd v Mr Bassi*

In December, the significance of the Court of Appeal's ruling on contract workers in the Harrods cases (reported in the Commission's 1996 and 1997 annual reports) became clear when the Employment Appeal Tribunal dismissed O'Shea Construction Ltd's appeal against a decision at a preliminary hearing that an employment tribunal did have jurisdiction to hear the case.

The company's contention was that it could not be held liable for the racially abusive behaviour of one of its employees, since Mr Bassi, the applicant, was not a contract worker as defined by section 7 of the Race Relations Act. The incident over which Mr Bassi, an independent contractor of Indian origin, had brought proceedings occurred when he was hired by a supplier of ready-mixed concrete to visit a site where O'Shea Construction was doing a job. The case can now be heard by a tribunal. Mr Bassi was assisted by Newham Racial Equality Council in the first instance and by the Commission at the appeal.

## 2. ASSISTING COMPLAINANTS

Racial discrimination cases are becoming increasingly complex. The law is developing rapidly as rulings from other equality jurisdictions and EC law are imported into the arguments; it will not be long, too, before human rights legislation, although welcome, introduces another factor. Compensation levels have also been rising continuously, compelling respondents to take allegations of racial discrimination more seriously, but, equally, making them more likely to turn to specialist firms of solicitors and counsel to represent them. Tribunal hearings are therefore no longer simple or informal affairs, and they are much costlier.

All these developments have grave implications for applicants, particularly those who represent themselves or use lay representatives. At the same time, the resources available to the Commission and to other advice agencies, both in absolute and relative terms, have substantially decreased, while the demand for assistance continues as strong as ever.

Despite these constraints, however, while fewer applicants received full representation from the Commission in 1998, the number who were granted limited representation increased threefold.

Furthermore, the Commission was able to secure better than average awards and settlements for those whom it represented during the year.

Most importantly, the Commission's support for appeals against tribunal decisions in several key cases resulted in welcome rulings extending or reinforcing the Race Relations Act. For example:

- the Employment Appeal Tribunal's decision that EC law has supremacy over domestic legislation now makes UK employers potentially liable under the Race Relations Act if they discriminate against citizens of the European Economic Area (EEA) in relation to jobs in any EEA state
- a decision by the Birmingham Employment Tribunal that political parties are covered by section 12 of the Race Relations Act has important implications for the way all parties conduct their affairs.

The Commission continued to work with respondents following tribunal and court cases against them, in order to help them develop and implement good equal opportunities practices.

### COMPLAINTS

The Commission received 1,657 applications for assistance in 1998, indicating little change from the previous year. Complaints relating to

employment fell by around 6%, but continued to make up two-thirds of all applications received.

Most (46%) of the complaints in 1998 came from London and the south, followed by 24% from the Midlands and 21% from the north of England. See Table 1.

In addition to formal applications for assistance, approximately 10,000 calls were received from potential applicants during 1998 to discuss their complaints with Commission officers. All individuals received advice about their rights under the Race Relations Act and, if appropriate, were granted further assistance or referred to other sources of help.

The year saw a sharp increase in the number of complaints against private employers providing services, such as banks, insurance firms, retail

**Complaints against employers providing services in the private sector rose by 60% in 1998, and made up nearly one third of all complaints received by the Commission**

**TABLE 1. APPLICATIONS FOR ASSISTANCE RECEIVED IN 1998, BY REGION**

	1997	1998
<b>London &amp; South</b>	<b>751</b>	<b>766</b>
Employment	614	568
Non-employment	133	175
Out of scope	4	23
<b>Midlands</b>	<b>412</b>	<b>403</b>
Employment	277	281
Non-employment	126	92
Out of scope	9	30
<b>The North</b>	<b>334</b>	<b>350</b>
Employment	185	179
Non-employment	139	150
Out of scope	10	21
<b>Wales</b>	<b>71</b>	<b>56</b>
Employment	43	25
Non-employment	22	26
Out of scope	6	5
<b>Scotland</b>	<b>93</b>	<b>82</b>
Employment	55	45
Non-employment	36	36
Out of scope	2	1
<b>Total</b>	<b>1,661</b>	<b>1,657</b>
Employment	1,174	1,098
Non-employment	456	479
Out of scope	31	80

**TABLE 2. APPLICATIONS FOR ASSISTANCE RECEIVED IN 1997 AND 1998, BY ETHNIC GROUP AND SEX**

	Male		Female		Total	
	1997 No.	1998 No.	1997 No.	1998 No.	1997 No. (%)	1998 No. (%)
<b>Black Caribbean</b>	210	225	232	189	442 (27)	414 (25)
<b>Black African</b>	148	138	92	100	240 (15)	238 (14)
<b>Black Other</b>	56	85	41	47	97 (6)	132 (8)
<b>Indian</b>	167	190	70	72	237 (14)	262 (16)
<b>Pakistani</b>	144	115	51	50	195 (12)	165 (10)
<b>Bangladeshi</b>	21	7	2	5	23 (1)	12 (1)
<b>Chinese</b>	9	11	10	10	19 (1)	21 (1)
<b>White</b>	90	69	64	61	154 (9)	130 (8)
<b>Irish</b>	26	39	15	40	41 (2)	79 (5)
<b>Other*</b>	160	127	53	77	213 (13)	204 (12)
<b>Total</b>	<b>1,031</b>	<b>1,006</b>	<b>630</b>	<b>651</b>	<b>1,661 (100)</b>	<b>1,657 (100)</b>

\* Includes 8 applicants who described themselves as Arab, 11 as Iranian, 5 as Iraqi, 7 as Somali, 5 as Persian, 6 as Sri Lankan, 8 as Romany Gypsy, and 4 as Jewish. Of the applicants who classified themselves as White, nine added Welsh and four English.

NOTE: The categories are those recommended by the Commission and, with the exception of Irish, used in the 1991 census.

companies and employment agencies, for the first time overtaking complaints against local authorities. Including complaints against restaurants, pubs, clubs and other leisure services, a total of 538 applications were received against this sector in 1998 (or nearly one third of all complaints to the Commission), compared with 336 in 1997, an increase of 60% (see Figure 1).

As in 1997, nearly half of all applications for assistance in 1998 were from people in the black groups (see Table 2). The number of complaints from Irish people, particularly Irish women, nearly doubled, from 41 in 1997 to 79 in 1998, while the already tiny number of complaints from Bangladeshis, the most disadvantaged group according to all the socio-economic indicators, dropped by half. More promotional work will be pursued within this community to ensure equality of access to the

Commission's services.

The number of applications from women rose slightly in 1998, and, as in 1997, over half were from the black groups. The majority (59%) of applicants were between 30 and 49 years of age, and around 18% were under 30 years.

In 1998, the majority of complaints relating to employment alleged direct discrimination on racial grounds: 341 were related to dismissal, 149 to recruitment, 77 to promotion and 727 to some other detriment. Only three complaints alleged indirect discrimination (compared with 16 in 1997), and 18 claimed victimisation. (Applications may include more than one ground for

complaint under the Race Relations Act.)

## OUTCOMES

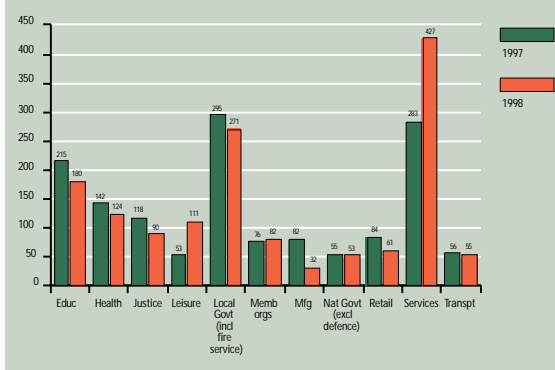
The Commission offered advice and assistance to 972 applicants in 1998, compared to 1,030 in 1997. Full legal representation was granted in 163 cases, 31 (or 15%) fewer than in the previous year. However, the number of applicants receiving limited representation trebled, from 31 in 1997 to 101 in 1998. Ninety-two cases were referred to other organisations for representation, including 53 to trade unions, 15 to racial equality councils (RECs), and one to a complainant aid body.

In 1998, 164 cases were concluded by the Commission's litigation unit: 29 were successful, and 33 dismissed, following a hearing; and 87 cases (or over half) were settled (see Table 3). In addition, Commission officers were able to settle 103 cases at an early, pre-litigation stage for the substantial total sum of £624,527.

An exceptional sum totalling £425,000 was awarded to Mr Yeboah against the London Borough of Hackney and the co-respondent Mr Crofton, former director of housing for the council (see box, p 26).

Excluding this case

**FIGURE 1. APPLICATIONS FOR ASSISTANCE IN 1997 AND 1998, BY SELECTED SECTORS**





from the equation, the average total tribunal award in cases represented by the Commission in 1998 was £6,682, around 10% lower than in 1997 (when the average award had increased by around 62% over 1996). The lowest award in 1998 was £624.

The average payment in settlement was £11,482 for cases relating to employment, and £5,249 for other cases. Both averages represented increases over 1997.

### CASE LAW

In several key cases, the Commission's support for appeals against tribunal decisions resulted in significant decisions clarifying or extending the scope of the Race Relations Act.

#### **Discriminatory instructions**

*Mrs Sargent v Weatherfield Ltd t/a Van and Truck Rentals*

In upholding the decision of the Employment Appeal Tribunal (EAT) in this case, which was reported in the Commission's annual report for 1997, the Court of Appeal affirmed the EAT ruling in *Showboat Entertainment Centre Ltd v Owen [1984]* that section 1(1)(a) of the Race Relations Act (RRA) covers discrimination on racial grounds where 'the racial characteristics in question are those of some other person' and, in particular, where an employee is required to carry out a racially discriminatory trading policy.

Mrs Sargent, who is white, was told on start-

ing her new job as a receptionist for the company, a car hire firm in Wales, that it was the company's policy not to hire vehicles to 'coloureds' or 'Asians'. Mrs Sargent had resigned rather than comply and claimed discrimination on racial grounds.

The Court also upheld the tribunal's finding that there had been constructive dismissal under section 4(2)(c) of the RRA. Lord Justice Pill observed that the employers had put Mrs Sargent in an 'outrageous and embarrassing position'.

#### **EC Treaty trumps UK legislation**

*Mr Bossa v Nordstress Ltd and another*

In a landmark ruling, the EAT decided that EC law has supremacy over any conflicting provisions in UK legislation.

The case arose when Mr Bossa, an Italian national resident in Britain, was told by Nordstress Ltd, a company providing a leasing service to Alitalia, that he could not be interviewed for an aircraft cabin crew job based in Italy because Italian regulations prohibited the company from taking Italian nationals back to Italy. Mr Bossa brought proceedings claiming discrimination on grounds of nationality, contrary to section 4 of the RRA which makes it unlawful to discriminate on racial grounds 'in relation to employment at an establishment in Great Britain'. However, as section 8(1) excludes from this definition work that is 'wholly or mainly outside Great Britain', Mr Bossa's

complaint was dismissed.

He then appealed under article 48 of the EC Treaty, which gives workers the general right to move freely within the EC, and which applies to all EEA (or European Economic Area) citizens, that is, EU member states and the three countries of Norway, Iceland and Liechtenstein.

