

# Foreword



As Home Secretary I have been working to develop the right legislative and administrative framework to help achieve race equality in Great Britain. I am especially pleased to be involved in this because I believe passionately in it.

Race equality is a moral imperative. It also makes the best use of the available pool of talent and allows everyone, regardless of colour or race, to achieve their full potential. So there are economic and social benefits too. Furthermore, our great nation is built on diversity, change and immigration. It is all the richer for this. Few of us can look at our lineage, including me, and not find links beyond these shores. However, for some of us, particularly black and Asian ethnic minorities, it can be more difficult to achieve our potential, simply because of racial prejudice and discrimination.

One of the Government's central aims is to achieve a society where there is respect for all, regardless of their race, colour or creed, and a society that celebrates its cultural richness and ethnic diversity. In doing this, the Government wants the public sector to set the pace in the drive for race equality, to lead by example.

To help the process of change, the UK Parliament has outlawed discrimination in public functions not previously covered by the Race Relations Act 1976. The UK Parliament has also placed a statutory duty on public authorities to promote race equality in carrying out their functions, to avoid race discrimination before it arises. These provisions are set out in the Race Relations (Amendment) Act 2000, which strengthens and adds to the existing provisions of the 1976 Act.

This publication provides information about the implementation of the 2000 Act. In particular, it seeks views on the introduction of a number of specific duties to help public authorities better fulfil their obligations under the general duty to promote race equality. It also seeks views on extending the list of public authorities that are subject to the general duty to promote race equality.

I hope public authorities and others will take the time to provide their comments on the proposals in this document and that they will respond positively.

JACK STRAW



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# Introduction

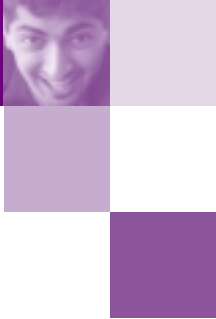
## The Stephen Lawrence Inquiry

1. The Stephen Lawrence Inquiry was set up by the Home Secretary on 31 July 1997 *“to inquire into the matters arising from the death of Stephen Lawrence on 22 April 1993 to date, in order particularly to identify the lessons to be learned for the investigation of racially motivated crime”*.
2. The Inquiry’s findings were published on 24 February 1999 (ISBN 0-10-142622-4). Although predominantly about the police service, it stressed that *“if racism is to be eliminated from our society there must be a co-ordinated effort to prevent its growth. This needs to go well beyond the police services”*. It also stated that *“it is incumbent upon every institution to examine their policies and practices to guard against disadvantaging any section of our communities”*.
3. The Inquiry Report made seventy recommendations to the Government. These are being taken forward as set out in the Stephen Lawrence Action Plan published by the Home Office in March 1999. The work is being overseen by the Stephen Lawrence Steering Group, chaired by the Home Secretary and comprising members from inside and outside Government. In Scotland the Deputy First Minister and Minister for Justice chairs an equivalent group for the Scottish Executive’s Action Plan for devolved matters.

4. Recommendation 11 was that *“the full force of the Race Relations legislation should apply to all police officers, and that Chief Officers of Police should be made vicariously liable for the acts and omissions of their officers relevant to that legislation”*.
5. In his response, the Home Secretary agreed with this and went further. He promised to extend the Race Relations Act 1976 not only in relation to the police but to other public functions too.

## The Race Relations (Amendment) Act 2000 (“the 2000 Act”)

6. The Race Relations (Amendment) Bill, enacted on 30 November 2000, delivers on that commitment and more. In summary it:
  - (i) **outlaws race discrimination** (direct, indirect & victimisation) in public authority functions not covered by the original Race Relations Act 1976 (“the 1976 Act”);
  - (ii) **defines “public authority” widely** for the purpose of outlawing race discrimination, so that it includes public functions carried out by private sector organisations and has only limited exemptions;
  - (iii) places a **general duty** on specified public authorities to **promote race equality**;



- (iv) empowers the Home Secretary to **extend the list of public bodies** in the Act that are subject to the general duty to promote race equality to include other bodies exercising public functions;
- (v) empowers the Home Secretary (or Scottish Ministers where appropriate) to impose **specific duties** on public bodies which are subject to the general duty to promote race equality to ensure their better performance of the general duty;
- (vi) gives the Commission for Racial Equality (CRE) **powers to enforce specific duties** imposed on public authorities;
- (vii) gives the CRE **powers to issue Codes of Practice** to provide practical guidance to public bodies on how to fulfil their general and specific duties to promote race equality;
- (viii) allows race discrimination **claims to be brought against educational bodies direct to a county or sheriff court** without, as now, a two month “cooling off” period of notification to central government;
- (ix) makes **Chief Officers of Police vicariously liable** for acts of discrimination carried out by officers under their direction and control and provides for compensation, costs, or expenses awarded as a result of a claim to be paid out of police funds;
- (x) removes the power for a Minister to issue conclusive certificates in race claims to the effect that an act of race discrimination was done for the purposes of **national security** and was therefore not unlawful.

## Implementation of the Act

- 7. None of the above provisions came into force when the Bill was enacted. The Government must make secondary legislation (Orders) to enable this. This consultation paper provides information about plans for doing so. Specifically it:
  - (i) explains the legislative and administrative framework that the Government has in mind for tackling race discrimination (*Chapter 1*);
  - (ii) explains when the Government intends to commence the new provisions outlawing discrimination and provides general advice (*Chapter 2*);
  - (iii) explains when the Government intends to commence the new general duty to promote race equality (*Chapter 3*);
  - (iv) **seeks views** on proposals to extend the general duty to public bodies not currently listed in Schedule 1A to the Act (*Chapter 4*);
  - (v) **seeks views** on proposals for specific duties to help public bodies fulfil their general duty to promote race equality (*Chapters 5, 6 & 7*);
  - (vi) provides information about current thinking regarding CRE Codes of Practice (*Chapter 8*);
  - (vii) explains when the Government intends to commence the new provisions on the vicarious liability of Chief Officers of Police and provides general advice (*Chapter 9*);

(viii) summarises the overall timetable that the Government has in mind for implementation of the 2000 Act (*Chapter 10*).

## Where to send Comments

8. Comments are invited on the proposals at iv and v above:
- to extend the general duty to public bodies not currently listed in Schedule 1A as inserted by the 2000 Act; and
  - on the specific duties that should apply to help public bodies meet their obligations under the general duty.
9. These should be submitted by 15 May 2001. They should be sent by post to:  
The Race Equality Bill Team  
Home Office  
12th Floor,  
50 Queen Anne's Gate  
London SW1H 9AT  
Alternatively they can be sent by email to:  
**BTRE@homeoffice.gsi.gov.uk**
- Contacts in the Bill Team are Callton Young (Head) and Sally Edmunds.
- Scottish-based respondents may wish to copy (or send) their responses to the Race Equality Team, Scottish Executive, Victoria Quay, Edinburgh, EH6 6QQ

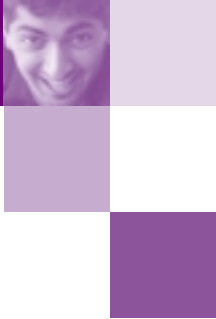
## The UK Government's Equality Statement

10. As set out in the UK Government's Equality Statement of 30 November

1999, we are committed to introducing similar provisions for gender and disability, as are now being made for race, as soon as Parliamentary time allows (**Appendix 1**).

## Scotland

11. The Scotland Act 1998 reserves equal opportunities, including the subject matter of the 1976 Act, subject to two exceptions. These are the encouragement (other than by prohibition or regulation) of equal opportunities and, in particular, the observance of the equal opportunities requirements, and the imposition of duties on Scottish public authorities and cross-border public authorities in relation to their Scottish functions. The new general duty on public bodies to promote race equality therefore impacts on devolved matters. Scottish Executive Ministers will consider the application of the new legislative framework for devolved matters in the light of responses to this consultation and ongoing dialogue on race equality matters in Scotland.
12. The Scottish Executive is committed to promoting equality of opportunity for all. On 6 November 2000 the executive published its "Equality Strategy: Working Together for Equality". Copies of the Strategy can be obtained from Equality Unit, Area 2 West, St Andrew's House, Regent Road, Edinburgh EH1 3DG or from the Scottish Executive website at [www.scotland.gov.uk](http://www.scotland.gov.uk)



## New EC laws on discrimination

13. The Government is considering how to implement two European anti-discrimination Directives brought forward under Article 13 of the Treaty of European Communities. The 'Race' Directive provides a minimum standard of legal protection for individuals against discrimination or harassment on the grounds of racial or ethnic origin. It will apply across Europe. The UK's domestic legislation already complies with most of its provisions. Implementation of the Directive will, however, require some amendments to domestic legislation.
14. The 'Employment' Directive applies to discrimination in the fields of employment and vocational training only, on a wider range of grounds – religion or belief, sexual orientation, age and disability. Implementation of the Directive will require some amendment to the Disability Discrimination Act, and the introduction of domestic legislation outlawing discrimination in employment on grounds of age, sexual orientation and religion or belief.

## Annual Performance Data

15. The Government is committed to publishing annually performance data which will quantify the improvements being made, in "Race Equality in Public Services". The first publication in this series came out in March 2000 and was recently updated. This publication is the main Public Service Agreement measure of progress on race equality across the public sector. It forms part of the Home

Office's Service Delivery Agreement for 2001/2004. Some of the indicators used in the document refer only to England or to England and Wales.

## Open Government

16. In line with the Government's policy of openness we intend at the end of the consultation period to make copies of the responses we receive to this paper publicly available upon request. It will be assumed that your response can be made publicly available in this way unless you clearly indicate that you wish all or part of your response to be excluded from this arrangement.

## Further copies of this consultation paper

17. Further copies of this consultation paper can be obtained from the Home Office Website at:  
[www.homeoffice.gov.uk/raceact/welcome.htm](http://www.homeoffice.gov.uk/raceact/welcome.htm)

# Chapter 1

## A legislative and administrative framework for a successful multicultural Britain

### Background

- 1.1 The Government believes that race equality is essential in order to build strong, inclusive, communities. There is a moral case for striving for race equality. It is a basic human right to be treated with equality and fairness. This is recognised in the European Convention on Human Rights and reflected in the Human Rights Act 1998.
- 1.2 There is an economic case for race equality too, as everyone's potential can be utilised. In a diverse nation such as ours, whose history has seen successive waves of migration both in and out of the country, that is all the more important.
- 1.3 The CRE explored migration to and from Great Britain in its book "*Roots of the Future, Ethnic Diversity in the Making of Britain*" (ISBN 1 85442 179 4). Published in 1996 as part of its programme of promoting race equality, it traces 40,000 years of migration to Britain starting with bronze age migrants who came from north west Europe and shared common features with peoples from the Mediterranean and near East (see the summary at Appendix 2). It outlines the significant contribution made by black and Asian people fighting for Great Britain in the two great wars, e.g.

two and a half million Indians enlisted in the Second World War.



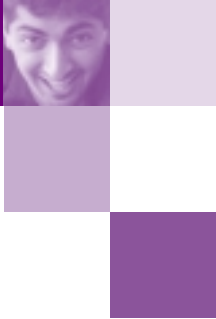
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- 1.4 After the war, the reconstruction effort demanded more workers than were locally available. The Government, therefore, encouraged recruitment from the Caribbean. Labour also came from India and Pakistan.





## Ethnic diversity in modern day Britain

- 1.5 The 1991 census showed that nearly half of the ethnic minority population present in Great Britain had been born here. Almost 60% lived in the south-east and 45% in the Greater London area. Other regions with large ethnic minority populations included urban areas in the West Midlands, Yorkshire and Humberside, and north-west England. There are also relatively significant ethnic minority populations in Cardiff and Glasgow.
- 1.6 The ethnic breakdown of the population of Britain estimated using 1999 Labour Force Survey data is as follows:

	Population ('000s)	%
White	53,074	93.5%
Black Caribbean	490	0.9%
Black African	376	0.7%
Black Other (non-mixed)	122	0.2%
Black Mixed	187	0.3%
Indian	930	1.6%
Pakistani	663	1.2%
Bangladeshi	268	0.5%
Chinese	137	0.2%
Other	533	0.9%

## The Race Relations Acts

- 1.7 The Government first legislated against race discrimination in the 1960s. Race relations had reached a low ebb and signs outside lodgings reading "*No dogs, no Irish, no blacks*" were not uncommon. People were refused service in shops and restaurants solely because of their race or the colour of their skin.