It took the EAT nearly a year to reach a decision, but it was an unequivocal one: since article 48, which is directly enforceable by individuals, precludes 'discrimination based on nationality between workers of the member states', the tribunal should be able to consider a complaint of discrimination on grounds of nationality under the

**TABLE 3. OUTCOMES IN CASES REPRESENTED BY THE COMMISSION IN 1997 AND 1998**

	1997	1998
<b>CASES CONCLUDED</b>	<b>198</b>	<b>164</b>
<b>cases won</b>	<b>48<sup>1</sup></b>	<b>29</b>
employment	47	27
non-employment	1	2
<b>cases lost</b>	<b>33</b>	<b>33</b>
employment	29	30
non-employment	4	3
<b>cases settled</b>	<b>117<sup>2</sup></b>	<b>87<sup>3</sup></b>
employment	69	75
non-employment	48	12
<b>other</b>		<b>15</b>
<b>TOTAL AWARDS</b>	<b>£865,065</b>	<b>£613,982</b>
employment	£863,565	£612,732
non-employment	£1,500	£1,260
average award (employment)	£18,773	£22,693
average award (non-employment)	£1,500	£630
<b>TOTAL SETTLEMENTS</b>	<b>£720,982</b>	<b>£924,128</b>
employment	£663,454	£861,141
non-employment	£57,529	£62,987
average settlement (employment)	£9,902	£11,482
average settlement (non-employment)	£1,692	£5,249

1. One case involved 17 applicants.

2. One case involved 10 applicants.

3. In addition, 103 cases were settled by Commission officers at an early, pre-litigation stage for a total of £624,527.

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## HACKNEY CASE BEATS ALL RECORDS

● *Mr Yeboah v London Borough of Hackney*

In September, following a tribunal hearing which lasted 106 days and a written decision which ran to 300 pages, Mr Yeboah was awarded the unprecedented sum of £425,000 in compensation payments. The tribunal found that both Hackney Council and Mr Crofton, then director of housing, had discriminated on racial grounds against Mr Yeboah, former head of personnel and once assistant chief executive. The tribunal affirmed that Mr Yeboah had been subjected to numerous and persistent false allegations over a long period of time by Mr Crofton, including 'allegations of corruption, incompetence, abuse to fellow professionals, absurd complaints of racial discrimination and assisting corrupt staff in the council'. Mr Crofton's behaviour was described as 'grossly offensive' and responsible for causing Mr Yeboah great distress: 'It interfered with his home life, caused him public humiliation and damaged his reputation,' concluded the tribunal.

Mr Crofton was ordered to pay damages of £45,000, including £10,000 for aggravated damages – the highest previous award being £1,000 – as well as the legal costs of four days of the hearing. For its part, Hackney Council agreed to pay Mr Yeboah £380,000 in settlement, consisting mainly of compensation for financial losses.



▲  
Sam Yeboah

RRA, overriding any conflicting barriers in that legislation (in this case section 8).

The Commission welcomes the ruling. It means that UK employers are now potentially liable under the RRA if they discriminate against citizens of one EEA state in relation to jobs in any EEA state.

### **Respondents ignore tribunals' recommendations at their cost**

*Mr Chan v London Borough of Hackney*

Section 56(4)(a) of the RRA gives tribunals the power to review decisions if their recommendations

are ignored. Mr Chan had successfully brought a claim of racial discrimination and constructive dismissal against Hackney Council and had been awarded £172,000 in compensation. The tribunal had also recommended that the council give Mr Chan a positive reference within 28 days of the decision. This did not happen, and the Commission agreed to assist Mr Chan in seeking a review of the tribunal's decision.

The tribunal took a dim view of evidence that Hackney Council had chosen to ignore the recommendation, and

ordered the council to pay Mr Chan £8,689 in compensation, as well as providing him with an agreed reference. The outcome was a significant one; firstly, because reviews under the RRA are rare; and secondly, because it demonstrates the determination with which a tribunal can follow up on recommendations when presented with an application for a review.

### **Government drops discriminatory nationality rules**

*R v Secretary of State for the Foreign and Commonwealth Office ex parte Manelfi*

This was an important test case taken up by the Commission jointly with Liberty to challenge the use of clearly discriminatory nationality rules on eligibility for employment at General Communications Headquarters (GCHQ).

Mr Manelfi, a British national of Italian and German parentage, applied for a post as an investigating officer at GCHQ in 1995. He was informed that he could not be considered, as the rules, drawn up on grounds of national security, required that his 'parents, step parents or guardians must always have been Commonwealth citizens'. Having served in the British Army for six years, and worked as a police officer at the Ministry of Defence, Mr Manelfi could only conclude that he had been turned away because of his national origins.

A month before the case was to be heard, the government altered the

nationality requirements for GCHQ employees. The rule now states that employees must have one parent who is a British citizen or has substantial ties to the UK by way of family history or length of residence in, or service to, the UK. The Commission welcomes the government's decision, and has little doubt that its support for the case helped to hasten this change in the rules.

**Political parties covered by section 12 of the Race Relations Act**

*Mr Ahsan v The Labour Party*

In July, at a preliminary hearing of the case, the Birmingham Employment Tribunal ruled that a tribunal had jurisdiction to hear Mr Ahsan's case alleging racial discrimination by the Labour Party. The decision paves the way for proceedings by ethnic minority councillors against any political party and has momentous implications for their future conduct.

The case arose when Mr Ahsan, who had been a Labour Party councillor on Birmingham City Council for many years, was told that his ward had been suspended and that he could not stand as a candidate at the local government elections. The question the Birmingham Tribunal had to answer was whether or not the Labour Party constitutes a body which can confer an authorisation or qualification needed for a particular profession or trade, and, if so, whether it had unlawfully discriminated against Mr Ahsan.

Following the earlier

case of *Jepson v The Labour Party*, Birmingham Tribunal ruled that holding the office of councillor amounts to engagement in a profession within the meaning of section 12 of the Act, which brings bodies that confer qualifications or authorisations within the scope of the Act, and that the Labour Party is such a body. The Labour Party is appealing the decision to the Employment Appeal Tribunal.

**INVESTIGATING DISCRIMINATION**

In 1998, the Commission continued its policy of seeking, wherever possible, to resolve complaints of institutional discrimination through preliminary enquiries, followed by negotiation and voluntary agreement, and to use its powers of formal investigation only as a last resort. As a result, no new formal investigations were begun during the year.

**Preliminary enquiries**

The Commission dealt with 44 preliminary enquiries during 1998, of which 13 were concluded.

In March, following discussions with the Commission and the Department of Health (DoH), the *Advisory Committee on Distinction Awards (ACDA)* reported in its annual report that it had made changes to the criteria for making awards to NHS consultants. Enquiries by the Commission had established that the awards, which form substantial additions to salary, were being made disproportionately to consultants in

specialities where ethnic minority consultants were underrepresented. In the Commission's view, this was because the criteria gave greater weighting to work of 'national significance' than to 'outstanding contributions in a hard pressed post'; unless the criteria could be justified, they could be indirectly discriminatory. The DoH (and its Scottish counterpart) accepted the changes proposed by the Commission. It also gave assurances that it would take steps to increase ethnic minority membership of ACDA's local advisory committees, and monitor the distribution of awards annually, by ethnic group. The measures were particularly welcomed by the Overseas Doctors' Association.

Discussions with the *Association of Chartered Accountants* were finally

**PRESSURE AND INSTRUCTIONS TO DISCRIMINATE**

Sections 30 and 31 of the Race Relations Act make it unlawful to instruct, or put pressure on, another person to discriminate on racial grounds. Only the Commission can bring proceedings under these sections of the Act.

The Commission received 24 allegations of pressure or instructions to discriminate during 1998. As in previous years, the majority of these cases arose in the context of job vacancies notified to the Employment Service. Others involved instructions allegedly given by companies to their workforces to discriminate in selling their goods and services.

The Commission issued proceedings in five of these cases during 1998. At the end of the year, a decision was still being awaited in one case and two were ongoing. Favourable settlements were reached in the remaining two settlements. One of these involved Barratt Homes, the property developers, who agreed to introduce a comprehensive equal opportunities policy and to make it a requirement for their subcontractors.

## DISCRIMINATORY ADVERTISEMENTS

Section 29 of the Race Relations Act makes it unlawful to publish an advertisement which indicates an intention to discriminate on racial grounds. Only the Commission can bring proceedings to remedy breaches of this provision.

In 1998, the Commission dealt with 83 complaints about advertisements or signs, including 12 received in 1997. In 43 cases the complaint appeared well founded. In 39 of these cases the respondent agreed to readvertise or take other action. The Commission issued proceedings in one case, against the advertiser Ipamo, and the publisher, *The Guardian*. Both respondents subsequently agreed to change their procedures and the cases were settled without a hearing. At the end of the year, 12 cases were still under consideration.

**The MOD and the Commission entered a unique, five-year partnership in March. The MOD is aiming for 5% black and Asian recruits to the Armed Forces by 2001/2002**

concluded with an agreement by the Association in September to keep ethnic records of all its UK members.

During the year, *Ceredigion County Council* issued a revised Local Plan. This omits the controversial proposal included in an earlier draft to restrict new homes to people born in Ceredigion or those who had lived in the district, or within 25 miles, for at least five years. The Commission had formally expressed its concerns about the lawfulness of such a policy and its likely impact on race relations. The new plan is not *prima facie* unlawful, but the Commission will monitor its implementation closely, in consultation with the Welsh Language Board.

The Commission has received complaints in previous years about the adverse impact that the *Labour Party's* membership and selection policies appear to have on people from ethnic minorities. In 1998, the Commission

wrote to the Party outlining its concerns. A comprehensive response was received in December describing the steps that had been taken to ensure equality of opportunity. The Commission will continue to monitor outcomes and advise the Party on new initiatives, since ethnic disparities persist in several areas.

During 1998, the Commission continued to receive complaints about the *Crown Prosecution Service (CPS)* from ethnic minority staff claiming unequal access to promotion opportunities. An employment tribunal also took the unusual step of referring specifically to the Commission's powers of investigation as a means of addressing the wider issues raised by the case of victimisation which Neeta Amin, a CPS lawyer, had successfully brought against her employer. Further complaints were made about the way the Director of Public Prosecutions, the chief executive, the chief inspector and the directors of policy and casework were appointed.

As the year ended, Commission staff and commissioner Bob Purkiss met David Calvert-Smith QC, the new Director of Public Prosecutions, and the chief executive of the CPS to raise the Commission's continuing concerns about employment and service delivery.

### **Formal investigations and voluntary agreements**

The year began with three formal investigations at various stages of progress:

the civil service, Computacenter and London Borough of Hackney. By the end of 1998, a progress report had been produced on the civil service investigation, and final reports on the other two.

The progress made by five organisations which had been investigated previously and issued with non-discrimination notices was monitored during the year. The notice issued to Salford Van Hire Company expired in October 1998. Two notices are due to expire in 1999: Unique Images (formerly Britannia Cards) and Meridan (formerly Network Recruitment); and one, Mobile Doctors Ltd, will expire in 2000.

The formal agreement between Bradford City Council and the Commission had been monitored for three years, and was satisfactorily concluded in December.

### *Civil Service*

The nominated commissioners for the investigation continued to oversee progress made since the suspension in 1992 of the investigation into civil service appointments in two areas: general fast stream trainees, and examiners in insolvency. Moderately encouraging early trends had not been maintained in 1997, when there were no ethnic minority appointees in either area. The adoption of additional measures, including revised training, resulted in less disappointing outcomes in 1998. However, the Commission remained concerned by the ethnic

disparities at the psychometric test stage in both areas and pressed for further validation of the tests used.

Towards the end of the year, firm undertakings were sought on regular revision of the tests, gradual reduction in their use and additional safeguards here and elsewhere in the selection process.

#### *Computacenter*

This investigation, which concerned alleged discrimination in pay, promotion and terms and conditions of work, was concluded in November with a commitment from Computacenter that it would work with the Commission to develop its equal opportunities policies and practices. The company also agreed to take up the Leadership Challenge and to adopt the Commission's standard, Racial Equality Means Business.

#### *London Borough of Hackney*

In June, the Commission received a report on all the industrial tribunal cases against Hackney Council between 1993 and 1996, and gave formal notice that it was considering issuing a non-discrimination notice. Oral representations were made to the Commission by the council's chief executive in September, following which the Commission decided to call in the leaders of all four political parties in Hackney in order to impress upon them the seriousness of the matters that had given rise to the investigation. We were assured by all four leaders that the

subject of equality went beyond party divisions, and that they were all willing to work with us.

In October, the Commission concluded that: *the London Borough of Hackney between January 1993 and December 1996 discriminated on racial grounds against its ethnic minority staff in contravention of sections 1,2,3,4, and 28 of the Race Relations Act 1976*, and having taken into account all the submissions made on behalf of the council, it decided to issue a non-discrimination notice. However, a decision as to whether or not to serve the notice was deferred for three weeks to allow the council to table its proposals for a timetabled action plan to tackle racial discrimination throughout the authority.

On 17 December, Hackney Council signed a formal agreement committing itself to the undertakings set out in an Action Plan for Eliminating Racial Discrimination

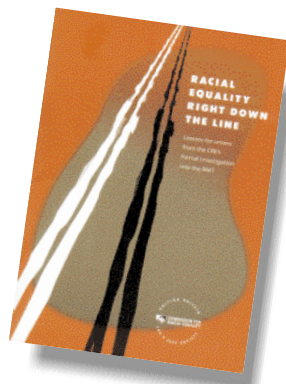
for a period of five years. The undertakings included:

- setting up a scrutiny group made up of independent representatives from local government and the community
- setting up a Black and Ethnic Minority Community Forum to advise the council on the development of its services
- monitoring the impact of the council's decisions on Hackney's ethnic minority communities.