Racism was also openly a feature of electoral campaigns.

- 1.8 The Race Relations Act 1965 prohibited discrimination in places such as hotels, public houses, restaurants, theatres, public transport, and any place maintained by a public authority.
- 1.9 To tackle continuing discrimination in other areas, the Race Relations Act 1968 was introduced followed by the Race Relations Act 1976. The 1976 Act culminated in race discrimination being outlawed in employment, training and education, housing, the provision of goods, facilities and services and certain other specified activities, including public appointments made by Ministers and Government Departments.
- 1.10 It provided for the establishment of the Commission for Racial Equality (CRE). The CRE was given a statutory duty to work towards the elimination of discrimination, to promote equality of opportunity and good relations between persons of different racial groups generally, and to keep under review the working of the Act. To help with that aim the CRE was also given strategic powers of enforcement.

- 1.11 The 1976 Act also placed a statutory duty on local authorities and on specified local educational bodies to promote race equality.

## No room for complacency

- 1.12 The 1965, 1968 and 1976 Race Relations Acts have undoubtedly helped to change





behaviour and attitudes and, therefore, have made a significant contribution to race equality in Great Britain. We are a far cry from the position in the 1950s and early 1960s, before legislative action was first taken. However, there can be no room for complacency.

- 1.13 The Government feels that it is unsatisfactory in a modern, pluralist society, with a long history of migration such as ours, that we have no ethnic minority Generals or High Court Judges. It is also unsatisfactory that less than 2% of Senior Civil Servants are from ethnic minorities and about 3% of teachers, compared to representation of about 7% of the total working population. The position described is not limited to these few examples alone.
- 1.14 There is also a great deal of research and other evidence, which points up the room for improvement in the way in which public authorities develop and implement policies which impact upon ethnic minorities, and how they deliver services to them. None more poignant, perhaps, than the findings of the Stephen Lawrence Inquiry.
- 1.15 The Inquiry brought home to many for the first time what it is like to be black or Asian in Britain today. It highlighted the unwitting behaviour that can lead to shortcomings in the services provided by public bodies to ethnic minorities and in the employment prospects offered to them.
- 1.16 The Report made clear that it did not believe that such behaviour was confined to the police alone. It is an issue for all our institutions.

- 1.17 The effects are cumulative and often only manifest themselves in overall outcomes. They militate against the Government's policy of creating strong, inclusive communities. The Government wants to change this through a combination of legislative and administrative measures.

### Creating the right legislative & administrative framework

- 1.18 The Government believes that public authorities have a special responsibility as employers, policy makers and service providers to deliver race equality. They should set the pace on race equality and lead by example.
- 1.19 The strengthened Race Relations Act, coupled with administrative action (such as performance indicators, audit and reporting, and progress measurement as in "Race Equality in Public Services"), will together create a framework for change. An outline of the broad framework we are developing is on page 10.

# The developing legislative and administrative framework

## Civil Legislative Action

### Activity

### Enforcement

#### Outlawing Race Discrimination

**Race discrimination outlawed** in all public functions:

- in respect of employment, the provision of goods, facilities and *services*, training, education, housing and certain other activities, including public appointments made by Ministers and Government Departments under the 1976 Act;
- in all other public functions under provisions inserted by the 2000 Act, with limited, justifiable exemptions.

**Claims** to an employment tribunal, the County/Sheriff Court, the Immigration Appellate Authorities or High Court as provided for in the Act. Remedies apply. Assistance can be provided to claimants by the CRE.

**Informal action** by the CRE.

**Formal investigations** by the CRE and the service of non-discrimination notices.

#### Promoting Race Equality

A **general duty** on specified public bodies to *work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups*.

**Informal action** by the CRE in the light of complaints received from individuals or using their own general powers.

**Specific duties** on specified public bodies to ensure their "better performance" of the general duty.

**Formal enforcement action** by the CRE in respect of specific duties, using compliance notices backed up by court orders if necessary. No financial remedies apply.

## Administrative Action

### Guidance

CRE **statutory Codes of Practice**, providing guidance to public authorities on how to fulfil their obligations under the general & specific duties, e.g. covering policy development & implementation, service delivery, employment & performance management.

CRE **statutory Codes of Practice** on employment and housing.

CRE **non-statutory guidance**, e.g. race equality standards for local authorities & schools.

**Statutory Codes of Practice** admissible as evidence in respect of an alleged breach of the Act.

### Performance Indicators

**Performance indicators**, where appropriate, linked to progress against CRE statutory Codes of Practice or other guidance. Also performance indicators linked to Central Government Public Service Agreements & Service Delivery Agreements.

### Audit and Reporting

**Monitoring and public reporting** by public bodies, the Audit Commission in local authorities, National Audit Office, Audit Scotland, the police, fire & probation inspectorates, etc.

### Measuring Progress

A **basket of race equality indicators** measuring progress on race equality in the public sector – published in "Race Equality in Public Services".



# Chapter 2

## Outlawing discrimination in public functions

### The 1976 Act

2.1 Chapter 1 explained how the Race Relations Act 1976 outlawed race discrimination in additional fields of activity when compared to earlier Acts of Parliament. In particular, it made discrimination on racial grounds in the fields of employment, the provision of goods, facilities and **services**, training, education, housing and public appointments made by Ministers and Government Departments and the devolved administrations in Scotland and Wales unlawful.

### The definition of race discrimination

- 2.2 Race discrimination is defined at Section 1 of the 1976 Act. It falls into three parts: direct discrimination; indirect discrimination; and victimisation.
- 2.3 **Direct discrimination** arises when on racial grounds a person treats another person less favourably than he treats or would treat other people.
- 2.4 **Indirect discrimination** occurs when there is a *condition or requirement* which, although applied equally to people of different racial groups, has the effect that the proportion of a racial group that can comply is considerably smaller than that of another racial that

can comply. Such a *condition or requirement* is unlawful if it cannot be justified on non-racial grounds and if it causes a detriment to the person of the racial group that cannot comply.

- 2.5 **Victimisation** occurs when a person treats another person less favourably than he treats or would treat other people because that person asserted their rights under the Act or helped someone else to do so.

### Gaps in the 1976 Act

- 2.6 Despite the increase in the coverage it offered, the original 1976 Act left gaps in its application to public authority functions.
- 2.7 Those gaps were then widened by the development of caselaw. This flowed from a narrow interpretation by the Courts of what public functions were in fact covered by the Act as “**services**”. For example, it was decided that a police constable was not covered when making an arrest or otherwise enforcing the law because he or she would not be providing a “*service*” to the individual concerned. A police constable would, however, be providing a service, for example, when giving directions to a member of the public.



## Closing off the gaps

2.8 The 2000 Act remedies this. It outlaws race discrimination in all public authority functions not previously covered by the 1976 Act but for certain very limited exceptions on the face of the Act (see **Appendix 3**).

2.9 The definition of “**public authority**” used for this purpose is “**any body certain of whose functions are of a public nature**”. It follows the approach taken in the Human Rights Act 1998.

2.10 The definition is deliberately broad. It covers not only the functions of public authorities in the everyday sense of the word but also public functions performed by private sector bodies. Running of prisons, for example.

2.11 This approach fulfils a recommendation made by the CRE in its 3rd Review of the 1976 Act (ISBN 1-85442-210-3, April 1998).

## Standards

2.12 By outlawing race discrimination in “all” public authority functions, the Government is setting a minimum standard for public authorities. It is signalling that race discrimination in the performance of public functions is unacceptable. It must be avoided.

## Examples of the functions newly covered

2.13 Examples of the functions covered by the new provision in the 2000 Act, which

generally outlaws race discrimination in public functions not covered by the 1976 Act, are as follows:

- **law enforcement**, e.g. by police officers, Customs & Excise officers, tax officers, Environmental Health Officers, Trading Standards Officers and Health and Safety Executive officers;
- **licensing**, e.g. the issuing of street trading licences, gaming licences, liquor licences, etc;
- the core functions of the **immigration authorities** on the grounds of race or colour or where race discrimination on the grounds of nationality, ethnic or national origin is not provided for in specified immigration legislation or expressly authorised by Ministers;
- the core functions of the **Prison Service**, e.g. prison allocation, discipline, punishment, and the searching of visitors;
- the core functions of the **Probation Service**, e.g. the preparation of pre-sentencing reports and the revocation of community sentences;
- compulsory detention under the **Mental Health Act**.

## Public appointments

2.14 The 2000 Act also outlaws race discrimination in **public appointments** where gaps in coverage were left in the original 1976 Act.

2.15 Under the original 1976 Act, only race discrimination in public appointments made by Ministers and Government Departments were covered. Public appointments made on the recommendation or approval of Ministers and Government Departments (e.g.



Crown appointments, peerages, and honours) were not.

- 2.16 The 2000 Act addresses this anomaly. It also addresses an anomaly regarding terms and conditions of appointments and the termination of appointments. These too will be covered, both for appointments made by Ministers and Government Departments and appointments recommended or approved by them.

## Claims

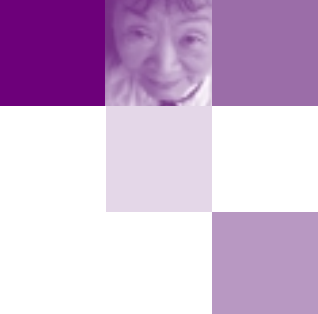
- 2.17 Claims for unlawful discrimination under provisions inserted by the 2000 Act will generally be to the County or Sheriff Court. There are two exceptions to this.
- 2.18 First, in relation to claims of race discrimination against the **immigration authorities** where the claim relates to a decision on their entitlement to enter or remain in the UK. In such cases the claim will be heard by the Immigration Appellate Authorities (IAA) as part of the one stop appeal procedure established by the Immigration and Asylum Act 1999. A claimant who substantiates his claim for discrimination in the IAA will then be able to apply to a County or Sheriff Court for damages.
- 2.19 Claims of race discrimination against the immigration authorities, which are unrelated to a decision on entitlement to enter or remain in the UK, can proceed directly to the County or Sheriff Court.
- 2.20 Secondly, claims regarding **public appointments** that are covered by the

Act will be heard by the High Court or the Court of Session, consistent with public appointments that were covered by the original 1976 Act.

- 2.21 The 2000 Act remedies an inconsistency regarding claims brought against **educational bodies**. Under the original 1976 Act, before a claim could be brought against an educational body, a two-month notification to the Secretary of State was necessary. This served as a cooling off period and also gave the Secretary of State the opportunity to seek to resolve the dispute or to use powers of direction under education legislation, to avoid resort to the Courts. In practice it has not been as effective as originally envisaged and, more often than not, it only served to delay a claimant's action.
- 2.22 The CRE recommended in its 3rd Review of the Act that this requirement be removed. The 2000 Act does that. It amends the original 1976 Act so that it provides for the Secretary of State to be notified of a claim against an educational body but without delaying its progress to Court.

## Action recommended

- 2.23 There is no central or comprehensive list of the public functions that will be covered by the new provisions outlawing race discrimination. **Good governance therefore requires public authorities to review their functions to identify these for themselves.** This will enable steps to be taken if necessary, to reduce the risk of claims of unlawful race discrimination in newly covered areas. **The Government**



recommends this to public authorities, though it will ultimately be for the courts to decide whether a body is performing a public function within the meaning of this new provision.

2.24 As the provision also impacts upon the public functions of private sector bodies, we recommend that public authorities identify with their private sector partners which of the functions contracted out to them are *functions of a public nature*. The Government recommends that those partners also take action to reduce the risk of claims of unlawful race discrimination.

## Timing

2.25 The Government intends to lay a commencement Order giving effect to the new provisions outlawing race discrimination in public functions not already covered in the 1976 Act from April 2001 – by which time the administrative work necessary to allow the provision to operate as Parliament intended should be completed.