Accordingly, the Commission agreed to defer serving a non-discrimination notice for as long as it remained satisfied that the council was complying with its undertakings.

#### *Ministry of Defence (MOD) – Household Cavalry*

In March, the nominated commissioners for this investigation met to review progress made since April 1997 in achieving the targets set out in the Action Plan agreed between the Commission and the



▲ **Racial Equality Right Down the Line**, the report of a formal investigation by the Commission of the transport workers' union, RMT, describes the steps taken by the union to change procedures that had failed to support eight Asian guards in pursuing their claim of racial discrimination against their employer, British Rail.

Bob Purkiss, chair of the TUC Race Committee and CRE commissioner, observed that 'Trade unions cannot ask employers for equality unless they practise it themselves. RMT's example now stands as a model for other trade unions to follow.'

## COMPLAINTS ABOUT PRINTED MATERIAL

### Incitement to racial hatred, Public Order Act 1986

During 1998 the Commission received 44 complaints from members of the public about material they considered to be offensive or likely to stir up racial hatred, up from 19 in 1997. The Commission has no statutory power to take action against publishers or distributors of such material, but in nine of the complaints it decided that the material complained about should be passed to the police for investigation and possible prosecution under the Public Order Act 1986 and, in the case of material distributed electronically via the World Wide Web, under the Telecommunications Act 1984.

We advised the other complainants of the role of the police and relevant regulatory bodies such as the Press Complaints Commission and the Advertising Standards Authority in dealing with such matters.

## WORKING WITH RESPONDENTS

*All the respondents took steps to review and revise their equal opportunities policies.*

*Reuters news agency reinforced its racial harassment policy with a helpline staffed by specialist counsellors. The company also agreed to extend ethnic monitoring to recruitment, promotion, access to training, career development, grievances and discipline, and introduced a comprehensive training programme for staff.*

*Benefits Agency Medical Service resumed monitoring of examining doctors by ethnic group. When this uncovered ethnic disparities, positive action was taken to encourage more applicants from underrepresented groups. In addition, following a complaint about a reference in a medical report to a claimant as a 'pleasant negro lady', instructions were issued to doctors, backed by training, that racial references should only be used if they were medically necessary.*

*Abbot Security Services Ltd made a point of drawing all clients' attention to the firm's policy not to accept discriminatory instructions. This resulted in a significant drop in the number of discriminatory requests.*

*West Midlands Police introduced training on its equal opportunities and harassment policies for all officers, starting at the top. A network of 'first contact' officers was also set up to advise and support colleagues complaining of discrimination or harassment.*

*City and County of Swansea issued written instructions to staff on how to implement its racial equality measures and embarked on a comprehensive training programme. The Commission wrote to all local authorities in Wales drawing their attention to the case and its lessons for vetting eligibility for the electoral register.*

*University of Manchester engaged consultants to review its equal opportunities policy and procedures and train staff in them, following criticism by the tribunal in a successful case brought by a law lecturer.*

*Elderthorpe Residential Home, West Yorkshire agreed to change its policy on staff uniforms after a tribunal upheld an applicant's claim of discrimination in being refused employment because she wore a hijab (headscarf). This change was a welcome example for other homes and institutions where such rules might apply.*

ing tribunal and court cases against them, with the aim of securing effective equal opportunities policies and procedures to prevent future discrimination. In some cases, as before, we sought to use a case outcome to influence policy and practice more widely in the respondent's sector.

In 1998, the Commission recorded and considered 1,674 employment tribunal or court decisions compared with 1,166 in the previous year. The increase was largely due to improved liaison with tribunals to ensure that copies of all decisions in Race Relations Act cases were received.

In 1998, 74 case projects were concluded (as against 78 in 1997) and objectives were substantially met in 55 or 74% of them (54 or 69% in 1997). Selected cases are briefly described in the box.

As in previous years, local authorities featured significantly in follow-up work, comprising nearly 10% of concluded case projects, and reflecting the frequency of their appearances as respondents at tribunals. Besides the work with Swansea City and County Council and throughout Wales (see box), important improvements to equal opportunities policies and procedures were secured with Leeds and Bradford City Councils, Shropshire County Council and the London Boroughs of Ealing, Hammersmith and Wandsworth. Also, a large proportion of follow-up work, as in previous years, was conducted with small firms, for whom the

MOD under the terms of a formal agreement in March 1996. The Commission decided that sufficient progress had been made by the MOD to warrant withdrawing the threat of a non-discrimination notice.

In addition, the MOD and the Commission entered into a unique five-year Partnership Agreement to work together to promote racial equality across all the armed services. With the Partnership, the MOD has committed the armed services to go beyond the requirements of the

Action Plan in the following priority areas:

- achievement of recruitment targets, aiming for 5% ethnic minority recruits in 2001/2002
- continuing examination of possible barriers to ethnic minority recruitment and retention, and action to remove them
- greater numbers of ethnic minority officers at higher ranks
- action to change the culture of the services.

### CASEWORK FOLLOW-UP

The Commission again undertook extensive work with respondents follow-

Commission is planning to produce guidance in 1999.

In nine cases follow-up extended to the respondents' industry or sector, and six of these were concluded during the year.

- Work with the

University of Manchester (see box, p 30) was complemented by an approach to the Committee of Vice-Chancellors and

Principals, which circulated a detailed account of the complainant's treatment and the lessons to be learned from it to all universities and colleges of higher education.

- A case brought against a language school led to guidance on avoiding discrimination against 'non-native English speakers' being published by the two main bodies to which language schools are affiliated.

- A complaint against an office cleaning firm led to remedial action which the Commission commended to 50 other such companies.

- In the landmark case of *Burton & Rhule v De Vere Hotels*, where a hotel was held liable for the racially insulting treatment of two waitresses by Bernard Manning, guidance was sent to 30 major hotel groups, 16 of which provided details of steps taken to prevent similar incidents.

- While work with Group 4 Total Security Ltd and the Ford Motor Company (concerning access to jobs as truck drivers) was still in hand at the end of the year, associated efforts had ensured that guidelines on equal opportunities measures were issued to members

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## PROTECTION FOR BANGLADESHI MUSLIM

● *Ms Khanum v IBC Vehicles*

In September, Bedford Tribunal made the significant decision that being a Muslim could be synonymous with being a Bangladeshi and that the protection provided by the Race Relations Act against discrimination on grounds of nationality was relevant to the case.

Ms Khanum, a Bangladeshi Muslim who had worked as an apprentice for IBC Vehicles for four years until her dismissal, claimed that ever since her return to work from a pilgrimage to Mecca wearing a hijab (a religious headdress), she had been subjected to racial harassment and refused training opportunities. Furthermore, the company had failed to investigate her complaint of discrimination as part of its disciplinary procedure.

The tribunal found that Ms Khanum's treatment amounted to a detriment on grounds of both race and sex, and that she had been unfairly dismissed. Ms Khanum was awarded a total of £26,537 in compensation, including £8,000 for injury to feelings.

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by the British Security Industry Association, the Freight Haulage Association and the Road Transport Association. It is anticipated that approaches to trade associations will be an increasingly important focus for sector follow-up work.

### RELIGIOUS DISCRIMINATION

In January, the Commission submitted to the Home Secretary its formal report on seven consultation meetings held during 1997 to discuss the need for specific legislation to combat religious discrimination. The following month, Mike O'Brien, Home Office Minister, announced that the Home Office had decided to commission an 18-month research study into the nature and extent

of religious discrimination in Britain.

Meanwhile, concerned by the very limited protection available to certain religious groups who have been subjected to hate campaigns on grounds of their faith, the Commission drafted a Bill on Incitement to Religious Hatred and circulated it to MPs who were near the top of the ballot for Private Members' Bills at the beginning of the 1998/9 Parliamentary session. The Bill would make it a criminal offence, punishable by up to two years' imprisonment, for anyone to use words or actions, or to display or publish or distribute material intended or likely to stir up hatred against a group of persons defined by reference to religious belief.

### 3. RAISING PUBLIC AWARENESS

In 1998, the Commission embarked on an ambitious public advertising campaign as part of its long term strategy for addressing the causes of racial discrimination by persuading people to re-examine their attitudes and prejudices. The message of the campaign was simple and irrefutable: everyone can and should do something to put an end to racial prejudice.

The first phase of the campaign was launched on 6 September, with three simulated racist

advertisements for products by fictitious companies appearing on 150 billboard hoardings around Britain. The images drew on immediately recognisable negative stereotypes of black and Asian people, and were designed to provoke

anger, disbelief and a barrage of complaints. Five days later, the mock advertisements were replaced by a second poster asking, 'Which was worse, these adverts or your fail-

ure to complain?' It made clear that the original images were actually part of a campaign to stimulate public discussion on racism and people's rights and responsibilities.

The campaign was created by the advertising agency Euro RSCG Wnek Gosper, which works for the Commission on a *pro bono* basis. The campaign received widespread media coverage and triggered considerable debate. The Commission believed that the tactic was necessary to encourage people to confront an issue which is rarely acknowledged, let alone publicly addressed. The Advertising Standards Agency received several complaints about the first 'advertisements', decided to reject the Commission's explanations and imposed a two-year pre-vetting regime on all its billboard advertisements.

On 23 November, three new posters challenging racial stereotypes went up on 900 hoardings around the country, provided free of charge, as part of the second stage of the Commission's campaign. The posters were designed after a survey of people's attitudes by the Commission found that negative stereotypes of ethnic minority groups persist among white people, even though many of them have black or Asian friends or relations.

Two wall posters – *You have rights against racism, use them*, and *Don't shut your eyes. Take a stand against racism* – and accompanying leaflets were also produced and distributed widely to libraries, schools, racial equality councils, youth



projects, town halls and organisations whose leaders had signed up to the Leadership Challenge.

#### MEDIA

The Commission welcomed the role played by the media's thorough reporting of the Stephen Lawrence Inquiry in raising public awareness of racism and of the institutional complacency and inertia that obstructs its eradication.

In stark, but unsurprising, contrast, however, the inflammatory reports on asylum seekers and refugees from central and eastern Europe towards the end of the year, both in the local and national media, were most disturbing. Familiar scare stories about the numbers of people involved, and persistent pejorative references to them as 'scroungers' and 'bogus', were fuelling prejudice and generating outright discrimination, racist abuse and physical harassment. The Commission joined with other interested agencies to persuade editors, political leaders and regulatory





bodies such as the Press Complaints Commission to ensure more responsible coverage.

On another front, the Commission entered into discussions with media professionals and organisations representing Travellers and Gypsies on ways of dealing with the offensive and inflammatory reporting of Gypsies and Travellers, especially in local newspapers. The initiative led to the preparation of a short good practice guide, *Travellers, Gypsies and the Media*, which was distributed to all newspaper editors in Britain.

The Race in the Media Awards, now in their seventh year, attracted nearly 300 entries from print and broadcast journalists across 16 categories. The sponsors included BT, Woolworths, Seagram, Southnews, the National Magazine Company, Floella Benjamin Productions, IPC

Magazines, Channel 4 and Carlton Television. A gala presentation was held at The Savoy hotel in London, with a keynote address by The Rt Hon Chris Smith, Secretary of State for the Department of Culture, Media and Sport.

### VISIBLE WOMEN

The Commission's project to raise awareness of the obstacles facing ethnic minority women in Britain, particularly in the labour market, was consolidated in 1998 with the establishment of two regional forums for London and the south and the north of England. The 20-strong steering committee for the London and south forum, which includes representatives from ethnic minority



women's organisations, local government and racial equality councils, met in June to set three main priorities:

- to encourage ethnic minority women to participate on the boards of trusts and voluntary organisations
- to lobby employers, TECs, local government and others on issues relevant to ethnic minority women
- to highlight sources of funding and identify development initiatives for ethnic minority groups.

Visible Women continued to generate wide interest during 1998, and was used by local authorities, trade unions, voluntary organisations and racial equality councils as a springboard for organising or co-sponsoring a variety of conferences and seminars:

- A joint one-day conference with Fair Play

## STEREOTYPING AND RACISM

In early 1998, the Commission commissioned two linked studies of the views of white, South Asian and Caribbean people on stereotyping and racial prejudice. Six small group discussions were held in March and April, followed by 1,500 street interviews. The following quotations are taken from the report, *Stereotyping and Racism*, which was published in November.

'A lot of people see a girl in a scarf and they think she is being forced to wear it. But she is wearing it because she wants to.' (Pakistani and Bangladeshi, 18-25 years, Glasgow)

'Look at Eastenders, there's Lenny, a layabout who does very little other than have schemes which never work. The other black one, Alan, not in it any more because he is just stupid, he is brain dead. No black man I know is like that.' (Caribbean, 18-25 years, Birmingham)

'I would love to see more Asian people as they really are, not just to sell something.' (Indian, 25-45 years, Southall)





▲  
*Marion Nancarrow and Patricia Cumper, BBC Radio 4, winners of the Radio Drama category for One Bright Child, with Bob Mason, HRM Director, BT, sponsors of the Radio categories in the Race in the Media Awards.*

London and the Industrial Society on 'Ethnic Minority Women: the future of the London labour market'; Diane Abbott MP was among the panel members

- A joint seminar in Leeds with QMW Public Policy Seminars on 'Achieving Equality for Visible Women'

- Chwarae Teg launched a Visible Women training initiative hosted by the BBC in March

- The Trades Union Congress organised a one-day seminar for union negotiators and equality officers on 'Black Women: labour market and the trade union agenda'

- The Transport and General Workers' Union organised a course on 'Black Women at Work and in the Union'.

In March, on International Women's Day, the Commission launched the Visible Women newsletter as the

first step towards establishing a national ethnic minority women's network.

### TACKLE RACISM IN RUGBY LEAGUE

The Commission's joint campaign with the Rugby Football League (RFL) to end racism in the sport, and to encourage more

people from ethnic minorities to take part in it, entered new territory for a major sport during 1998.

In April, *Tackle It!*, an attractive magazine aimed at young people, was launched to highlight the contributions of ethnic minority players past and present. 30,000 copies were distributed to schools and youth groups throughout the country. Copies were also taken by the four Super League clubs taking part in a positive action scheme to introduce ethnic minority young people to rugby league for the first time. The Bradford Bulls, Salford Reds, Sheffield Eagles and Huddersfield Giants all ran coaching clinics at schools and community venues for ethnic minority young people new to the game.

The governing body of amateur Rugby League, the British Amateur Rugby League Association (BARLA), got involved in the campaign during



### 'TRAVELLERS NOT WELCOME'

- *Mr and Mrs Stewart v Kirklees Metropolitan Council and others*

Mr and Mrs Stewart applied to the Commission for assistance when they were abusively refused admission to a public swimming pool run by Kirklees Council because they were Gypsies. The family had photographs of a notice at the pool refusing admission to Travellers.

The case was settled for a total of £5,000, as well as an apology from the council and an undertaking to provide equal opportunities training.

1998. Both BARLA and RFL formally adopted equal opportunities policies which had been developed with advice from the Commission. The progress of all professional Rugby League Clubs in implementing the 13-point action plan was audited at the end of 1998. While some excellent examples of good practice were found, it was agreed that some of the bigger clubs could do more to make their anti-racist commitment clearer.

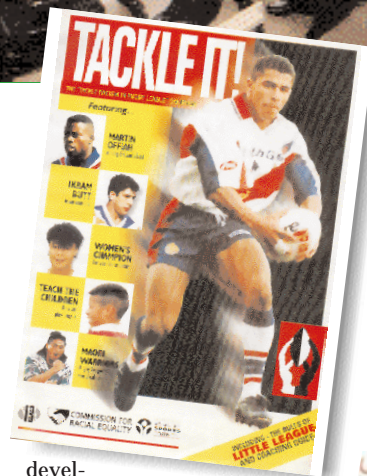
Arguably, the most important milestone for the campaign came in September with the inauguration of the Tackle Racism in Rugby League Steering Group. The group brings together all the major organisations in the professional and ama-



teur game – RFL, BARLA, Women’s Amateur Rugby League Association, Student Rugby League, Rugby League Professional Players Association, English Sports Council and the Commission.

### SPORTING EQUALS

In partnership with the English Sports Council (ESC), the Commission



▲ CRE Commissioner Ray Singh and RFL chief executive Neil Tunnichiffe (third and fifth from right, respectively) with rugby league players and officials at the Tackle Racism in Rugby League campaign launch in April at MacAlpine Stadium in Huddersfield.

developed a three-year programme to promote racial equality in sport. The ESC is contributing £70,000 annually as a grant towards the project. Based at the Commission’s office in Leeds, the project will initially focus on:

- developing relations with the governing bodies of six major sports: swimming, athletics, rugby league, rugby union, basketball and cricket
- encouraging coaching and other community activities
- producing a range of promotional and advisory material.

### GLOBAL CULTURAL DIVERSITY CONGRESS 2000

In October, following a feasibility study conducted with support from the Home Office, the Commission agreed to set



▲ Subscriptions for the Commission’s quarterly magazine, *Connections*, rose by 250% during 1998.

◀ In November, the Commission supported and participated in the BBC Mega Mela, a celebration in Birmingham of Asian culture in Britain. The Commission also sponsored the film category of the ASIA Awards, launched to recognise and celebrate Asian Success, Innovation and Achievement.



►  
 Brenda Emmaus reads from her work at a carol service at St Martins-in-the-Fields in December, organised jointly by the Commission and the Royal Commonwealth Society (RCS) to commemorate the 50th anniversary of the arrival at Tilbury of the earliest Caribbean migrants to Britain on the Empire Windrush.

A leaflet co-produced by the RCS and the Commission to promote Commonwealth Day 2000. ▼



provide a unique opportunity to achieve greater global cooperation in the fight against racism.

## RESEARCH

The Commission embarked on six research projects during 1998, including:

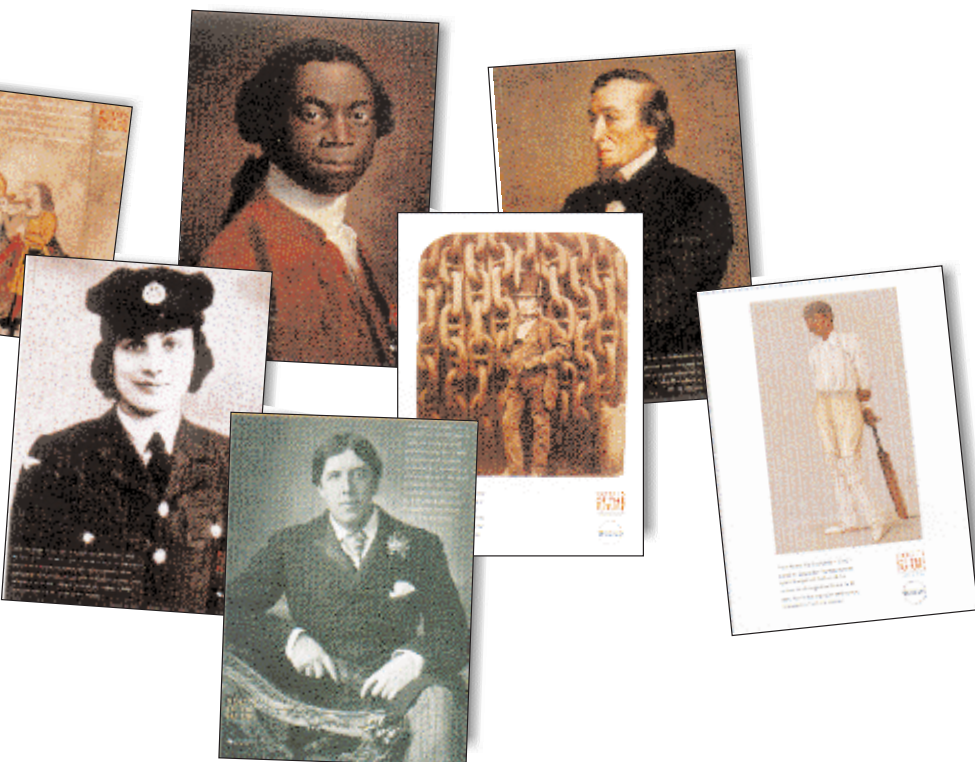
- a study of how local authorities have understood and implemented the Commission's standard, Racial Equality Means Quality
- a study of the effectiveness of the New Deal
- a survey of employers in Scotland to see how far they have progressed with developing and implementing racial equality programmes
- a complementary public opinion survey asking respondents to comment on the importance of racial equality policies in the light of their own experience
- a study of ethnic minority communities in remote rural areas and the difficulties they face in obtaining services.



up an independent company to organise and administer the Second Global Cultural Diversity Congress, which will be held in Cardiff in March 2000.

The Congress, which has already begun to attract sponsors and international interest at the highest levels, will

►  
 A set of seven new posters from Roots of the Future, the Commission's book and exhibition project celebrating ethnic diversity in the making of Britain. The highly successful mini version of the exhibition travelled extensively around Britain during 1998, and is fully booked until 2000.



## 4. WORKING IN PARTNERSHIP

Section 44 of the Race Relations Act allows the Commission to give grants or other assistance to any organisation promoting racial equality. In 1998, 96% of the Commission's budget for grants was used to help fund 93 racial equality councils (RECs), which also received substantial assistance from their local authorities. In recent years RECs have proved increasingly successful in raising funds from other sources, such as the Single Regeneration Budget (SRB) and the National Lotteries Charities Board (NLCB), to finance partnership projects.

At the end of the year the Commission was providing funding for five specialist complainant aid bodies, to provide a local legal representation service for complainants of racial discrimination.

Steps were taken during the year to implement the recommendations of the *Fundamental Review of the Public Service Role of RECs* conducted by KPMG in 1997. The main recommendations of the report were that the Commission should:

- widen the scope of its funding to other local agencies
- reduce REC work programmes to focus on a smaller number of clear objectives defined by local priorities
- encourage RECS to

establish strong and close relations with their local authorities

- review the role of RECs in providing legal assistance to complainants and consider whether specialist representation units serving a wider area might not be more effective than RECs working singly
- develop national core standards for the direction and management of RECs
- allow RECs to make appropriate constitutional changes.

A survey of legal assistance and representation by RECs and complainant aid bodies confirmed that more effective tribunal representation would be achieved by funding specialist agencies, thereby freeing RECs with limited staffing resources to focus on their other responsibilities: supporting their local community, campaigning to change local attitudes to race, and building effective partnerships with local organisations and employers to influence their policies and practice.

As in previous years, through their membership of a comprehensive range of local organisations – such as TECs, local and health authorities, multi-agency panels, voluntary organisations, ethnic minority community organisations, CABs, victim support schemes, housing associations, local business associations, police consultative groups,

advisory bodies and local projects – RECs provided an invaluable means of communicating and implementing the Commission's policies locally during the year. The REC Movement provides the Commission, the government and other statutory bodies with a substantial local network committed to the promotion of racial equality, as well as an arena

where people from local ethnic minority communities can make their voices heard. In 1998, for example, RECs in Bradford, Birmingham, Manchester, Ealing, Bristol and Tower Hamlets played an active part in helping to publicise the hearings of the Macpherson Inquiry into Stephen Lawrence's murder, encouraging community organisations to present their experiences.

The Commission's research report, *Keep them in Birmingham*, published in 1992, revealed extensive racial harassment and prejudice in urban and rural areas in south-west England, which did not have a single REC at the time. The Commission supported several local initiatives, including Plymouth Racial Equality Network, which is now a fully constituted REC.

In 1998, as part of a strategic project to tackle rural racism, the Commission successfully persuaded the local



▲ Staff and volunteers of Peterborough REC winning a special award from the Commission for reaching the *Investors in People* standard.

Dr Gurudeo Saluja, chair of Grampian REC, and Agnes Stewart (who helped set up Aberdeen Action on Disability) jointly winning Aberdeen City Council's Equal Opportunities Award.



## Tesco apologised publicly on Radio 4 after Gloucester REC followed up a complaint from some Gypsies that they had been refused entry to the store

authorities for Devon and Exeter, Dartford and Gravesham and Somerset and Reading to fulfil their duties under section 71 of the Race Relations Act by funding new local RECs in their regions jointly with the Commission. Similar arrangements to fund equality projects were made with other bodies such as Safer Cities in Redbridge and the National Association of Citizens Advice Bureaux.

The brief descriptions below, highlighting some of the achievements of some RECs in 1998, are an indication of the important contribution RECs make to the promotion of racial equality.