# Chapter 3

## General duty on public bodies to promote race equality

### The general duty in the 2000 Act

3.1 Race equality is central to the Modernising Government agenda.

3.2 The Government believes that the promotion of race equality is a positive way of tackling the institutional problems highlighted by the Stephen Lawrence Inquiry. The 2000 Act (new section 71(1)) inserts new provisions which reflect that. It requires specified public bodies to have **due regard** to the need *to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups* when performing their functions.

3.3 This general duty to promote race equality enshrines in law an important principle to which the Government wishes public authorities to adhere.

### How the new general duty differs from existing ones

3.4 The new duty replaces the general duty which Parliament placed upon **local authorities** under the original 1976 Act. It is significantly different in three respects:

(i) first, unlike now, it applies to a wide range of public authorities;

(ii) secondly, it does not leave it up to individual public authorities to decide whether the promotion of race equality is an “appropriate” activity;

(iii) thirdly, it goes directly to the need for public authorities to have “*due regard*” to race equality in carrying out their functions, rather than only requiring them to “make arrangements” for having due regard.

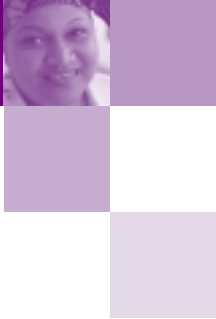
3.5 It also replaces the general duty which was placed upon **local education authorities**, for example, in the original 1976 Act. That duty required them to work towards the elimination of unlawful discrimination. The new duty will also require them to promote equality of opportunity and good relations between people of different racial groups.

### Getting behind the words

3.6 The general duty to promote race equality is a positive one. In other words it requires public authorities to be proactive, to seek to avoid unlawful discrimination before it occurs.

3.7 Avoiding unlawful discrimination should have the effect of promoting equality and good relations between people of different racial groups and vice versa.





These two aspects of the general duty are therefore complementary.

3.8 Avoiding unlawful discrimination before it occurs also avoids the costs of discrimination claims, loss of reputation and loss of goodwill with ethnic minority communities. It avoids wasting talent and disenfranchising elements of our community.

3.9 The term **“functions”** has a wide meaning. The expression **“are carried out”** adds to that. The Government envisages, therefore, that the duty will apply not just when the employees of a specified public authority are performing its functions but also when an authority is carrying out the recruitment of staff to perform its functions.

3.10 As the requirement is to have **“due regard”**, the general duty is proportionate. Public authorities will be expected to give appropriate weight to the promotion of race equality when performing their functions. This recognises the fact that the extent to which individual public functions will lend themselves to a proactive approach will vary considerably. For example, health and education service delivery at one end of the spectrum compared to air traffic control at the other.

## Timing

3.11 The Government intends to lay a commencement Order giving effect to the new general duty to promote race equality from April 2001. The public authorities to which the general duty applies are defined in a list at Schedule

1A to the Act, a copy of which is attached (**Appendix 4**). A list approach has been used to define public bodies for the purposes of the duty to promote, as opposed to a generic definition, because of the need for greater clarity when duties are imposed requiring bodies to be proactive.

## Action recommended

3.12 Good governance requires each public authority to make an assessment of its functions and policies which are relevant to the duty – and the extent of its compliance. This is a necessary precursor to taking appropriate action to address any unjustifiable differential impact on different racial groups that exists or may arise. This is discussed further in Chapter 5.



# Chapter 4

## Extending the application of the general duty on public bodies to promote race equality

### Powers to extend the application of the duty

4.1 We mentioned in Chapter 3 that the 2000 Act inserts Schedule 1A into the 1976 Act. It lists the bodies which are to be subject to the general duty to promote race equality. The public authorities currently listed in Schedule 1A are mainly larger bodies such as central Government Departments, local authorities, the police and armed forces. As made clear during the Act's passage through Parliament, the Government wishes to see the general duty given a wide application.

4.2 The 2000 Act (new section 71(5)) empowers the Secretary of State to amend the list of public authorities in Schedule 1A. This can be done by secondary legislation, providing the organisations being added to the Schedule exercise "*functions of a public nature*". This applies to bodies operating in England, Scotland and Wales. The power to subject additional bodies to the new duty is reserved to the Secretary of State, as it is the Government's aim to ensure consistent application of the new general duty to promote race equality across Britain.

### Proposals for extension

4.3 The public bodies that we propose to add to Schedule 1A and which, therefore, will be made subject to the duty to promote race equality are listed at **Appendix 5**.

4.4 In all, 302 new entries are proposed for addition to Schedule 1A. 78 are advisory Non-Departmental Public Bodies set up by statute or having some other legal status. 136 are executive Non-Departmental Public Bodies. Eight are Public Corporations. Six are the public functions of nationalised industries. 74 concern regulatory or other bodies.

4.5 Some additional bodies, principally advisory NDPBs, do not have any legal status and are, therefore, inappropriate for inclusion in the Schedule.

4.6 Judicial and quasi-judicial bodies have also been excluded from the Schedule. These bodies are exempt from the provisions generally outlawing discrimination in the 2000 Act because to have done otherwise would have interfered with the concept of judicial independence. Similar considerations apply in respect of the duty to promote race equality.



## Timing

- 4.7 We envisage making an Order to add the proposed additional public authorities to Schedule 1A by July 2001.

## Action sought

- 4.8 Comments are invited on the list of public bodies at Appendix 5 which are proposed for adding to Schedule 1A to make them subject to the general duty to promote race equality.
- 4.9 A composite list of public bodies to be made subject to the general duty – those already in Schedule 1A and those proposed for addition – is at **Appendix 6**.



# Chapter 5

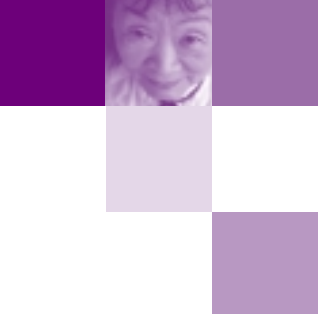
## Powers to impose specific duties on public bodies to promote race equality

### Features of an organisation promoting race equality

- 5.1 The Government believes that the key features of an organisation promoting race equality are generally considered to be that it:
- monitors its workforce, taking steps to ensure that ethnic minorities are treated fairly;
  - assesses how its policies and programmes could affect ethnic minorities, identifies any potential for adverse differential impact, and takes remedial action if necessary;
  - monitors the implementation of its policies and programmes to ensure that they meet the needs of ethnic minorities;
  - has a publicly stated policy on race equality.

### Powers for imposing specific duties

- 5.2 The 2000 Act (new Section 71(2)) empowers the Secretary of State, in practice the Home Secretary, to impose by Order "*such duties as he considers appropriate for the purposes of ensuring the better performance*" of the general duty to promote race equality. For convenience these are being termed in this document as "**specific duties**".
- 5.3 An Order can be made imposing specific duties on all public bodies to which the general duty applies, some of those bodies, or a particular body.
- 5.4 The 2000 Act (new Section 71B) sets out the arrangements under which specific duties can be imposed on public bodies carrying out their functions in Scotland and Wales.
- 5.5 The power to impose specific duties in relation to Scotland remains in some cases with the Secretary of State and in other cases is transferred to Scottish Ministers in accordance with the principles underpinning the devolution settlement. Thus, only the Secretary of State may make an Order in respect of a reserved body, but Scottish Ministers will be competent to impose specific duties on bodies with devolved functions.
- 5.6 The Secretary of State will impose specific duties in relation to Wales, formally consulting the National Assembly for Wales or seeking their consent before doing so, in accordance with the requirements of the Act.
- 5.7 For the purposes of completeness and consistency, this consultation paper contains the Government's proposals in relation to public authorities operating across England, Scotland and Wales.



Following this public consultation exercise and in advance of an Order being laid, formal consultation between the Secretary of State and Scottish Ministers will determine where the order-making power rests in respect of each body. Therefore it will be for Scottish Ministers to determine how to exercise the powers in relation to devolved interests. Consultation will also take place between the Secretary of State and the National Assembly for Wales, in accordance with the requirements of the Act and with the Memorandum of Understanding between the Government and the devolved administrations and the Concordats.

## Proportionality

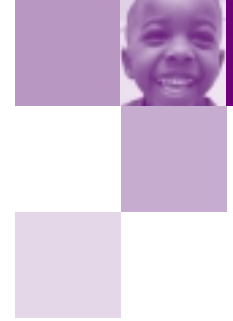
5.8 In making use of these new powers, it is the Government's intention to keep burdens on public bodies proportional to the policy objective. We wish to achieve a culture change in public bodies consistent with our overall approach of modernising Government. We do not want to create a system of ticking boxes, which will not benefit public bodies or ethnic minority communities. Public bodies are particularly encouraged to work within existing mechanisms as far as possible to avoid unnecessary burdens and duplication. The Government intends to keep the effectiveness and the regulatory impact of the use of these new powers under review. There will, therefore, be further opportunities to assess whether proportionality has been maintained in relation to the policy objective – though we would welcome any comments that you have in the meantime.

## Enforcement

5.9 The duty to promote race equality is different from the provisions outlawing race discrimination in so far as it is not meant to result in a particular outcome for an individual. Its aim is to drive up standards from which individuals will generally benefit. No provision has, therefore, been made for individuals to bring a challenge in a County or Sheriff Court in respect of the duty to promote (though Judicial Review will remain available). The intention is that all complaints should be channelled through the CRE.

5.10 The CRE has been empowered under the Act to issue a compliance notice to a public body which it believes is not fulfilling a specific duty. If necessary, it will be able to seek a Court Order to enforce the notice.

5.11 The Government expects, however, that the CRE will use its powers only if a partnership approach fails to work.



# Chapter 6

## Proposed specific duties to promote race equality: policy and service delivery

### Proposals for specific duties for key central public bodies

6.1 As described in Chapter 5, the 2000 Act enables specific duties to promote race equality to be imposed upon all public bodies to which the general duty applies, some of those bodies, or a particular body.

6.2 The specific duties that the Government has in mind for key central public bodies in respect of policy development and implementation and service delivery are consistent with the concept of mainstreaming race equality. Mainstreaming is defined in a Council of Europe report as *"the organisation, improvement and evaluation of policy processes, so that... equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy making"*.

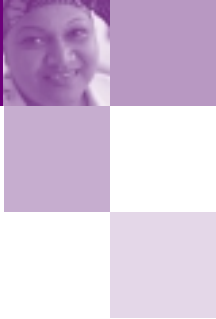
6.3 Mainstreaming *"into the policy making process from the earliest stages"* was recommended to the Government by the Better Regulation Task Force in its review of anti-discrimination legislation in 1999 and by the CRE in its 3rd review of the 1976 Act. The Government agreed.

6.4 The specific duties being proposed for key central bodies are also based upon those currently in operation in Northern Ireland and are in keeping with those recommended by the CRE in its 3rd Review of the 1976 Act. They form part

of a seven pronged policy cycle. We believe that this provides clarity and consistency with the NI approach.

However, we would be prepared to consider encompassing them into fewer duties if that is generally considered to be helpful. **We are proposing duties for each key central public body to:**

- a) Prepare and publish a **Race Equality Scheme** setting out how it intends to meet its obligations under the general duty and any other proposed specific duties to promote race equality which are relevant to it;
- b) **assess** which of its **functions and policies are relevant** to the general duty, with regular subsequent reviews, e.g. three yearly;
- c) set out its arrangements for **assessing and consulting on the impact** on the promotion of race equality of policies it is proposing for adoption;
- d) set out its arrangements for **monitoring for any adverse impact** on the promotion of race equality of policies it has adopted or is proposing for adoption;
- e) set out its arrangements for **publishing the results of:**
  - assessments;
  - consultations; and
  - monitoring for any adverse impact on the promotion of race equality of policies;required at c) and d);



- f) set out its arrangements for ensuring **ethnic minorities have access to information and to services** it provides;
- g) set out its arrangements for **training staff** on issues relevant to the duty to promote race equality.
- 6.5 Many of the arrangements that are necessary for the bodies concerned to fulfil these duties are already required by administrative or other action and will, therefore, be in place to varying degrees.
- 6.6 For example, administrative guidelines on mainstreaming already apply in **central Government**. These were reiterated to Departments in November 1998 in the document "*Policy Appraisal for Equal Treatment*". The guidelines require:
- consultation with ethnic minority representatives when new policies affecting them are being developed;
  - an assessment of the likely impact of these policies on ethnic minorities;
  - monitoring of policy implementation and service delivery; and
  - action to remedy any unexpected and unjustifiable outcomes for ethnic minorities.
- 6.7 Similar guidelines also apply to **local authorities**. These are set out in "*Racial Equality Means Quality, the Commission for Racial Equality's Standard for Local Government*". From 2000/01, the performance of local authorities against those standards has been made a key performance indicator of Corporate Health under the Best Value regime in England and Wales.
- 6.8 Like the guidance applying in central Government, the core of the Standard for local authorities is:
- public consultation with ethnic minorities;
  - assessing the impact of policies on ethnic minorities;
  - monitoring of policy implementation and service delivery; and
  - taking remedial action where necessary.
- 6.9 "Increasing trust and confidence in policing amongst minority ethnic communities" was made one of two Ministerial Priorities for **the police** in England and Wales for 2000/01. This is being extended to 2001/02.
- 6.10 Monitoring of service delivery to ethnic minorities and others is a requirement under section 95 of the Criminal Justice Act 1991.
- 6.11 Following a 2000/01 thematic inspection on Police Community and Race Relations, HM Inspector of Constabulary reported that all police forces in England and Wales had some form of consultative arrangements with community groups in place. 98% of forces worked from or were developing a Community Race Relations Strategy to ensure that policy, strategic and operational decisions take account of race relations' implications. Earlier this year HM Inspectorate of Constabulary for Scotland published "Without prejudice?", a thematic inspection of police race relations in Scotland. The inspection has established a baseline or benchmark of the current position of police forces and common police services in Scotland.
- 6.12 Activity to mainstream race equality in the **National Health Service (NHS)** and social care workforce is occurring on a number of fronts. In January 2000 the Department of Health published the "*Race Equality Agenda of the Department of Health*", which sets out a programme of action on





race equality. The "*NHS Plan: A Plan for Investment, A Plan for Reform*", published in July 2000, recognised the need for a modern Department to respond to the needs of a diverse, multi-cultural society. This is reflected in the core principles of the new NHS and in a number of the commitments made in the NHS plan. The Department of Health launched an "*Equalities Framework for the NHS, The Vital Connection*", in April 2000. This included clear requirements for the NHS to promote race equality and introduced a package of standards, indicators and monitoring arrangements.

6.13 In view of their size and functions, the Government is proposing to apply the specific duties at paragraph 6.4 to the public bodies listed in Part 1 of Appendix 6 (the composite list of bodies to be made subject to the general duty). These are principally large bodies or bodies which have policy or service functions which could benefit from the full cycle of specific duties. For example, central and local Government, the police and the largest NHS bodies, such as the Regulatory Bodies, NHS Trusts, Primary Care Trusts, Health Authorities, Special Health Authorities.

### Proposals for specific duties for educational establishments

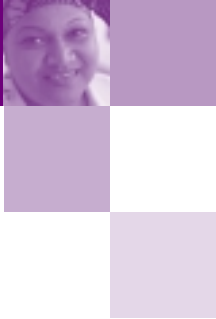
6.14 The Government recognises the crucial role that education has to play in bringing about a fair and just society. The Stephen Lawrence Inquiry Report also highlighted the importance of this role. It recommended that "*Local Education Authorities and School Governors should have a duty to create and implement strategies in their schools to prevent and address racism*". It also recommended

that OFSTED inspections include examination of the implementation of such strategies. The Government is taking this forward as set out in its Stephen Lawrence Action Plan.

6.15 OFSTED, as a non-ministerial Government Department, is amongst the public authorities which were made subject to the general duty to promote race equality on the face of the Act. So too, for example, are Local Education Authorities and the Learning and Skills Council, which has a duty under the Learning and Skills Act to promote equality of opportunity. They are all amongst the key central bodies for which the full cycle of specific duties has been proposed.

6.16 In respect of schools that are subject to the general duty (see Part 2 of Appendix 6), the Government's aim in proposing specific duties is to balance the important role that they have to play in the drive for race equality against the need for proportionality. Consistent with the Stephen Lawrence Inquiry's recommendations in this area, and to complement the CRE's non-statutory guidance "*Learning for All, Standards for Racial Equality in Schools*" (ISBN 1-85442-223-5), we are proposing that each school in England and Wales should have specific duties to:

- a) prepare a **written policy** on race equality;
- b) **assess** the impact of its policies on ethnic minority pupils, staff and parents, with the emphasis on the attainment of ethnic minority pupils;
- c) **monitor** the levels of attainment of ethnic minority pupils, and the impact of its race equality policy on pupils, staff and parents.



6.17 The Government also wishes to see schools, as far as possible, using existing planning systems to make information available about their policies to promote race equality. **We would welcome views on this and how that might best be reflected in a specific duty to promote race equality.**

6.18 **Scottish Executive Ministers would welcome views on the most appropriate approaches for schools, reflecting the Scottish context and the standards in the Scotland Schools, etc, (Scotland) Act 2000.**

6.19 GB higher and further education institutions that are subject to the general duty (see **Part 2 of Appendix 6**) also have a central role to play in bringing about a fair and just society. It is important that they too create and implement strategies to prevent and address racism and that they ensure equality of access for individuals irrespective of their background. We are proposing that each such institution should have specific duties to:

- a) prepare a **written policy** on race equality;
- b) **assess** the impact of its policies on ethnic minority students and staff;
- c) **monitor** the recruitment and progress of ethnic minority students and staff;
- d) set out its arrangements for **publishing** its written policy, impact assessments and monitoring required at a), b) and c).

### **Proposals for specific duties for other public bodies**

6.20 The remaining public bodies that are

subject to the general duty to promote race equality carry out a mixture of public functions ranging from astronomy research to the management of nuclear liabilities. These are listed at **Part 3 of Appendix 6**.

6.21 In the interests of proportionality, and the need to target resources where they are most needed, the Government is not proposing to apply specific duties to the policy and service functions of the bodies concerned. The Government believes that subjecting them to the general duty to promote race equality and the statutory Codes of Practice (see Chapter 8) should suffice in respect of the performance of their policy and service functions (specific duties concerning employment functions are covered in Chapter 7).

6.22 The same is true of the advisory NDPBs which we propose to make subject to the general duty (see **Part 4 of Appendix 6**). These bodies provide advice to Ministers and Government Departments who themselves will be subject to the full range of specific duties. The Government considers it to be unnecessary, therefore, to impose additional requirements on such bodies.

### **Action sought**

6.23 **Comments are invited on the proposals regarding specific duties at paragraphs 6.13, 6.16, 6.17, 6.18 and 6.19.** It should be noted that none of the proposed duties are intended to duplicate existing statutory duties, e.g. requirements under the Freedom of Information Act 2000. **Comments are also invited on the approach set out at paragraphs 6.21 and 6.22.**



# Chapter 7

## Proposed specific duties to promote race equality: employment

### Employment under the original 1976 Act

- 7.1 The original 1976 Act outlawed race discrimination in employment and provided for a CRE statutory Code of Practice on employment. Ethnic monitoring was not made a statutory requirement.

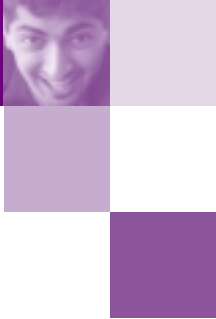
### Regulatory reviews

- 7.2 In its 3rd Review of the 1976 Act, the CRE recommended that it should be compulsory for all employers with a total workforce in excess of 250 employees to monitor by ethnicity the composition of their workforce and certain employment procedures. Employers would be expected not only to collect the data but also to include the results of monitoring in their annual reports and review those results at least once every three years.
- 7.3 This recommendation received widespread support in the public consultation on the Review carried out by the Home Office, although the vast majority of comments received supported a lower threshold than the figure of 250 proposed by the CRE.
- 7.4 The Better Regulation Task Force recommended in its review of anti-

discrimination legislation that Government Departments and agencies, NDPBs and other publicly funded bodies should continue to monitor and report on the composition of their workforces by grade and salary. The Government agreed with this in its July 1999 response.

### Best practice

- 7.5 Ethnic monitoring is essential to provide a clear picture of what is happening in the workforce, to demonstrate the success of equal opportunity policies and to measure progress overall. It helps:
- to ensure that people's talents are used to the full;
  - to ensure that selection decisions and personnel policies are based upon objective criteria;
  - avoid unlawful discrimination in employment;
  - employers become attractive to the talent in all communities.
- 7.6 Many public bodies have recognised this importance and have adopted the CRE Code of Practice or are judging their performance against its new non-statutory guidelines, "*Racial Equality Means Quality: A Standard for Racial Equality for Employers*" (ISBN 1-85442-159-X).



7.7 In respect of ethnic monitoring, the Standard takes a **two-tiered approach**. At the lower level, employers are expected to ethnically monitor **staff in post and applicants for jobs, promotion and training**. They are, in addition, expected to carry out an analysis of staff in post, e.g. by grade. At the higher level, they would also be expected to monitor and analyse **grievances, disciplinary action, performance appraisal, training and dismissals and other reasons for leaving**.

7.8 The Standard has been made a key performance indicator for local authorities by the Government and the Audit Commission under Best Value in England and Wales from 2000/01. The Audit Commission is to report on yearly progress.

## Modernising Government

7.9 As recognised in the Modernising Government White Paper, ethnic minorities (and women and people with disabilities) are under-represented in the most senior parts of the public service. Addressing this is a top priority. It stressed that whilst the public service is committed to achieving equality of opportunity, progress needs to be accelerated if Britain is to get the public service it needs for the new millennium.

7.10 The Government has set targets (not quotas) to double the representation of ethnic minorities in the Senior Civil Service to 3.2% by 2004/05. All Government Departments and the devolved administrations have set targets in both the Senior Civil Service and at

levels below that. Additionally, they have drawn up diversity action plans. In addition, the Home Office has set targets for ethnic minority representation in the police, fire, prison and probation services.

7.11 The White Paper emphasised the Government's view that monitoring is fundamental to the accelerated programme that the Government wishes to see in the public service.

7.12 Most public authorities carry out some ethnic monitoring of their workforces but the overall position is patchy. For example, all central Government Departments already monitor their staff by racial group as do police authorities in England and Wales. Monitoring is also undertaken by local authorities – although a review in September 2000 by the *Local Authorities Race Relations Information Exchange* showed that only 35% of local authorities may be monitoring as would be expected.

7.13 It is important that teachers and other staff in schools are covered by the monitoring arrangements. The most appropriate way of achieving this is for the local education authority (LEA), not the school, to be responsible for gathering and publishing the data. Most LEAs in England and Wales, as formal employers of teachers, already carry out ethnic monitoring of teaching staff in post as part of their work for the Local Government Performance Indicators. However, at present these are not collated centrally to provide a national overview.

7.14 The Government wishes to improve the current position across the public sector as a whole. We are, therefore, proposing that:

- all public employers that are made subject to the general duty to promote race equality should have a specific duty to **ethnically monitor staff in post and applicants for jobs, promotion and training** – in line with the lower tier of the CRE's standard; and
- all such public employers with 150 full-time employees or more should, in addition, have a specific duty to **ethnically monitor and analyse grievances, disciplinary action, performance appraisal** (when this results in benefits or sanctions), **training and dismissals and other reasons for leaving** – in line with the requirements of the second tier of the CRE's standard;
- all of the public employers made subject to these particular duties should **publish annually** the results of their ethnic monitoring. The Government would expect them to use existing annual reporting systems, e.g. annual departmental reports, wherever possible rather than creating new reporting mechanisms;
- the **Department for Education and Employment** and the **Scottish Executive Education Department** should also have duties to monitor the overall position for teaching staff in England and Wales and Scotland respectively drawing, where possible, on detailed data collected by Local Education Authorities and should publish the results annually. These bodies would have responsibility for publishing data on the ethnicity of teaching staff rather than schools themselves.
- the **Learning and Skills Council**, the **Scottish Further Education Funding**

**Council and the National Council for Education and Training for Wales** should also be under a duty to monitor the overall position for teaching staff in their respective further education institutions and to publish the results annually.