### CASEWORK

- On learning that the local Tesco had refused some Gypsies entry into

the store, **Gloucester REC** took immediate action. Admitting the incident publicly on Radio 4, Tesco gave an undertaking that it would not happen again, and took disciplinary action against the manager of the store.

- **Sheffield REC** successfully brought proceedings in the case of *Stevnsborg v JH and L Proctor Ltd* (see box below).

- In 1998, **Watford REC** negotiated two settlements worth £3,000 and £45,000 each. Both were cases alleging racial discrimination in employment by the local authority.

### INFLUENCING POLICIES AND PRACTICE

- **Bury REC** persuaded its local magistrates' court to adopt an equal opportunities policy, which includes procedures for dealing with racial harassment at work.

- In November, **Central Scotland REC** jointly organised the first national conference on 'Ethnic Minorities and the New Deal' (see p 13).

- Councillor Robert Jones, leader of Derby City Council, signed up to the Leadership Challenge in December as a result of **Derby REC's** considerable work with the council.

- **Ipswich & Suffolk REC** persuaded the Borough Council to monitor its workforce by ethnic group. The REC also helped Suffolk Constabulary design an access course to improve ethnic minority candidates' chances of being accepted into the force.

- In June, **Nottinghamshire REC** helped to organise a conference on

equality of opportunity for employers in the construction industry.

- Both the Foreign and Commonwealth Office and the Army Recruitment Office drew on the services of

**Peterborough REC** to make the local ethnic minority community more aware of career opportunities in those fields.

- The Commission's chairman was one of the speakers at a conference for employers organised by **Slough REC** on the business case for racial equality. Twenty employers signed up to the Leadership Challenge at the event.

- **Tower Hamlets REC** encouraged the local council to take positive action to attract ethnic minority candidates to three major schemes – PATH, Kaleidoscope and Modern Apprenticeship.
- Bridgend and Caerphilly councils were persuaded by the **Valleys REC** to adopt the Commission's standard for local government, and to participate in multi-agency panels. The REC also ran a training course on equality of opportunity for 135 staff from voluntary and statutory agencies.

- **Westminster REC**, which is a member of the New Deal Partnership Board, was asked by the Employment Service to help with arrangements for the New Deal in Westminster. The REC has been one of the main architects of the local plan, helping to collect equality statistics and advising on the necessary safeguards to ensure equality of opportunity.

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## SLEEPING DOGS DO BARK

● *Mr Stevnsborg v JH & L Proctor and four others*

The Sheffield Employment Tribunal agreed unanimously that Mr Stevnsborg, a van driver with the newspaper delivery firm JH & L Proctor, had been 'consistently and continuously harangued in the most abusive fashion' by one of the night supervisors, who made constant gibes about his being Danish. Mr Stevnsborg was initially assisted by Sheffield Racial Equality Council and represented at the tribunal by the Commission.

The tribunal was particularly concerned that the company had avoided investigating Mr Stevnsborg's complaints in the hope that, by letting sleeping dogs lie, the problem would go away. The case was settled for an undisclosed sum, an apology and a reference.

## EDUCATION

• **Derby REC** worked with the local LEA to set up a Schools Exclusion Working Party, whose first task will be to examine data on exclusion from Derby City schools.

• In 1998 **Gloucester REC** was drawn into a pilot project funded by the local authority offering ethnic minority children excluded from school the chance to receive full-time tuition instead of the three hours a week offered by the LEA's Home Tuition Team; 14% of Gloucester's population of excluded school children are from black and Asian groups as against a total non-white minority population of 6%.

• **Hackney REC**, which is promoting a policy of 'nil exclusion' at schools in the borough, recruited 20 ethnic minority volunteers to train as school governors, mentors, advocates and representatives on school admission and exclusion panels.

• **Leeds REC** was involved in setting up the West Yorkshire Black Governors Network, and held a conference on school governance.

• **Manchester REC** persuaded the local LEA to monitor school exclusions by ethnic group and analyse trends.

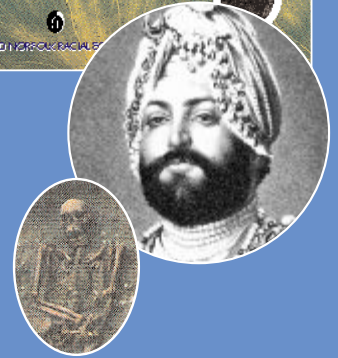
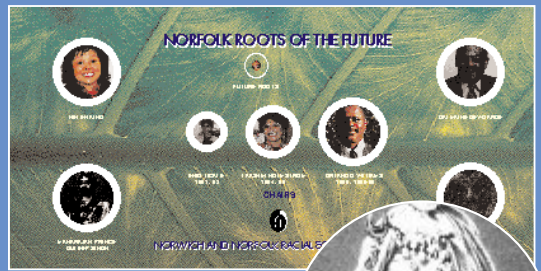
• **Peterborough REC** hosted a working seminar on Roma education, attended by Ivan Havllcek, vice-president of the Czech Republic, Roma leaders, educationists and policy makers from eastern Europe and Britain. The REC also organised a joint seminar with the local LEA on improving

## NORWICH & NORFOLK REC

1998 was the year Norwich & Norfolk REC won the British Diversity Award Gold Standard: 'For its sensitive, yet rewarding role in enhancing equality issues in its local community, especially in a rural area'.

On 17 December the Commission's chairman launched NNREC's conference report, *Now in Norfolk - A 21st Century Partnership against Racism*, a review of progress made since 1994 when the REC published the report of its research into racial harassment, *Not in Norfolk*. He spoke to a full council meeting of North Norfolk District before going on to address over 80 representatives from local ethnic minority communities, Norfolk Constabulary and the eight Norfolk local authorities - NNREC had established partnership links and funding agreements with all of them.

The crowning moment in NNREC's year came with the opening of its Norfolk Roots of the Future exhibition designed to celebrate the achievements of Norfolk's ethnic minorities and to 'dispel once and for all the stereotypical myth that black communities are only takers and not contributors.'



ethnic minority pupils' performance.

## FUNDING AND PARTNERSHIP

• **Charnwood REC** was awarded £146,000 by the National Lotteries Charities Board (NLCB) for an employment and training project to help the long-term unemployed back into work.

• **Kirklees REC**, which made a successful joint bid for NLCB money in 1997 for a project on race and health, received £200,000 in NHS funds last year to run a two-year project to improve the health of ethnic minority children with learning difficulties.

## CRIME AND RACIAL HARASSMENT

• In March, **Bexley REC** invited the mayor of Bexley and others to the twin launch of a racial harassment reporting

campaign and a new publication on harassment.

Hugh Harris, the Commission's deputy chairman, was the keynote speaker.

• Jack Straw, Home Secretary and MP for Blackburn, was present at **Blackburn REC's** launch of the Blackburn with Darwen Racial Harassment Response partnership. While building on the work of the racial attacks panel, the new initiative also included forums on bullying at school, housing and criminal justice. Reported school incidents rose by 500% within two months of the forum being set up.

• **Bradford REC** assisted in organising and publicising the Stephen Lawrence Inquiry hearings over a two month period. Over 400 people attended, many to contribute evidence.

• The development of

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## RACIAL DEMOTION

● *Ms H E Clarke v General Cable Group Ltd*

The employment tribunal found that Ms Clarke, who is of Black Caribbean origin, had been discriminated against on racial grounds in being demoted from her post as a manager. She was also awarded aggravated damages in recognition of the company's flawed investigation of her complaint. The tribunal further recommended that Ms Clarke be reinstated as a manager and be given a written apology within 28 days.

Ms Clarke's complaint went back to several unsubstantiated derogatory remarks made about her by a new line manager, who said that she would not have been appointed as a manager had he been responsible at the time. A while later, Ms Clarke was told she was to be demoted, and when she complained of racial discrimination, her line manager responded with criticisms of her performance that were used to justify the company's decision. Ms Clarke was assisted with her complaint by Northern Aid Complainant Fund.

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## BOLTON REC

- In recognition of Bolton REC's highly successful campaign against racism in sport, Bolton Metropolitan Council issued a Declaration against Racism in Sport through a mission statement displayed on notice boards at all its sports and leisure facilities. The council also agreed to ban teams from its facilities if they engaged in racist behaviour.
- Together with nine local organisations, Bolton REC secured sponsorship for four performances of the play about racism in football, *Ooh ah Showab Khan*, at Bolton FC Reebok Stadium. Over 600 young people saw the play. Sponsorship was also found to produce woven badges for local amateur teams to wear on kits.
- Bolton REC quickly recognised the value of the Commission's new Youth Rights card for its work with young people. Over 20,000 cards were distributed to schools, youth clubs and student unions by the

end of the year. Two young people approached the REC for legal advice as a direct result of seeing the card.

Agencies and Communities Tackling Racial Harassment in Oxford (ACTRH), a partnership between statutory, voluntary and private sector organisations, was due in no small part to **Oxford REC's**

efforts. It was agreed that the first steps for ACTRH would be to set up a central system for monitoring racial incidents, and to provide a comprehensive workplace consultancy service. At the same time, Oxford REC succeeded in persuading Oxford Social Services to adopt a racial harassment policy, and to include provision for the needs of ethnic minorities in the new Community Care Charter.

- **Peterborough REC** has campaigned tirelessly for greater legal protection against religious discrimination and harassment. In 1998, it raised the issue at a partnership conference on crime organised by the city council and the police. The REC also presented Alun Michael, then minister at the Home Office, with a letter for the Home Secretary on the subject.

- In response to reports of harassment against English people in Scotland, all the **Scottish RECs** agreed to include 'English' as a

category in their racial harassment statistics from 1 April 1998. The report for the nine months between April and December showed that, across Scotland, 14 (or 4.5%) out of a total of 311 incidents were from English people; the largest number of incidents (147, or 47%) were reported by Pakistanis.

## RAISING PUBLIC AWARENESS

- In a unique partnership between **Charnwood REC**, Loughborough Library and Charnwood Arts, a new Roots-style book-and-exhibition project was completed in 1998. *At Home in Loughborough*, by Chayara Chowdhury, explores the lives of the earliest Bangladeshi settlers in the area.

- **Exeter REC** helped its local football club to organise an anti-racist day last year, with banner displays and programme notes. Exeter fans gave the initiative a standing ovation.





## 5. EFFICIENCY AND EFFECTIVENESS

In 1998, the Commission introduced a programme of action to improve the organisation's efficiency and effectiveness. The focus was on business planning and budgeting, with a view to controlling costs more effectively and making the best use of the Commission's human resources.

### CORPORATE PLANNING AND PERFORMANCE

The Commission made further refinements to its new approach to performance auditing. Increased emphasis was placed on results. The Commission also considered ways in which the corporate plan, the operational plan and individual job plans could be more closely integrated. A stronger, simpler corporate plan will be published for 1999/2000.

### RESTRUCTURING

The effective delivery of the Commission's priori-

ties depends crucially on the quality of its human resources. This in turn requires flexibility to develop staff and bring in new skills to meet changing priorities and demands. The Commission therefore embarked on a restructuring programme during 1998, which resulted in 25 (or over 12%) of the Commission's staff leaving on flexible early severance packages.

### INVESTORS IN PEOPLE

The Commission continued to work towards an Investors in People accreditation during 1998. However, it was agreed to delay application for the award until the organisation had had time to stabilise following the restructuring programme.

### PAY DELEGATION AND FINANCIAL CONTROL

A pay and grading system better suited to the Commission's needs was developed during

the year, and will be implemented in 1999.

External and internal auditors audited the Commission's accounting systems for efficiency, economy and effectiveness as well as making recommendations for a smooth transfer from cash to accrual and resource based reporting of accounts. Following a review of its financial systems to ensure that they would be able to cope with the transition, and were in compliance with year 2000 requirements, the Commission is revising its financial policy and practice, and upgrading the system.

### EQUAL OPPORTUNITIES

The Commission is working towards a workforce that is representative of its labour market pool. However, as recruitment was at a standstill in 1998, it was not possible to achieve the desired changes.

Table 4 gives a detailed breakdown of the Commission's staff on 31 December 1998, by ethnic group, sex and grade.

The Commission currently employs four staff with disabilities.