7.15 Comments are invited on these proposals.



# Chapter 8

## Current thinking on statutory Codes of Practice

- 8.1 The 2000 Act (new Section 71C) allows the CRE to issue **Codes of Practice** in relation to any aspect of the public sector duty to promote race equality (previously they could only issue statutory codes in the fields of employment and housing). It is intended that the Codes should provide practical guidance to public authorities on how to fulfil both their general and specific duties to promote race equality. They would also include examples of best practice.
- 8.2 The amended 1976 Act requires the following steps before a Code can be issued:
- the CRE must publicly consult with interested bodies on a draft of the Code;
  - the draft Code must then be submitted to the Home Secretary for approval;
  - the Home Secretary can then approve the Codes (there would be consultation with Scottish Ministers and the National Assembly for Wales regarding their interests);
  - an approved Code must be laid in the House for 40 sitting days for approval by Parliament before it comes into force.
- 8.3 Once in force, a Code could be admissible as evidence in court in respect of a claim brought under the Act or an Order imposed under it to promote race equality.
- 8.4 The Government wants the CRE in bringing forward proposals for Codes of Practice to work with existing arrangements in so far as possible and to avoid duplication of requirements. In particular the Government would expect the CRE to demonstrate that the Codes have been developed in consultation with practitioners on the ground; are practicable; proportionate; avoid duplication; and work within existing arrangements wherever possible.
- 8.5 At this stage the Government understands that the CRE is intending to prepare six Codes of Practice. One each for:
- central government;
  - local government;
  - the police;
  - National Health Service bodies;
  - educational bodies,
- as well as a generic code for other specified public authorities, principally small public authorities.
- 8.6 The CRE are considering the most appropriate approach for Scotland to take account of the Scottish legal system and institutional structures.
- 8.7 If the Codes are to take account of the specific duties to promote race equality, public consultation cannot begin until after the Order imposing those duties has been laid in Parliament. **The Government**



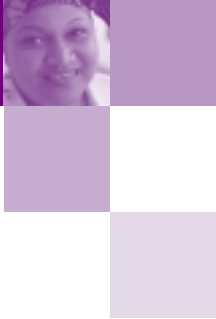
intends to lay the Order imposing specific duties as soon as possible after this public consultation but to allow for a long lead time before they come into force. In the meantime the CRE would be free to consult on the Codes of Practice and to seek approval for them so that their introduction broadly coincides with the specific duties coming into force.

8.8 The Government sees no reason to delay similarly the coming into force of the general duty to promote. CRE statutory Codes of Practice already provide guidance on employment and housing. In addition, CRE non-statutory guidance exists for:

- all employers, in the form of "*Racial Equality Means Business: A Standard for Employers*";
- local authorities, in the form of "*Racial Equality Means Quality, the Commission for Racial Equality's Standard for Local Government*";
- schools in England and Wales, in the form of "*Learning for All, Standards for Racial Equality in Schools*";
- schools and further education colleges in Scotland, in the form of "CRE Code of Practice (Scotland): for the Elimination of Racial Discrimination in Education 1991".

8.9 The Government has asked the CRE to review the existing guidance and to issue non-statutory guidance as necessary to coincide with the commencement of the general duty in April 2001. This should provide guiding principles to public authorities for subsequent fleshing out in Statutory Codes of Practice.





# Chapter 9

## Provisions on vicarious liability of Chief Officers of Police

### Background

- 9.1 The Stephen Lawrence Inquiry recommended that “Chief Officers of Police should be made vicariously liable for the acts and omissions of their officers” under the 1976 Act. The CRE also made this recommendation in their 3rd Review of the Act.
- 9.2 All “employers” are already liable for acts of race discrimination by their “employees”. However, as police officers are “office holders” under the law and not “employees”, the existing provisions did not cover Chief Officers of Police.

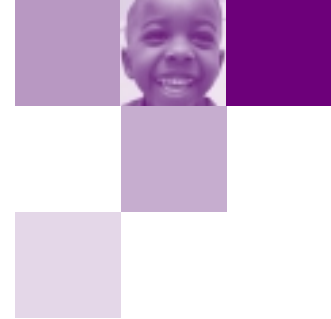
practicable to prevent an act of discrimination which had given rise to a claim. This defence will now also apply to Chief Officers of Police.

### Action recommended

- 9.5 Good governance requires Chief Officers of Police to review the position within their forces to ensure that they have taken reasonable steps to ensure that officers under their direction and control do not racially discriminate. This position should be helped by the positive duty to promote race equality.

### The 2000 Act

- 9.3 The 2000 Act inserts provisions into the 1976 Act which correct this anomaly and bring the police’s position under the Act into line with other employers such as the Prison Service and the Fire Service. It provides that the relevant Police Authority will pay the costs and damages under the Act. This is in line with existing powers that those authorities have to make settlements in other civil proceedings.
- 9.4 It was already a defence under the original 1976 Act if an employer had taken such steps as were reasonably

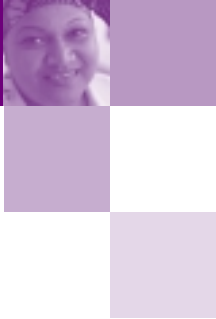


# Chapter 10

## Overall implementation timetable

10.1 The Government attaches great importance to the 2000 Act and wishes to implement it as quickly as possible. This is reflected in the individual dates set out in earlier chapters of this paper. Overall, they give rise to the following broad timetable:

<b>April 2001</b>	New provisions into force: <ul style="list-style-type: none"><li>• outlawing race discrimination in “all” public functions;</li><li>• outlawing race discrimination in public appointments not previously covered;</li><li>• applying the general duty to promote to bodies already in Schedule 1A;</li><li>• making Chief Officers of Police vicariously liable;</li><li>• limiting the circumstances in which safeguarding national security can be used to justify race discrimination.</li></ul>
<b>July 2001</b>	Make secondary legislation imposing specific duties on listed public bodies, leaving the way clear for the CRE to publicly consult on its draft Codes of Practice.  Make secondary legislation extending the list of bodies to which the general duty applies.
<b>Summer 2001</b>	Codes of Practice: <ul style="list-style-type: none"><li>• CRE public consultation on drafts;</li><li>• Clearance with the Secretary of State and consultation with Scottish Executive Ministers and the National Assembly for Wales as appropriate;</li><li>• Laying before Parliament</li></ul>
<b>November 2001</b>	Specific duties to promote race equality come into force, allowing six months for compliance.  Codes of Practice come into force.
<b>May 2002</b>	Specific duties to have been complied with.



10.2 To meet the July 2001 date and subsequent deadlines, public bodies and others are invited to submit comments on the proposals made in this paper for extending the general duty to promote race equality and on the specific duties that should apply by 15 May 2001. They should be sent by post to the Race Equality Bill Team, Home Office, 12th Floor, 50 Queen Anne's Gate, London SW1H 9AT. Alternatively they can be sent by email to **BTRE@homeoffice.gsi.gov.uk**

Contacts in the Bill Team are Callton Young (Head) and Sally Edmunds.

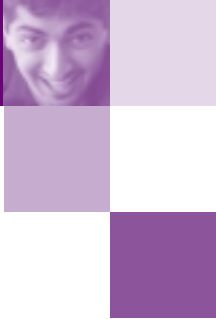
10.3 Scottish based respondents may wish to copy (or send) their responses to the Race Equality Team, Scottish Executive, Victoria Quay, Edinburgh EH6 6QQ



# Appendix 1

## Government's Equality statement of 30 November 1999

1. The Government are working to transform Britain into a society which is inclusive and prosperous. Eliminating unjustified discrimination wherever it exists and making equality of opportunity a reality for all is at the heart of the Government's agenda. Equality of opportunity is not only inherently right, it is also essential for Britain's future economic and social success. Much has been achieved in the last two years. But we are not complacent. A lot remains to be done. We will continue to act to stamp out discrimination, remove barriers and improve the position of groups facing disadvantage and discrimination in employment, public life and public service delivery. We will ensure that the right legislative framework and institutional arrangements are in place and that information, guidance and other support is available to challenge discrimination and deliver fair treatment to allow everyone to develop and contribute to their full potential. That is to the benefit of all – individuals, communities, business – in a healthy, modern, diverse society.
2. We will avoid unnecessary and burdensome regulation and will promote, encourage and support progress through non-legislative means. However, we will legislate where necessary or desirable when legislative time permits. In doing so, we will be governed by the principles of improving consistency between the protection afforded to different groups by different legislation, modernising enforcement powers, and by the need for the public sector to lead by example.
3. As explained in our response to the Better Regulation Task Force Review of Anti-discrimination Legislation, we will where practicable harmonise the provisions of the Race Relations Act 1976, Sex Discrimination Act 1975 and Disability Discrimination Act 1995 and align the equality commissions' powers. This will significantly extend discrimination law coverage and strengthen the powers of the Equal Opportunities Commission (EOC) and the Commission for Racial Equality (CRE) to match those of the Disability Rights Commission (DRC). We will legislate to remove barriers to the equality commissions working together on common issues and to enable them to produce joint guidance.
4. We are modernising Government. Not only will we continue to tackle discrimination in all institutions, we will champion equality in every sense and at every level. Public bodies must take the lead in promoting equal opportunities and the Government will put this obligation in legislation as soon as Parliamentary time permits. Together with our commitment to



implement the Stephen Lawrence Inquiry action plan, this will help ensure public institutions and services are free from discriminatory procedures and practices and should improve the position of disadvantaged groups, both as employees and users of public services. This will not in any way replace or supersede the existing statutory arrangements in Northern Ireland where there is already a duty on the public sector to promote equality of opportunity. We will be looking at and learning from the operation of the law in Northern Ireland. We will also build on existing mainstreaming and appraisal guidance to ensure that policies are inclusive, take full account of the needs and experience of all those likely to be affected by them, and of the impact on particular groups in society.

5. We will continue to take action to meet our commitment to remove the under-representation of women, members of minority ethnic groups and disabled people on public bodies; and to meet the challenging targets set for representation of these groups in the Civil Service.
6. The Race Relations (Amendment) Bill announced in the Queen's speech, will extend the Race Relations Act to public functions not previously covered, such as law enforcement and immigration. It will implement, and go beyond, one of the Lawrence Inquiry Report recommendations by making it unlawful for public authorities generally to discriminate in the exercise of their functions. This is an important step in the Government's efforts to ensure that the public sector sets the pace in the drive towards equality; and we will extend it to the Sex Discrimination Act 1975 and the

Disability Discrimination Act 1995 when legislative time permits.

7. The gender pay gap is indefensible. We will support further action to address this and to achieve greater choice of career, of working patterns and a better balance between work and home responsibilities that will benefit both businesses and individuals. We intend to launch a campaign to promote employment policies which help people balance work and life delivered through partnership with employers. Fairness at Work measures are improving parental and maternity leave, and allowing time off for emergencies. The National Childcare Strategy, working families tax credit, childcare tax credit and the National Minimum Wage are all bringing benefits and removing barriers for women and men. We will consult on changes to Tribunal procedures to speed up and simplify equal pay claims.
8. The Disability Discrimination Act 1995 lags behind sex and race legislation in the protection it provides for disabled people. The establishment of a Disability Rights Commission, in April 2000, will address one of the Act's major weaknesses but there are other gaps in coverage. The Disability Rights Task Force, which has been looking at securing comprehensive rights for disabled people, will report shortly. The Government will carefully consider its recommendations. But we are committed to improving the rights of disabled people. Where appropriate legislative opportunities arise, we shall use them to pursue this commitment.
9. Further legislation is not enough in itself. Changing negative attitudes towards



disability, and indeed all forms of discrimination, is crucially important. We shall continue with our campaign to address the lack of knowledge of disability issues and raise awareness amongst service providers of their duties to improve access for disabled people.