**TABLE 4. Permanent staff in post on 31 December 1998, by ethnic origin, sex and grade, in full-time equivalents**

GRADE	ETHNIC ORIGIN																TOTAL					
	WHITE			BLACK			ASIAN				OTHER											
	British	Irish	Other	African	Caribbean	Other	Indian	Pakistani	Bangladeshi	Chinese			M	F	M	F						
Grade 7 and above	3	2		1	2		3	1	1	1	1			1		11	5					
Senior Executive Officer	9	4.6		1	1	2	2	3	1	5	2					20	10.6					
Higher Executive Officer	8	6.7	1	1	2.8	1.6	3	7	13	1	4	4	1		3	1	3.6	23.6	38.1			
Executive Officer	2					1	1	1	4		2	2	1		1			8	8			
Administrative Officer/ Administrative Assistant	2					3	7	4	6		1	1	2		1	3		12	19			
Secretarial and typing grades	2	3.2						5.8	6.6	1	3		2					3	20.6			
<b>TOTAL</b>	<b>26</b>	<b>16.5</b>	<b>1</b>	<b>3</b>	<b>5.8</b>	<b>7.6</b>	<b>16.8</b>	<b>17</b>	<b>32.6</b>	<b>4</b>	<b>3</b>	<b>13</b>	<b>12</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>6.6</b>	<b>77.6</b>	<b>101.3</b>

NOTE: 1. Figures include staff on fixed-term contracts.



## APPENDICES

# APPENDIX A MEMBERS AND COMMITTEES OF THE COMMISSION FOR RACIAL EQUALITY



## HERMAN OUSELEY

Chairman, Commission for Racial Equality (April 1993- ); former chief executive, London Borough of Lambeth; former chief executive, Inner London Education Authority; member, Race Relations Forum; council member, Institute of Race Relations; chairman, Kick it Out; chairman, Prince's Trust Ethnic Minority Advisory Group; chairman, Presentation Educational Charitable Trust; chairman, Policy Research Institute on Ageing and Ethnicity; member, Runnymede Trust Commission on the Future of Multi-Ethnic Britain; non-executive director, King's Healthcare Trust; non-executive director, Brooknight Security; council member, Institute of Education, University of London; advisory panel member, *Equal Opportunities Review*; chairman, Uniting Britain Trust.



## Dr MOUSSA JOGEE MBE JP

Deputy chairman, Commission for Racial Equality (April 1998- ); president, Edinburgh Indian Association; patron, Positive Action in Housing; deputy chair, Edinburgh MELA; 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.



## HUGH HARRIS

Deputy chairman, Commission for Racial Equality (January 1996- ); director of operations, London First; board member, Global Cultural Diversity Congress 2000 Ltd; member, London executive committee, 'Race for Opportunity' campaign, Business in the Community; board member, London Film Commission; chairman, Solefield School Educational Trust Ltd, Sevenoaks; former associate director responsible for Corporate Services, Bank of England; former special adviser, City and Inner London North Training and Enterprise Council (CILNTEC); fellow, Institute of Personnel and Development; associate, Chartered Institute of Bankers; fellow, Royal Society of Arts.



## ZAHIDA MANZOOR

Deputy chair, Commission for Racial Equality (January 1996-April 1998); co-founder and marketing director, Intellysis Ltd; chair, Bradford Health Authority; trustee, West Yorkshire Police Community Trust; member, Bradford Congress; court member, University of Bradford; former director, NE Regional Programme, Common Purpose Educational Charitable Trust; former member, National NHS Task Group on Open Governance and Corporate Governance; former director, Bradford City Challenge; former governor, Sheffield Hallam University. *Term as CRE commissioner expired April 1998.*



## MOHAMMED AMRAN

Qualified youth and community worker; youth justice worker with young people on remand; European representative, Prince's Trust, Bradford committee; member, Department of Culture, Media and Sports policy action team; member, board of directors, Single Regeneration Board, Manningham/Girlington; director, Global Cultural Diversity Congress 2000 Ltd; former founding member and chairperson, The Young People's Forum; former member, European Commission Cities Anti-Racism Project 1995-7; former treasurer, Manningham Drugs Forum 1993-7. *Appointed CRE commissioner, April 1998.*



## Dr RAJ CHANDRAN MBBS DRCOG

Principal general practitioner; fellow, Royal Society of Medicine; member, Royal College of GPs; former vice-chairman, Conservative Medical Society; former chairman and Hon. Sec., North Notts Division, BMA; president, Mansfield Medical Society; former joint national secretary, Overseas Doctors Association; school governor; district councillor; Conservative parliamentary candidate (Preston); chairman, One Nation Forum (EM); former member, National Union Executive Committee, Conservative Party; proprietor, Manor Group of Care Homes; president, Ashfield Conservative Party Association.



## MARIE CUNNINGHAM

Senior partner, CPW Associates training and management consultancy; equal opportunities adviser, British Railways Board; fellow, Royal Society of Arts; associate, Royal College of Music; associate member, Enfield Mental Health Trust; member, British Caribbean Association; member, Institute of Public Relations; corporate consultant, and former managing director, Voice Communications Ltd. *Term as CRE commissioner expired April 1998.*



## MICHAEL HASTINGS

Head, BBC Public Affairs; former presenter, BBC's *Around Westminster*, and education correspondent, BBC South East; former chief political correspondent, Reuters TV; chairman, 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, DTI; former school teacher; former adviser to Downing Street Policy Unit on Race, Urban and Community Affairs.



## Dr ZAKA KHAN OBE JP

Director in scientific research; visiting professor; presiding justice; director, Immigration Appeals Service; chairman, Harmondsworth Board; chairman, Confederation of Asian Organisations in the UK and Europe; chairman, Pakistan Welfare Association UK; former member, Home Secretary's Advisory Council on Race Relations; Lord Chancellor's Advisory Committee; Regional Health Authority; Higher Education Council; Police Consultative Committee; and Prison Board of Visitors. *Term as CRE commissioner expired April 1998.*

**BLONDEL CLUFF**

Assistant director and head of legal department, Lazard Brothers & Co Ltd; consultant legal adviser to the London Stock Exchange and Bank of England on stock exchange money broking; senior partner, Cluff, Hodge & Co; legal adviser to Cluff Mining Ltd; former clerk to Judge Alice Bonner, Texas, USA. *Term as CRE commissioner expired April 1998.*

**SHAHID MALIK**

Chief executive, Haringey Heartlands Partnership which is responsible for an £80 million regeneration programme in Wood Green and Tottenham; chairman, board of directors, Urban Forum; member of government's Policy Action Team on Jobs; independent governor, Sheffield Hallam University; independent assessor, DETR; member, National DfEE Out of School Regeneration Initiative; fellow, Institute of Management; fellow, Royal Society of Arts; former head of policy and development, GNTEC (Nottingham); former group chief executive, PMC Group (Sheffield); former general manager, KYP Ltd (Rochdale); former chair, board of directors, VONEF Yorkshire and Humber region; former non-executive director, Sheffield Careers Company; former member, English Advisory Committee on European Funding. *Appointed CRE commissioner, April 1998.*

**JULIE MELLOR**

Consultant in equality and diversity; former board member, Employers Forum on Disability; member, CBI Equal Opportunities Panel; former member, National Advisory Council on the Employment of People with Disabilities; founder and steering group member, 'Race for Opportunity' campaign, Business in the Community; member, Coordinating Committee for the European Year Against Racism.

**CLAUDE MORAES**

Director, Joint Council for the Welfare of Immigrants (JCWI) 1992-8; member, executive committee and council, Liberty; council member, Charter '88; trustee, Toynebe Hall, east London; former executive secretary, Immigrants' Aid Trust; former national policy officer, TUC; former political adviser, House of Commons; fellow, Royal Society of Arts. *Appointed CRE commissioner, April 1998.*

**Dr DWAIN NEIL**

Global accounts manager for oilfield chemicals, Shell Additives International Ltd; member, Home Secretary's Advisory Council on Race Relations since 1990; former chairman, Parents' Association for Educational Advance; founder and first president, British Caribbean Junior Chamber of Commerce. *Term as CRE commissioner expired April 1998.*

**DAME SIMONE PRENDERGAST**

Presiding Justice; former member, Lord Chancellor's Advisory Panel; former chair, Jewish Refugees Committee; chair, East Grinstead Medical Research Trust; vice-chair, Age Concern, Westminster; lay member, Solicitors' Disciplinary Tribunal; commandant, Jewish Lads and Girls Brigade; former chair, Westminster Children's Society; member, Court of Patrons of Royal College of Surgeons; former chair, Greater London Area Conservative Associations. *Term as CRE commissioner expired April 1998.*

**BOB PURKISS**

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**

Councillor, Cardiff County Council; chair, Cardiff Council Gypsy Sites Committee; member, Cardiff County Equal Opportunities Committee; member of 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 advisor 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). *Appointed CRE commissioner, April 1998.*

**Dr JASLIEN SINGH**

Director, 'Gitanji-Mayfair'; creative design, formulation, concept, manufacturing and marketing consultant, dermatological, healthcare, consumer brand, products; researcher, preventative aspects of nutritional, alternative and biological medicine; PR, events and fundraising voluntary work with PYBT and other organisations and charities; founder, the 'Preventative Initiative', a corrective and preventative nutritional programme for health and well-being of general public; business adviser, PYBT; chief executive, Peter Sellers Foundation.

**RAY SINGH**

Barrister at law; former district judge; part-time chairman, 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, S and SW 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 chairman, Indian Society of West Wales; former chairman, West Glamorgan Racial Equality Council.

## MEMBERSHIP OF COMMISSION COMMITTEES AT 31 DECEMBER 1998

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### Legal Committee

(formerly Litigation and Complaints)

Zahida Manzoor (Chair till 31.3.98)  
Bob Purkiss (Chair from 1.4.98)  
Raj Chandran  
Moussa Jogee  
Jaslien Singh  
Ray Singh  
Zaka Khan (till 31.3.98)  
Mohammed Amran (from 1.4.98)  
Claude Moraes (from 1.4.98)

### Corporate Affairs Committee

Hugh Harris (Chair)  
Blondel Cluff (till 30.6.98)  
Marie Cunningham (till 31.3.98)  
Moussa Jogee  
Zaka Khan (till 31.3.98)  
Shahid Malik (from 1.4.98)  
Cherry Short (from 1.4.98)

### Performance and Audit Scrutiny Group

(formerly Performance and Audit Outcomes Group)

Julie Mellor (Chair from 1.4.98)  
Dwain Neil (Chair till 31.3.98)  
Hugh Harris  
Michael Hastings  
Herman Ouseley

### Corporate Communications Committee

(formerly Public Relations Group)

Michael Hastings (Chair)  
Marie Cunningham (till 31.3.98)  
Zahida Manzoor (till 31.3.98)  
Julie Mellor  
Jaslien Singh  
Herman Ouseley  
Cherry Short (from 1.4.98)  
Shahid Malik (from 1.4.98)

### Legal Follow-up Group

Bob Purkiss (Chair)  
Zaka Khan (till 31.3.98)  
Dwain Neil (till 31.3.98)  
Julie Mellor  
Simone Prendergast (till 31.3.98)  
Herman Ouseley

### Internal Audit Committee

Zahida Manzoor (Chair till 31.3.98)  
Hugh Harris (Chair from 1.4.98)  
Raj Chandran  
Jaslien Singh  
Dwain Neil (till 31.3.98)  
Shahid Malik (from 1.4.98)  
Cherry Short (from 1.4.98)

### Remuneration Committee

Hugh Harris (Chair)  
Julie Mellor  
Zahida Manzoor (till 31.3.98)  
Dwain Neil (till 31.3.98)  
Shahid Malik (from 1.4.98)  
Claude Moraes (from 1.4.98)

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**North of England and Scotland Committee**

Zahida Manzoor (Chair till 31.3.98)  
Moussa Jogee (Chair from 1.4.98)  
Mohammed Amran (from 1.4.98)  
Claude Moraes (from 1.4.98)  
Shahid Malik (from 1.4.98)

**Midlands and Wales Committee**

Bob Purkiss (Chair till 31.3.98)  
Ray Singh (Chair from 1.4.98)  
Raj Chandran  
Dwain Neil (till 31.3.98)  
Cherry Short (from 1.4.98)

**London and South Committee**

Zaka Khan (Chair till 31.3.98)  
Claude Moraes (Chair from 1.4.98)  
Hugh Harris  
Jaslien Singh  
Marie Cunningham (till 31.3.98)  
Simone Prendergast (till 31.8.98)  
Shahid Malik (from 1.4.98)

The Commission met in January, March, April, June, July, September, October and November. A register of Commissioners' interests is available for inspection at the Commission's London office.