10. We are certain that a great deal of progress can be made through the provision of information and guidance to ensure awareness of rights and responsibilities. The Government have already produced a Code of Practice on discrimination in employment based on age and proposes, in conjunction with the EOC, preparing a Code of Practice on discrimination on the grounds of sexual orientation. Evaluation of the effectiveness of this Code and consideration of developments in other areas will inform any future decision on the need for legislation.
11. The Government are alive to the concerns that have been expressed about the issue of religious discrimination, and to the case for it to be made subject to the law. However, this issue raises many difficult, sensitive and complex questions. We have commissioned research to try to assess the current scale and nature of religious discrimination, and the extent to which it overlaps with racial discrimination, in mainland Britain. The results, due in autumn 2000, will help to inform our thinking about the appropriate response.
12. Clarification of the law and advice will be provided in a number of areas to encourage the adoption of good practice. There will be a Code of Practice on discrimination against volunteers,

guidance on positive action to tackle under representation of women and ethnic minorities, and guidance on sexual harassment at work. In particular, we are looking at ways of giving small businesses better access to coherent information and advice about equality issues. We are planning to pilot a new "joined-up" service next year.

13. Overall, therefore, we intend to combat discrimination across a broad front, using both legislative and non-legislative means as appropriate, and with the public sector taking the lead. To this end, the Government will introduce legislation as soon as Parliamentary time allows, following a targeted consultation exercise in the first half of 2000; and will press ahead with the non-legislative measures outlined above. Our efforts to combat discrimination are already making an impact and will, in conjunction with new actions, continue to yield results making Britain a better place to live and work for all.



# Appendix 2

## Contextual background to migration to Great Britain

1.1 As part of its programme of promoting race equality, the CRE published a book in 1996 exploring migration to and from Great Britain. Entitled "*Roots of the Future, Ethnic Diversity in the Making of Britain*" (ISBN 1 85442 179 4), it traces 40,000 years of migration to Britain starting with bronze age migrants who came from north west Europe and shared common features with peoples from the Mediterranean and Near East. It tracks the first arrival here between 1000 and 150 BC of the Celts who descended from dwellers on the Russian steppes.

1.2 Next came the Romans between 43 and 410 AD, bringing further ethnic diversity. Their departure was followed by large-scale invasion by Angles, Saxons, Jutes and Frisians, people from what is now northern Germany, southern Denmark and the northern most parts of the Netherlands. A fusion of the culture of the Angles and Saxons became dominant. Norse culture was added following invasions by the Vikings between 800 and 1000 AD. The Norman invasion of 1066 ended Saxon dominance, adding French culture and language to the existing mix.

1.3 William the Conqueror encouraged the first Jewish settlements in 1066 and provided them with royal protection. In time they served to found the banking,

financial and insurance services we know today. In 1337 Edward III invited, also with a promise of royal protection, "*all cloth workers of strange lands and whatsoever country they may be*". Between 1550 and 1660 Protestant refugees, fleeing religious persecution in the Low Countries and France, found safety in Britain and their skills helped to revolutionise our manufacturing industry. The slave trade between 1555 and 1883 resulted in an increased presence in Britain of peoples from Africa while demand for seafarers in the merchant navy and servants brought to Britain people from India and China.

1.4 Rural poverty and famine in Ireland between the 1830s and 1850s led to the emergence of a significant Irish population in Britain. In 1900 15% of British regiments were made up of Irishmen.



Reproduced courtesy of the Imperial War Museum





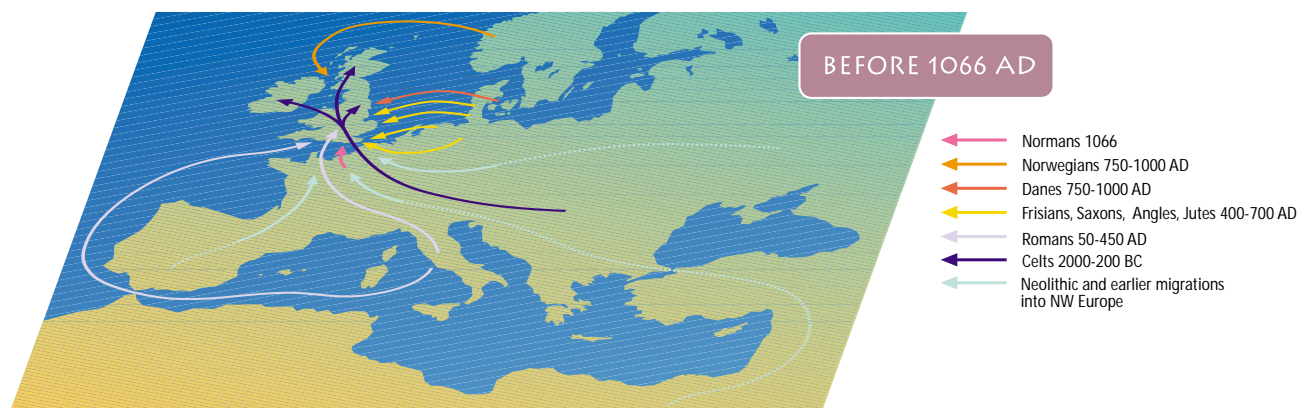
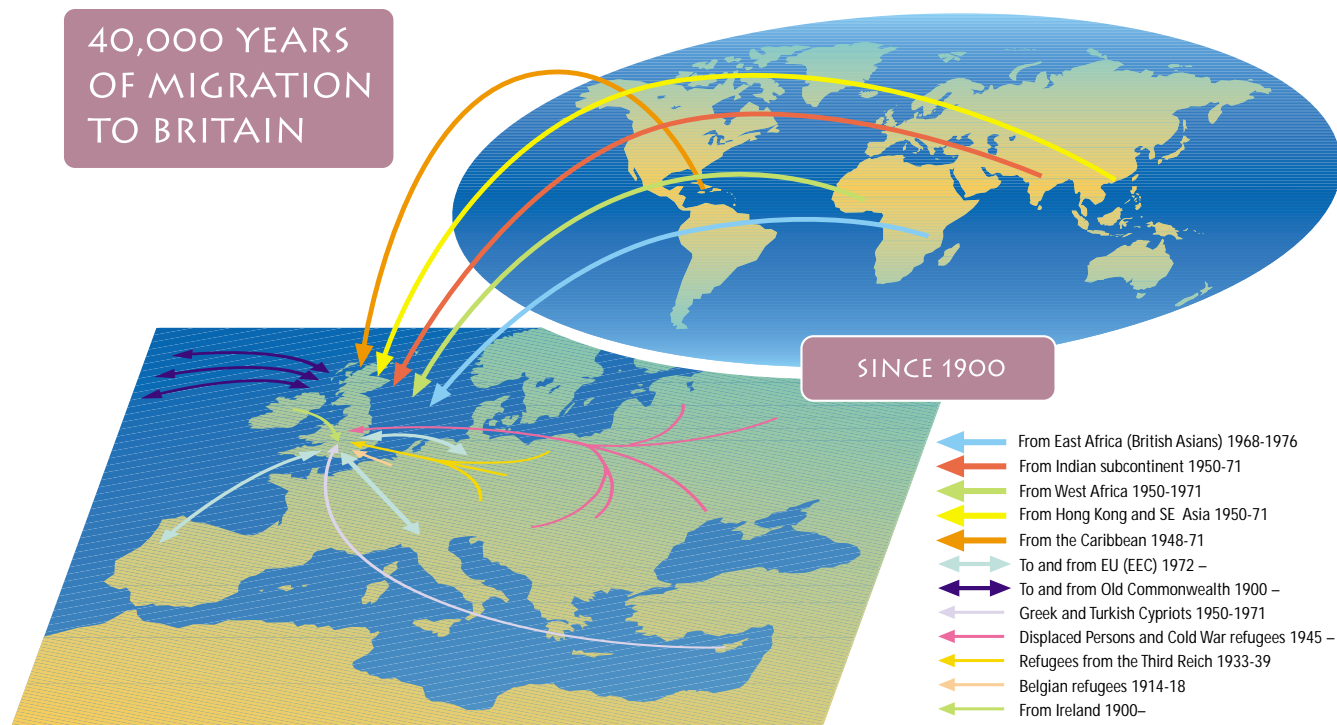
- 1.5 During the First World War, almost one and a half million Indians enlisted and came to Britain's aid in Europe. Many of these servicemen were decorated after the war and some of those who fought subsequently settled in Britain.
- 1.6 During the Second World War some two and a half million Indians enrolled in the services. 300 West Indians enlisted for aircrew duties in the Royal Air Force and 5,500 for ground duties. 60,000 people who joined the armed forces from what is now Zambia, Zimbabwe and Malawi saw action in the East African, Western Desert and Burma campaigns. 100,000 from Kenya, Uganda, Zanzibar and, what is now, Tanzania also joined the armed forces. Of the 400,000 Jews then in the United Kingdom, 60,000 fought in the army, 14,000 in the Royal Air Force and 1,800 in the Royal Navy. Many other nationalities including Poles, Czechs and Irish also made significant contributions.



Reproduced courtesy of the Imperial War Museum

- 1.7 The reconstruction effort after the war demanded more manpower than was locally available. That demand was met with labour from abroad, encouraged by the Government of the day. London Transport, for example, helped people from the Caribbean with loans for fares and British hotels and restaurants associations set up recruitment offices in Jamaica. Labour also came from India and Pakistan, partly because of links with Empire and their contribution to the two great wars. Some of those who served in the war settled in Britain, including some 100,000 former members of the Polish armed forces who did not wish to return to a newly formed communist Poland.
- 1.8 The chart on page 38, which has been reproduced from "*Roots of the Future*", with the permission of the CRE, summarises the migration that occurred up to the 1970s.
- 1.9 Migration remains an issue of continuing debate. In her speech to the British Bankers Association on 11 September 2000, Barbara Roche, Minister of State at the Home Office, raised the question of how UK immigration policy can best address skills shortages in the labour market. In opening a public debate about the economic and social benefits of migration, the Government wishes to ensure that it is properly informed. We are, therefore, encouraging more research and analysis of these issues, both inside and outside Government.

## 40,000 YEARS OF MIGRATION TO BRITAIN

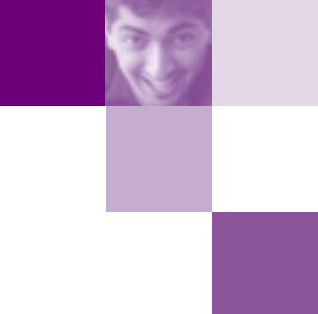




# Appendix 3

## Functions exempted from the extension of the 1976 Act

1. The main functions exempted from the extension of the Race Relations Act 1976 and the justification for each is as follows:
  - **both Houses of Parliament** (this does not affect their existing coverage, e.g. for employment purposes), and proceedings in Parliament: This exemption reflects the sovereignty of Parliament and issues of Parliamentary Privilege;
  - **the core functions of the intelligence and security agencies** (this does not affect their existing coverage, e.g. for employment purposes): To have included the intelligence and security agencies within the 2000 Act would have required changes with special clauses introduced to safeguard against claimants misusing certain provisions to undermine the agencies' operational effectiveness, e.g. a claimant could have used a section 65 questionnaire under the claims procedure in the 1976 Act to fish for sensitive information. The necessary safeguards would have had, in practice, the same effect as excluding the agencies from the 2000 Act. The Government feels it is better to make the exemption clear rather than obscured behind special clauses;
  - **judicial acts by courts, tribunals, etc:** To allow civil action against judges would interfere with the concept of judicial immunity. Immunity is an extension of the concept of an independent judiciary, a key feature of the British Constitution. Independence means that judges are not controlled by the legislature or the executive. The Government believes that the correct venue for challenging judicial decisions is the Appeal Courts;
  - **making of primary and secondary legislation and proceedings in the Scottish Parliament and the National Assembly for Wales regarding the making of legislation:** The Government does not want to fetter the legislative making powers of Ministers. Ministers will remain accountable to Parliament, and their legislative powers will remain subject to Parliamentary scrutiny;
  - **decisions not to institute criminal proceedings and any act done for the purpose of enabling the decision:** The Government believes that it is important to preserve the role of the criminal courts as the sole forum for determining guilt. This was recognised by the Phillips Royal Commission in 1981 which said that "*publicly calling into question a decision not to prosecute could amount to a trial of the suspect without the safeguards which criminal proceedings are designed to provide*". It is equally important to



avoid the risk that disclosure of reasons not to prosecute could prejudice any ongoing or future criminal investigation or proceedings to which the decision was relevant;

- **immigration and nationality decisions provided for in statute or expressly required or authorised by Ministers:** This exemption reflects a unique requirement for immigration and entry clearance officers to discriminate on grounds of nationality and ethnic or national origin as set out in instructions. The Government believes that the exemption provides a good balance between the needs of good government and the rights of individuals. Without it, for example, it would not be possible to operate policies of the kind operated for Kosovan Albanians during the recent Balkan conflict.