# APPENDIX B THE COMMISSION'S EXPENDITURE

1 APRIL 1998 TO 31 MARCH 1999

## 1. EXPENDITURE 1998/9

	£
1 Commission members' remuneration and advisory services	224,000
2 Salaries and wages, national insurance, pensions and graduated contributions	6,196,000*
<b>Total</b>	<b>6,420,000</b>
3 Commission and Secretariat overhead expenses/internal training	2,113,000
4 Staff travel, subsistence and removal expenses, and Commission travel	199,000
<b>Total</b>	<b>2,312,000</b>
5 Legal and other professional charges	715,000
6 External training	20,000
<b>Total</b>	<b>735,000</b>
7 Research and Section 45	243,000
8 Grant aid for employment of racial equality officers	3,463,000
9 Discretionary and supplementary grant aid to racial equality councils	82,000
<b>Total</b>	<b>3,788,000</b>
10 Project aid and self-help	234,000
11 Information services and publications	735,000
12 Conferences	372,000
13 New technology	324,000
<b>Total</b>	<b>1,665,000</b>
<b>TOTAL GROSS EXPENDITURE</b>	<b>14,920,000</b>

\* £601,830 of all staff related costs were for early retirement through restructuring.

The expenditure shown above was after crediting £169,000 through sponsorship and donations. The approved Home Office grant to the Commission for Racial Equality for the year was £14,825,000. The gross expenditure includes around £194,000 for the European Year Against Racism, which received funding of £194,000 from the Home Office. The Commission also received approximately £48,000 from the sale of publications. The difference between the revised estimates, including all receipts, and the actual expenditure is less than .05%. All foregoing income and expenditure figures are provisional and subject to audit by the Comptroller and Auditor General. It is estimated that 75% of invoice payments are made within 30 days of the invoice date.

The approved estimates of expenditure for the financial year 1999/00 total £15,290,000.

<b>REMUNERATION OF THE CHAIRMAN AND COMMISSION MEMBERS*</b>		£
Remuneration of the chairman/chief executive		81,670
Remuneration of two deputy chairmen		29,835
<b>TOTAL</b>		<b>111,505</b>

<b>REMUNERATION OF STAFF</b>		£
Executive director		60,000
Other staff:		
a. Gross salaries (including performance pay)		4,186,944
b. Employer's national insurance contribution		338,524
c. Employer's superannuation contribution		587,713
Number of staff receiving £30,000 - £39,999 per annum	9	
Number of staff receiving £40,000 - £49,999 per annum	2	
Number of staff receiving over £50,000	1	
Average total number of staff employed	217	
<b>TOTAL</b>		<b>5,173,181</b>
<b>EXPENSES OF COMMISSION MEMBERS AND STAFF</b>		£
Expenses paid to Commission members		94,608
Expenses paid to staff		140,000
<b>TOTAL</b>		<b>234,608</b>

\* Excludes national insurance and pension contributions



## 2. PROJECT AID 1998/9

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The Commission is empowered under section 44 of the Race Relations Act to give financial or other assistance to any organisation that it deems to be concerned with the promotion of equality of opportunity and good relations between persons of different racial groups. During 1998/9 a total of £234,149 was paid to six recipients. Discretionary and supplementary grant aid to racial equality councils amounted to a further £82,000.

### ORGANISATIONS RECEIVING SHORT-TERM PROJECT AID DURING 1998/9

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*Avon and Bristol Community Law Centre*  
To provide a complainant aid service in the west of England: £34,652

*Hounslow Law Centre Ltd*  
To provide a complainant aid service in west London, Berkshire and Surrey: £19,880

*Grampian REC*  
To provide a complainant aid service in the north of Scotland: £24,939

*Central London Law Centre*  
To provide a complainant aid service in London: £9,846

*Northern Complainant Aid Fund*  
To provide a complainant aid service in the north of England: £138,332

*MEWN Cymru*  
Towards the salary of a development worker to address the needs of ethnic minority women in Wales: £6,500

### 3. FINANCIAL ASSISTANCE TO RACIAL EQUALITY COUNCILS

Under section 44 of the Race Relations Act, the Commission provided financial assistance to 93 racial equality councils around the country during the financial year 1 April 1998 to 31 March 1999. Commission funding relates to salaries and pensions only. The figures below show financial assistance given by the Commission to each REC, rounded to the nearest pound, excluding pension contributions. The total for Commission funding to RECs for the year, including pension contributions, was £3,463,188.

In addition, RECs receive funding from local authorities to cover project aid and administrative costs. The total for local authority funding to RECs for the year was £4,288,612. These figures indicate that, taken as a whole, every £1 of funding from the Commission mobilised more than equal support from local authorities.

REC	FROM CRE (£)	REC	FROM CRE (£)
Aylesbury	26,133	Medway	26,318
Barking	27,459	Merseyside	56,426
Barnet	27,459	Merton	2,770
Bath	26,133	Milton Keynes	12,528
Bedford	26,264	Newham	50,401
Bexley	27,459	North Staffordshire	19,122
Birmingham Partnership	22,463	North West Kent	26,735
Blackburn	44,254	Northampton	10,194
Bolton	46,599	Norwich & Norfolk	25,478
Bradford	71,870	Nottingham	52,603
Bristol	66,385	Oxfordshire	25,494
Bury	26,881	Peterborough	47,856
Camden	54,732	Plymouth	23,419
Calderdale	5,314	Preston & West Lancashire	48,270
Central Scotland	47,789	Race Equality First (Cardiff & Vale)	25,471
Charnwood	26,133	Reading	19,600
Cheshire	7,901	Redbridge	39,663
Cleveland	36,866	Rochdale	26,133
Coventry	48,267	Rotherham	26,120
Derby	49,118	Rugby	17,902
Devon & Exeter	7,687	Sandwell Partnership	11,662
Doncaster	26,133	Sheffield	47,269
Dudley	12,650	South East Wales	25,901
Ealing	58,011	Southwark	37,549
East Staffordshire	26,807	Stafford	26,133
Edinburgh & Lothian	43,573	Sussex	48,046
Enfield	50,280	Sutton	26,126
Essex	27,760	Swansea Bay	27,375
Fife	20,273	Swindon	27,026
Gloucestershire	45,949	Tameside	25,517
Grampian	41,244	Tayside	26,133
Greenwich	52,855	Telford & Shropshire	22,815
Hackney	40,242	Tower Hamlets	46,539
Hammersmith & Fulham	26,232	Tyne & Wear	51,118
Haringey	51,031	Valleys	23,419
Harrow	26,440	Walsall	14,781
Hillingdon	20,729	Waltham Forest	50,563
Hounslow	57,768	Warwick	40,863
Hull & East Riding	25,658	Watford	29,113
Hyndburn & Rossendale	25,519	Wellingborough	48,271
Ipswich & Suffolk	24,817	West of Scotland	73,528
Kingston	27,459	Westminster	27,950
Kirklees	47,968	Wiltshire	26,133
Leeds	42,180	Wolverhampton	47,021
Leicestershire	70,450	Worcester	29,178
Lewisham	48,707	Wycombe	23,419
Manchester	71,812		

# APPENDIX C SIGNATORIES TO THE LEADERSHIP CHALLENGE

In accepting the Leadership Challenge, leaders of companies and organisations from all sectors of society are taking a stand against racial discrimination, and taking action to promote racial equality.

The names of those who have so far accepted the challenge are given below. All leaders from every sector of society are invited to add their names to the list by accepting the Leadership Challenge, so making a personal commitment to use their power and influence to end racial discrimination, and see our diverse society realise its full potential.

## LIST OF ACCEPTANCES

<b>ACAS</b>	John Hougham, Chairman
<b>Age Concern Scotland</b>	Maureen O'Neill, Director
<b>Amalgamated Engineering and Electrical Union</b>	Ken Jackson, General Secretary
<b>Arts Council of Wales</b>	Joanna Weston, Chief Executive
<b>ASDA</b>	Allan Leighton, Chief Executive
<b>Association of British Insurers</b>	Mark Boleat, Director-General
<b>Association of Chief Officers of Probation</b>	John Hicks, Chairman
<b>Association of Chief Police Officers</b>	Colin Bailey, Chief Constable
<b>Association of Chief Police Officers in Scotland</b>	John Orr OBE, President
<b>Association of Council Secretaries and Solicitors</b>	Felix Hetherington, President
<b>Association of Community Health Councils</b>	Donna Covey, Director
<b>Association of Directors of Education in Scotland</b>	Anne Wilson, General Secretary
<b>Association of Directors of Social Services</b>	Chris Davies, President
<b>Association of First Division Civil Servants</b>	Jonathan Baume, General Secretary
<b>Association of Scottish Colleges</b>	Robert Kay, Chairman
<b>Association of Teachers &amp; Lecturers</b>	Peter Smith, General Secretary
<b>Association of Train Operating Companies</b>	Ivor Warburton, Chairman
<b>Association of University Teachers</b>	David Triesman, General Secretary
<b>Association of University Teachers (Scotland)</b>	Peter Breeze, Honorary Secretary
<b>Audit Commission</b>	Andrew Foster, Controller
<b>BAA</b>	Sir John Egan, Chief Executive
<b>Bakers, Food &amp; Allied Workers' Union</b>	Joe Marino, General Secretary
<b>Bank of England</b>	Eddie George, Governor
<b>Bank of Scotland</b>	Sir Bruce Pattullo, Governor
<b>Barclays Bank plc</b>	Chris Lendrum, Director
<b>Barkers Human Resources Advertising Ltd</b>	Steve Halford, Managing Director
<b>Basic Skills Agency</b>	Alan Wells, Director
<b>Benefits Agency</b>	Peter Mathison, Chief Executive
<b>Bradford &amp; Bingley Building Society</b>	Christopher Rodrigues, Chief Executive
<b>British Airways plc</b>	Robert Ayling, Chief Executive
<b>BBC</b>	John Birt, Director-General
<b>BBC Wales</b>	Geraint Talfan Davies, Controller
<b>British Council</b>	Helena Kennedy QC, Chair
<b>British Energy plc</b>	Peter Hollins, Chief Executive
<b>British Medical Association</b>	Professor Brian Hopkinson, Chairman, Representative Body
<b>British Medical Association (Scotland)</b>	Dr Brian Potter, Scottish Secretary
<b>British Phonographic Industry</b>	Rob Dickins, Chairman
<b>British Telecommunications plc</b>	Sir Peter Bonfield CBE, Chief Executive
<b>British Youth Council</b>	Martin Wilson, Chair
<b>Broadcasting Entertainment Cinematograph &amp; Theatre Union</b>	Roger Bolton, General Secretary
<b>Business in the Community &amp; Race for Opportunity</b>	Julia Cleverdon, Chief Executive, BITC
<b>Buying Agency</b>	Stephen Sage, Chief Executive
<b>Cabinet Office</b>	Sir Richard Wilson, Secretary to Cabinet and Head of the Home Civil Service
<b>Camelot Group plc</b>	Tim Holley, Chief Executive
<b>Caparo Group Ltd</b>	Lord Paul, Chairman
<b>Carlton Television</b>	Clive Jones, Chief Executive
<b>Catherine Johnstone Recruitment &amp; Training</b>	Catherine Johnstone and Veronica Davies, Joint Partners
<b>CBI</b>	Adair Turner, Director General
<b>CBI (Scotland)</b>	Iain McMillan, Director
<b>CBI (Wales)</b>	Ken Jones, Chair
<b>Ceramic and Allied Trades Union</b>	Geoff Bagnell, General Secretary
<b>Chartered Institute of Housing</b>	David Butler, Chief Executive