# Appendix 4

## Public bodies listed in Schedule 1A to the Act, the general duty

### SCHEDULE 1 BODIES AND OTHER PERSONS SUBJECT TO GENERAL STATUTORY DUTY.

The following Schedule is inserted into the  
1976 Act after Schedule 1

#### "SCHEDULE 1A BODIES AND OTHER PERSONS SUBJECT TO GENERAL STATUTORY DUTY

##### *Ministers of the Crown and government departments*

1. – (1) A Minister of the Crown or government department.
- (2) Sub-paragraph (1) does not include the Security Service, the Intelligence Service or the Government Communications Headquarters.

##### *Scottish Administration*

2. – (1) An office-holder in the Scottish Administration within the meaning given by section 126(7)(a) of the Scotland Act 1998.
- (2) Members of the staff of the Scottish Administration within the meaning given by section 126(7)(b) of that Act.

##### *National Assembly for Wales*

3. - (1) The National Assembly for Wales.
- (2) An Assembly subsidiary as defined by

section 99(4) of the Government of Wales Act 1998.

##### *Armed forces*

4. Any of the naval, military or air forces of the Crown.

##### *National Health Service: England and Wales*

5. A Health Authority established under section 8 of the National Health Service Act 1977.
6. A special health authority established under section 11 of that Act.
7. A primary care trust established under section 16A of that Act.
8. A National Health Service trust established under section 5 of the National Health Service and Community Care Act 1990.

##### *National Health Service: Scotland*

9. A Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978.
10. A Special Health Board constituted under section 2 of that Act.



11. A National Health Service Trust established under section 12A of that Act.

#### *Local government*

12. A local authority within the meaning of the Local Government Act 1972, namely –  
(a) in England, a county council, a London borough council, a district council or a parish council;  
(b) in Wales, a county council, a county borough council or a community council.

13. A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

14. A community council established under section 51 of the Local Government (Scotland) Act 1973.

15. The Greater London Authority.

16. The Common Council of the City of London in its capacity as a local authority or port health authority.

17. The Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple, in his capacity as a local authority.

18. The Council of the Isles of Scilly.

19. A parish meeting constituted under section 13 of the Local Government Act 1972.

20. Any charter trustees constituted under section 246 of that Act.

21. A fire authority constituted by a combination scheme under section 5 or 6 of the Fire Services Act 1947.

22. A waste disposal authority established by virtue of an order under section 10(1) of the Local Government Act 1985.

23. A water or sewerage authority constituted under section 62 of the Local Government etc. (Scotland) Act 1994.

24. A port health authority constituted by an order under section 2 of the Public Health (Control of Disease) Act 1984.

25. A licensing planning committee constituted under section 119 of the Licensing Act 1964.

26. A licensing board constituted under section 1 of the Licensing (Scotland) Act 1976.

27. An internal drainage board which is continued in being by virtue of section 1 of the Land Drainage Act 1991.

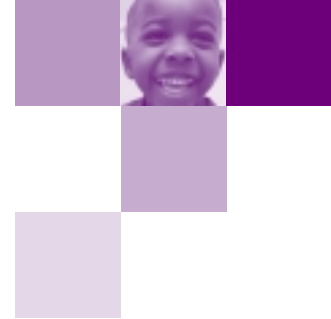
28. A probation committee constituted under section 3 of the Probation Service Act 1993.

29. A joint authority established under Part IV of the Local Government Act 1985 (fire services, civil defence and transport).

30. A joint board within the meaning of section 235(1) of the Local Government (Scotland) Act 1973.

31. The London Fire and Emergency Planning Authority.

32. A body corporate established pursuant to an order under section 67 of the Local Government Act 1985 (transfer of functions to successors of residuary bodies, etc.).



33. A body corporate established pursuant to an order under section 22 of the Local Government Act 1992 (residuary bodies).

34. The Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988.

35. A joint committee constituted in accordance with section 102(1)(b) of the Local Government Act 1972.

36. A joint board which is continued in being by virtue of section 263(1) of that Act.

37. A joint authority established under section 21 of the Local Government Act 1992.

38. A Passenger Transport Executive for a passenger transport area within the meaning of Part II of the Transport Act 1968.

39. Transport for London.

40. The London Development Agency.

41. A regional development agency established under the Regional Development Agencies Act 1998 (other than the London Development Agency).

42. Scottish Enterprise and Highland and Islands Enterprise, established under the Enterprise and New Towns (Scotland) Act 1990.

43. A National Park authority established by an order under section 63 of the Environment Act 1995.

44. A joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the Town and Country Planning Act 1990.

45. A magistrates' courts committee established under section 27 of the Justices of the Peace Act 1997.

#### *Other educational bodies*

46. Governing bodies of –  
(a) educational establishments maintained by local education authorities;  
(b) institutions within the further education sector (within the meaning of section 91(3) of the Further and Higher Education Act 1992);  
or  
(c) institutions within the higher education sector (within the meaning of section 91(5) of the Act of 1992).

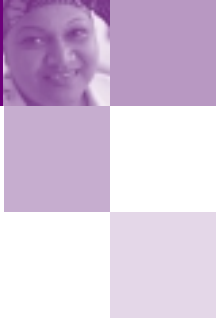
47. The managers of a grant-aided school (within the meaning of section 135 of the Education (Scotland) Act 1980).

48. The managers of a central institution (within the meaning of section 135 of the Act of 1980).

49. The board of management of a self-governing school (within the meaning of the Self-Governing Schools etc. (Scotland) Act 1989).

50. The board of management of a college of further education (within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992).

51. The governing body of an institution within the higher education sector (within the meaning of Part II of the Further and Higher Education (Scotland) Act 1992).



### *Other housing bodies*

- 52. The Housing Corporation.
- 53. Scottish Homes.
- 54. A housing action trust established under Part III of the Housing Act 1988.

### *Police*

- 55. A police authority established under section 3 of the Police Act 1996.
- 56. A police authority established under section 2 of the Police (Scotland) Act 1967.
- 57. The Metropolitan Police Authority established under section 5B of the Police Act 1996.
- 58. The Common Council of the City of London in its capacity as a police authority.
- 59. The Service Authority for the National Criminal Intelligence Service.
- 60. The Service Authority for the National Crime Squad."





# Appendix 5

## Public bodies proposed for addition to Schedule 1A, the general duty, grouped by sponsor Department

- National Audit Office
- Audit Scotland

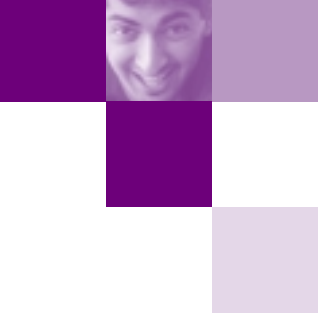
### Cabinet Office

- Political Honours Scrutiny Committee

### Department for Culture, Media and Sport

- Theatres Trust
- Treasure Valuation Committee
- Museum of Science & Industry in Manchester
- Horniman Museum
- Geffrye Museum
- Commission for Architecture & the Built Environment
- Resource – The Council for Museums, Archives and Libraries
- The Film Council
- British Library
- Historic Buildings and Monuments Commission for England
- British Museum
- Victoria & Albert Museum
- Natural History Museum
- National Museums & Galleries on Merseyside
- Tate Gallery
- Historic Royal Palaces

- Sport England (English Sports Council)
- National Gallery
- National Maritime Museum
- Imperial War Museum
- British Tourist Authority
- Museum of London
- National Lottery Charities Board
- Arts Council of England
- National Heritage Memorial Fund
- National Portrait Gallery
- Royal Armouries
- Millennium Commission
- Wallace Collection
- English Tourist Board
- New Opportunities Fund
- UK Sports Council
- Broadcasting Standards Commission in respect of its public functions
- Royal Commission on Historical Manuscripts
- Sir John Soane's Museum
- Registrar of Public Lending Right
- National Endowment for Science, Technology and the Arts
- National Museum of Science & Industry
- British Broadcasting Corporation in respect of its public functions
- Channel Four Television Corporation in respect of its public functions



- Independent Television Commission in respect of its public functions
- Sianal Pedwar Cymru (Welsh Fourth Channel Authority) in respect of its public functions
- Radio Authority in respect of its public functions

#### Department of the Environment, Transport and the Regions

- Advisory Committee on Releases to the Environment
- Building Regulations Advisory Committee
- Disabled Persons Transport Advisory Committee
- Inland Waterways Amenity Advisory Council
- National Forest Company
- National Air Traffic Services Limited
- Environment Agency
- The Health & Safety Executive
- Audit Commission for Local Authorities for England and Wales
- Nature Conservancy Council for England
- Trinity House Lighthouse Service
- Urban Regeneration Agency
- Northern Lighthouse Board
- Local Government Commission for England
- Health & Safety Commission
- Commission for the New Towns
- Civil Aviation Authority – in respect of its public functions
- British Standards Institute
- The Institution of Civil Engineers
- The Institution of Electrical Engineers
- British Waterways Board
- British Transport Police
- Strategic Rail Authority

#### Department for Education and Employment

- School Teachers' Review Body
- Student Loans Company
- British Educational Communication & Technology Agency
- Construction Industry Training Board
- Qualifications and Curriculum Authority
- Equal Opportunities Commission
- Teacher's Training Agency
- Disability Rights Commission
- Engineering Construction Industry Training Board
- Investors in People UK
- Learning and Skills Council

#### Department for International Development

- Overseas Service Pensions Scheme Advisory Board
- Commonwealth Scholarship Commission in the UK

#### Department of Health

- British Pharmacopoeia Commission
- Standing Nursing & Midwifery Advisory Committee
- Unrelated Live Transplant Regulatory Authority
- Committee on the Safety of Medicines
- Standing Medical Advisory Committee
- Medicines Commission
- Administration of Radioactive Substances Advisory Committee
- Advisory Board on the Registration of Homeopathic Products
- Joint Committee on Vaccination and Immunisation
- Standing Dental Advisory Committee
- Standing Pharmaceutical Advisory Committee



- Public Health Laboratory Service Board
- National Radiological Protection Board
- National Biological Standards Board
- Commission for Health Improvement
- English National Board for Nursing, Midwifery & Health Visiting
- Human Fertilisation and Embryology Authority
- Dental Practice Board
- Royal Pharmaceutical Society of Great Britain in respect of its statutory functions and the regulation of the pharmacy profession
- General Medical Council
- United Kingdom Central Council for Nursing, Midwifery and Health Visitors in respect of its public functions
- General Dental Council
- Council for Professions Supplementary to Medicine in respect of its public functions
- General Optical Council
- General Osteopathic Council
- General Chiropractic Council
- Specialist Training Authority of the Medical Royal Colleges
- The Association of Child Psychotherapy
- The British Medical Association
- The Joint Committee on Postgraduate Training for General Practice
- The Royal College of Nursing
- The Royal College of Psychiatrists

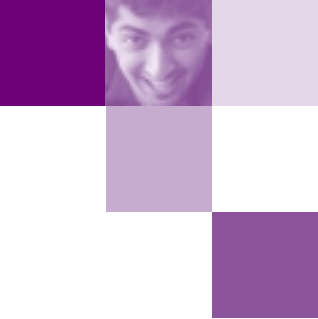
#### Department of Social Security

- Social Security Advisory Committee
- Industrial Injuries Advisory Council
- Central Advisory Committee on War Pensions
- Disability Living Allowance Advisory Board