<b>Chesterfield Borough Council</b>	David Shaw, Chief Executive
<b>Chief of Air Staff</b>	Air Chief Marshall Sir Richard Johns
<b>Chief of the Defence Staff</b>	General Sir Charles Guthrie
<b>Chief of the General Staff</b>	General Sir Roger Wheeler
<b>Child Support Agency</b>	Faith Boardman, Chief Executive
<b>Committee of Scottish Higher Education Principals</b>	Professor Richard Shaw, Convenor
<b>Committee of Vice-Chancellors &amp; Principals</b>	Diana Warwick, Chief Executive
<b>Convention of Scottish Local Association</b>	Douglas Sinclair, Chief Executive
<b>Crown Office (Scotland)</b>	Andrew Hardie QC, Lord Advocate
<b>Crown Prosecution Service</b>	David Calvert-Smith QC, Director of Public Prosecutions
<b>Department for Culture Media &amp; Sport</b>	Alan Howarth, Permanent Under-Secretary of State
<b>Department for Education and Employment</b>	Michael Bichard, Permanent Secretary
<b>Department of Health</b>	Chris Kelly, Permanent Secretary
<b>Department for International Development</b>	John Vereker CB, Permanent Secretary
<b>Department of Social Security</b>	Rachel Lomax, Permanent Secretary
<b>Department of the Environment Transport &amp; Regions</b>	Sir Richard Mottram, Permanent Secretary
<b>Department of Trade &amp; Industry</b>	Sir Michael Scholar, Permanent Secretary
<b>Derbyshire Constabulary</b>	John Newing, Chief Constable
<b>Disability Wales</b>	Howard John, Director
<b>Driving Standards Agency</b>	Bernard Herdan, Chief Executive
<b>Driver and Vehicle Licensing Agency</b>	Dr John Ford, Chief Executive
<b>Duke of Edinburgh's Award</b>	Vice Admiral Michael Gretton CBE
<b>Dyfed-Powys Police</b>	Ray White CBE, Chief Constable
<b>Education Institute for Scotland</b>	Ronald Smith, General Secretary
<b>Employment Service</b>	Leigh Lewis, Chief Executive
<b>Engineering Employers' Federation</b>	Graham Mackenzie, Director-General
<b>Engineers' &amp; Managers' Association/</b>	
<b>Electrical Power Engineers' Association</b>	Tony Cooper, General Secretary
<b>English Sports Council</b>	Derek Casey, Chief Executive
<b>European Office in Wales</b>	Catherine Eva, Representative
<b>Equal Opportunities Commission (Wales)</b>	Val Feld, Director
<b>Federation of Recruitment &amp; Employment Services</b>	Christine Little, Chief Executive
<b>Federation of Small Businesses</b>	Ian Handford
<b>Financial Times</b>	Robin Pauley, Managing Editor
<b>Fire Brigades Union</b>	Ken Cameron, General Secretary
<b>Fire Service College</b>	Terence Glossop, Chief Executive and Commandant
<b>First Sea Lord &amp; Chief of Naval Staff</b>	Admiral Sir Michael Boyce
<b>The Forbes Trust</b>	Amir Bhatia, Chairman
<b>Foreign &amp; Commonwealth Office</b>	Sir John Kerr, Permanent Under Secretary
<b>Forward Publishing</b>	William Sieghart, Chairman
<b>Further Education Development Agency</b>	Stephen Crowne, Chief Executive
<b>Further Education Funding Council</b>	Professor David Melville, Chief Executive
<b>General Council of the Bar</b>	Niall Morison, Chief Executive
<b>General Medical Council</b>	Sir Donald Irvine CBE, President
<b>GMB</b>	John Edmonds, General Secretary
<b>GMB (Scotland)</b>	Robert Parker, Regional Secretary
<b>Government Car &amp; Despatch Agency</b>	Nick Matheson, Chief Executive
<b>Government Communications Headquarters</b>	Francis Richards, Director
<b>Granada Group plc</b>	Charles Allen, Chief Executive
<b>Graphical, Paper &amp; Media Union</b>	Tony Dubbins, General Secretary
<b>Health Education Authority</b>	Seymour Fortescue, Chief Executive
<b>Health Service for Wales</b>	Michael Buckley, Commissioner
<b>Heddlu Gwent Police</b>	Joan Webster, Assistant Chief Constable
<b>HM Customs &amp; Excise</b>	Dame Valerie Strachan, Chairman
<b>HM Inspector of Schools (Scotland)</b>	Douglas Osler, HM Senior Chief Inspector
<b>HM Inspectorate of Constabulary for Scotland</b>	Sir William Sutherland,
	HM Chief Inspector of Constabulary
	Richard Tilt, Director-General
<b>HM Prison Service</b>	Sir Andrew Turnbull, Permanent Secretary
<b>HM Treasury</b>	Mrs J S M Roberts, Chief Probation Officer
<b>Hereford &amp; Worcester Probation Service</b>	Professor Brian Fender, Chief Executive
<b>Higher Education Funding Council</b>	David Omand, Permanent Under Secretary
<b>Home Office</b>	Caroline Pickering, Acting Director
<b>Housing Association Charitable Trust</b>	Rt Hon Baroness Dean of Thornton-le-Fylde, Chairman
<b>Housing Corporation</b>	David Westwood, Deputy Chief Constable
<b>Humberside Police</b>	Sir Robin Biggam, Chairman
<b>Independent Television Commission</b>	Ged Nichols, General Secretary
<b>Independent Union of Halifax Staff</b>	Nick Montagu CB, Chairman
<b>Inland Revenue</b>	Bryony Pawinska, Chief Executive
<b>Institute of Careers Guidance</b>	Tim Melville-Ross, Director General
<b>Institute of Directors</b>	Susan Smith, Chief Executive
<b>Institute of Employment Consultants</b>	

<b>Institute of Health Services Management</b>	Karen Caines, Director
<b>Institute of Management</b>	Mary Chapman, Director General
<b>Institute of Personnel and Development</b>	Geoff Armstrong, Director General
<b>Institution of Professionals, Managers and Specialists</b>	Bill Brett, General Secretary
<b>Investors in People UK</b>	Ruth Spellman, Chief Executive
<b>Iron &amp; Steel Trades Confederation</b>	Michael Leahy, General Secretary
<b>ITV Network Centre</b>	Richard Eyre, Chief Executive
<b>John Lewis Partnership plc</b>	Sir Stuart Hampson, Chairman
<b>Joseph Rowntree Foundation</b>	Richard Best, Director
<b>King's Fund</b>	Rabbi Julia Neuberger, Chief Executive
<b>Kwik Fit Holdings plc</b>	Tom Farmer, Chairman
<b>Law Society of Scotland</b>	Douglas Mill, Secretary
<b>Leicestershire Constabulary</b>	David Wyrko, Chief Constable
<b>Lloyds TSB Group plc</b>	Peter Ellwood, Group Chief Executive
<b>Littlewoods Organisation</b>	James Ross, Chairman
<b>Local Government Association</b>	Brian Briscoe, Chief Executive
<b>Local Government Information Unit</b>	Cllr Jean Laurie, Chair
<b>Local Government Management Board</b>	Judith Hunt, Chief Executive
<b>London Ambulance Service NHS Trust</b>	Michael Honey, Chief Executive
<b>London First</b>	Stephen O'Brien, Chief Executive
<b>London Stock Exchange</b>	Gavin Casey, Chief Executive
<b>Lord Chancellor's Department</b>	Sir Hayden Phillips, Permanent Secretary and Clerk of the Crown
<b>The Rt Hon Lord Mayor of London</b>	Alderman Roger Cork
<b>Management Charter Initiative</b>	Professor Tom Cannon, Chief Executive
<b>Manufacturing, Science and Finance Union</b>	Roger Lyons, General Secretary
<b>Manufacturing, Science and Finance (Scotland)</b>	Ian Fulton, Regional Officer
<b>Mars Confectionery</b>	Bill Ronald, General Manager
<b>Merthyr County Borough Council</b>	Gary Meredith, Chief Executive
<b>Meteorological Office</b>	Peter Ewins, Chief Executive
<b>Midland Bank plc</b>	Bill Dalton, Chief Executive
<b>Mind</b>	Judi Clements, Chief Executive
<b>Ministry of Defence</b>	Kevin Tebbit CMG, Permanent Under Secretary
<b>Monmouth County Borough Council</b>	Joyce Redfern, Chief Executive
<b>National Association of Careers Guidance Teachers</b>	David Andrews, President
<b>National Association of Citizens Advice Bureaux</b>	Helena Shovelton, Chair
<b>National Association of Head Teachers</b>	David Hart, General Secretary
<b>National Association of Teachers in Further &amp; Higher Education</b>	Paul Mackney, General Secretary
<b>National Association of Schoolmasters &amp; Union of Women Teachers</b>	Nigel de Gruchy, General Secretary
<b>National Council for Voluntary Youth Service</b>	Susanne Rauprich, Chief Executive
<b>National Housing Federation</b>	Jim Coulter, Chief Executive
<b>National Council of Voluntary Organisations</b>	Stuart Etherington, Chief Executive
<b>National Housing Federation</b>	Jim Coulter, Chief Executive
<b>National Institute for Social Work</b>	Daphne Statham, Director
<b>National League of the Blind and Disabled</b>	Joe Mann, General Secretary
<b>National Literacy Trust</b>	Neil McClelland, Director
<b>National Year of Reading</b>	Liz Attenborough, Project Director
<b>National Training Organisations National Council</b>	Garry Hawkes, Chairman
<b>National Union of Knitwear Footwear &amp; Apparel Trades</b>	Paul Gates, General Secretary
<b>National Union of Teachers</b>	Doug McAvoy, General Secretary
<b>National Weights and Measures Laboratory</b>	Dr Seton Bennett, Chief Executive
<b>National Youth Agency</b>	Tom Wylie, Chief Executive
<b>NHS Confederation</b>	Stephen Thornton, Chief Executive
<b>NHS Executive</b>	Alan Langlands, Chief Executive
<b>Nationwide Building Society</b>	Brian Davis, Chief Executive
<b>NatWest Group</b>	Derek Wanless, Director & Group Chief Executive
<b>Newport County Borough Council</b>	Sandy Blair, Chief Executive
<b>North Wales Police</b>	Michael Argent, Chief Constable
<b>Northern Foods plc</b>	Chris Haskins, Chairman
<b>Northern Ireland Office</b>	Joe Pilling CB, Permanent Under Secretary
<b>Nottinghamshire Constabulary</b>	Colin Bailey, Chief Constable
<b>Office of Her Majesty's Chief Inspectors</b>	Susan Lewis, HM Chief Inspector of Schools in Wales
<b>Office for National Statistics</b>	Tim Holt, Director, Registrar-General and Head of the Government Statistical Service
<b>Office of Public Management</b>	Greg Parston, Chief Executive
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<b>Office of Public Service</b>	Sir Robin Mountfield, Permanent Secretary
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<b>Public and Commercial Services Union (Scotland)</b>	Patrick Kelly, Scottish Officer
<b>Qualifications and Curriculum Authority</b>	Dr Nicholas Tate, Chief Executive
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<b>Scottish Council for Voluntary Organisations</b>	Martin Sime, Director
<b>Scottish Federation of Housing Associations</b>	Chris Cunningham, Chair
<b>Scottish Higher Education Funding Council</b>	Professor Sir John Shaw CBE, Chairman
<b>Scottish Homes</b>	Professor John Ward, Chairman
<b>Scottish Office</b>	Muir Russell, Permanent Under Secretary
<b>Scottish Qualifications Authority</b>	Ron Tuck, Chief Executive
<b>Scottish TUC</b>	Campbell Christie, General Secretary
<b>Secondary Heads Association</b>	John Dunford, General Secretary
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<b>Society of Local Authority Chief Executives</b>	Dr Rose Wheeler, Director
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<b>South Wales Police</b>	A T Burden, Chief Constable
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<b>Transport and General Workers Union (Scotland)</b>	James Elsby, Scottish Regional Secretary
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<b>Wolverhampton Metropolitan Borough Council</b>	Derrick Anderson, Chief Executive
<b>Youth Justice Board</b>	Lord Warner, Chairman

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## COMMISSION OFFICES

### LONDON (Head Office)

Elliot House  
10-12 Allington Street  
London SW1E 5EH  
☎ 0171-828 7022

### LEEDS

Yorkshire Bank Chambers  
(1st floor)  
Infirmery Street  
Leeds LS1 2JP  
☎ 0113-243 4413

### EDINBURGH

Hanover House  
45-51 Hanover Street  
Edinburgh EH2 2PJ  
☎ 0131-226 5186

### BIRMINGHAM

Lancaster House  
(3rd floor)  
67 Newhall Street  
Birmingham B3 1NA  
☎ 0121-710 3000

### MANCHESTER

Maybrook House (5th  
Floor)  
40 Blackfriars Street  
Manchester M3 2EG  
☎ 0161-831 7782

### CARDIFF

Capital Tower (14th  
floor)  
Greyfriars Road  
Cardiff CF1 3AG  
☎ 01222-388 977