- War Pensions Committees

#### Department of Trade and Industry

- Low Pay Commission
- Industrial Development Advisory Board
- National Consumer Council
- Medical Research Council
- Biotechnology & Biological Sciences Research Council
- Natural Environment Research Council
- UK Atomic Energy Authority in respect of its public functions
- Council for the Central Laboratory of the Research Councils
- Advisory, Conciliation & Arbitration Services (ACAS)
- Engineering & Physical Sciences Research Council
- Particle Physics & Astronomy Research Council
- Gas Consumers' Council
- Coal Authority
- Economic & Social Research Council
- Competition Commission
- Design Council
- Post Office Users' National Council
- British Hallmarking Council
- Post Office in respect of public its functions
- British Nuclear Fuels plc in respect of its public functions
- The Association of Authorised Public Accountants
- The Association of Certified Chartered Accountants
- The Engineering Council
- The Insolvency Practitioners Association
- The Institute of Chartered Accountants in England and Wales



- The Institute of Chartered Accountants of Scotland
- The Institute of Trade Mark Agents
- The Law Society

#### Foreign and Commonwealth Office

- Government Hospitality Fund Advisory Committee for the Purchase of Wine
- Wilton Park Academic Council
- Westminster Foundation for Democracy
- British Association for Central & Eastern Europe
- British-Russia Centre
- Great Britain-China Centre
- British Council
- Marshall Aid Commemoration Commission

#### Food Standards Agency

- Advisory Committee on Novel Foods and Processes
- Advisory Committee on the Microbiological Safety of Foods
- Expert Group on Vitamins and Minerals
- Food Advisory Committee

#### Home Office

- Chief Officers of Police
- Advisory Council on the Misuse of Drugs
- Animal Procedures Committee
- Sentencing Advisory Panel
- Firearms Consultative Committee
- Police Negotiating Board
- Horserace Totalisator Board (The Tote)
- Criminal Injuries Compensation Authority
- Police Information Technology Organisation
- Commission for Racial Equality

- Office of the Information Commissioner
- Youth Justice Board for England & Wales
- Gaming Board for Great Britain
- Police Complaints Authority
- Community Development Foundation
- Horserace Betting Levy Board
- Alcohol Education & Research Council
- Board of Visitors to Penal Establishments
- Electoral Commission
- Fire Service Research and Training Trust
- Immigration Detention Centre Visiting Committees
- Selection Panel for Independent Members of Police Authorities

#### Lord Chancellor's Department

- Law Commission
- Council on Tribunals
- Insolvency Rules Committee
- Land Registration Rule Committee
- Advisory Council on Public Records
- Civil Justice Council
- Civil Procedure Rule Committee
- Crown Court Rule Committee
- Family Proceedings Rule Committee
- Legal Services Consultative Panel
- Legal Services Commission
- The Official Solicitor
- Her Majesty's Magistrates' Courts Service Inspectorate
- Bodies responsible for regulating the provision of legal services (e.g. the Law Society, the Bar Council, the Institute of Legal Executives, Council for Licensed Conveyancers, the Chartered Institute of Patent Agents & the master of facilities)



### Ministry of Agriculture, Fisheries and Food

- Hill Farming Advisory Committee for England, Wales and Northern Ireland
- Advisory Committee on Pesticides
- Agricultural Dwelling Houses Advisory Committees
- Veterinary Products Committee
- Wine Standards Board of the Vintners' Company
- Meat & Livestock Commission
- Royal Botanic Gardens, Kew
- Sea Fish Industry Authority
- British Potato Council
- Home-Grown Cereals Authority
- Horticultural Development Council
- Milk Development Council
- Apple and Pear Research Council
- Agricultural Wages Board for England & Wales
- Agricultural Wages Committees for England
- Food from Britain
- Regional Flood Defence Committees
- Covent Garden Market Authority

### Ministry of Defence

- Oil & Pipelines Agency

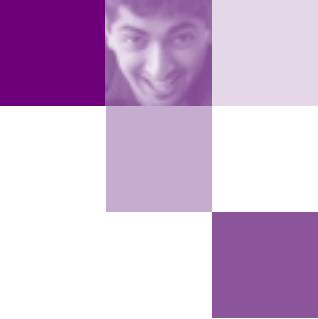
### National Assembly for Wales

- Ancient Monuments Board for Wales
- Environment Agency Advisory Committee for Wales
- Hill Farming Advisory Sub-Committee for Wales
- Historic Buildings Council for Wales
- Local Government Boundary Commission for Wales
- Wales New Deal Advisory Task Force

- Welsh Committee for Professional Development of Pharmacists
- Welsh Dental Committee
- Welsh Industrial Development Advisory Board
- Welsh Medical Committee
- Welsh Nursing & Midwifery Committee
- Welsh Optical Committee
- Welsh Pharmaceutical Committee
- Welsh Scientific Advisory Committee
- Countryside Council for Wales
- National Museums and Galleries of Wales
- Welsh Development Agency
- National Library of Wales
- Welsh National Board for Nursing, Midwifery & Health Visiting
- Wales Tourist Board
- Arts Council of Wales
- Qualifications, Curriculum & Assessment Authority for Wales
- Higher Education Funding Council for Wales
- Royal Commission for Ancient & Historical Monuments of Wales
- Welsh Language Board
- Agricultural Wages Committee (Wales)
- Library and Information Services Council (Wales)
- Sports Council for Wales
- National Council for Education and Training for Wales

### Office of Water Services

- OFWAT Customer Service Committee (CSCs)



### Scottish Executive

- Royal Fine Art Commission for Scotland
- Advisory Committee on Sites of Special Scientific Interest
- Ancient Monuments Board for Scotland
- Building Standards Advisory Committee
- Fisheries (Electricity) Committee
- General Teaching Council for Scotland
- Hill Farming Advisory Committee for Scotland
- Historic Buildings Council for Scotland
- Local Government Boundary Commission for Scotland
- Scottish Industrial Development Advisory Board
- Scottish Law Commission
- Scottish Records Advisory Council
- Scottish Crop Research Institute
- Macaulay Land Use Research Institute
- Rowett Research Institute
- Hannah Research Institute
- Scottish Screen
- Scottish Further Education Unit
- Community Learning Scotland
- Moredun Research Institute
- Scottish Natural Heritage
- Scottish Environment Protection Agency
- Scottish Qualifications Authority
- National Museums of Scotland
- Scottish Legal Aid Board
- National Library of Scotland
- Royal Botanic Garden, Edinburgh
- Commissioner for Local Administration in Scotland
- Water Industry Commissioner for Scotland
- The Law Society of Scotland
- Scottish Tourist Board
- National Galleries of Scotland
- **Sportscotland** (Scottish Sports Council)
- Accounts Commission for Scotland
- Scottish Arts Council
- Royal Commission on the Ancient & Historical Monuments of Scotland
- Scottish Higher Education Funding Council
- Crofter's Commission
- Scottish National Board for Nursing, Midwifery & Health Visiting
- Deer Commission for Scotland
- Scottish Medical Practices Committee
- Scottish Conveyancing & Executry Services Board
- Scottish Agricultural Wages Board
- Scottish Hospital Endowments Research Trust
- Caledonian MacBryane Ltd in respect of its public functions
- Highlands & Islands Airports Ltd in respect of its public functions
- Scottish Transport Group
- Common Services Agency for the NHS in Scotland
- State Hospitals Board for Scotland
- Health Education Board for Scotland
- Mental Welfare Commission for Scotland
- Scottish Council for Postgraduate Medical & Dental Education
- Scottish Hospital Trust
- Scottish Further Education Funding Council
- Learning and Teaching Scotland
- Scottish Dental Practice Board

### Treasury

- Financial Services Authority
- Bank of England in respect of its public functions



# Appendix 6: Part 1

## Key central public bodies for which specific duties at paragraph 6.4 are proposed

### Crown

- A Minister of the Crown or Government Department
- The National Assembly for Wales
- Audit Scotland
- National Audit Office

### Department for Culture, Media and Sport

- British Broadcasting Corporation in respect of its public functions
- Channel Four Television Corporation in respect of its public functions
- Independent Television Commission in respect of its public functions
- Sianel Pedwar Cymru (Welsh Fourth Channel Authority) in respect of its public functions
- Radio Authority in respect of its public functions
- Broadcasting Standards Commission in respect of its public functions

### Department of the Environment, Transport and the Regions

- A joint authority established under section 21 of the Local Government Act 1992
- The Common Council of the City of London in its capacity as a local authority or port health authority
- The Sub-Treasurer of the Inner Temple or

the Under-Treasurer of the Middle Temple, in his capacity as a local authority

- The London Development Agency
- A regional development agency established under the Regional Development Agencies Act 1998
- A local authority within the meaning of the Local Government Act 1972, namely – in England, a county council, a London borough council, a district council or a parish council;
- The Greater London Authority
- The Council of the Isles of Scilly
- A body corporate established pursuant to an order under Section 67 of the Local Government Act 1985 (transfer of functions to successors of residuary bodies, etc)
- A Passenger Transport Executive for a passenger transport area within the meaning of Part II of the Transport Act 1968
- Transport for London
- Urban Regeneration Agency
- The Housing Corporation
- A housing action trust established under Part III of the Housing Act 1988
- A joint authority established under Part IV of the Local Government Act 1985 (fire services, civil defence and transport)
- British Transport Police
- Strategic Rail Authority

- Local Government Commission for England
- Environment Agency
- Audit Commission for Local Authorities for England and Wales
- Health & Safety Commission

#### Department for Education and Employment

- Equal Opportunities Commission
- Disability Rights Commission
- Learning and Skills Council

#### Department of Health

- A special health authority established under section 11 of the National Health Service Act 1977
- A Health Authority established under Section 8 of the National Health Service Act 1977
- A primary care trust established under Section 16A of the National Health Service Act 1977
- A National Health Service trust established under Section 5 of the National Health Service and Community Care Act 1990
- Commission for Health Improvement

#### Home Office

- Chief Officers of Police
- A probation committee constituted under Section 3 of the Probation Service Act 1993 (to be replaced by a local probation board under Section 4 of the Criminal Justice and Court Services)
- The London Fire and Emergency Planning Authority
- A fire authority constituted by a combination scheme under Section 5 or 6 of the Fire Services Act 1947

- A police authority established under Section 3 of the Police Act 1996
- The Metropolitan Police Authority established under section 5B of the Police Act 1996
- The Common Council of the City of London in its capacity as a police authority
- The Service Authority for the National Criminal Intelligence Service
- The Service Authority for the National Crime Squad
- Commission for Racial Equality
- Police Complaints Authority

#### Lord Chancellor's Department

- A magistrates' courts committee established under Section 27 of the Justices of the Peace Act 1997
- Legal Services Commission

#### Ministry of Agriculture, Fisheries and Food

- The Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988

#### Ministry of Defence

- Any of the naval, military or air forces of the Crown

#### National Assembly for Wales

- Higher Education Funding Council for Wales
- A local authority within the meaning of the Local Government Act 1972, namely – in Wales, a county council, a county borough council or a community council
- National Council for Education and Training for Wales

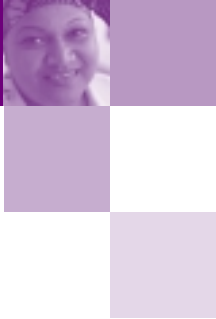




- An Assembly subsidiary as defined by section 99(4) of the Government of Wales Act 1998
- Welsh Development Agency

### Scottish Executive

- A Health Board constituted under Section 2 of the National Health Service (Scotland) Act 1978
- Common Services Agency for the NHS in Scotland
- Scottish Enterprise
- State Hospitals Board for Scotland
- Highlands and Islands Enterprise
- Health Education Board for Scotland
- A Special Health Board constituted under Section 2 of the National Health Service (Scotland) Act 1978
- A National Health Service Trust established under Section 12A of the National Health Service (Scotland) Act 1978
- A council constituted under Section 2 of the Local Government etc (Scotland) Act 1994
- A community council established under Section 51 of the Local Government (Scotland) Act 1973
- An office-holder in the Scottish Administration within the meaning given by Section 126(7)(a) of the Scotland Act 1998
- Members of the staff of the Scottish Administration within the meaning given by Section 126(7)(b) of the Scotland Act 1998
- A joint board within the meaning of Section 235(1) of the Local Government (Scotland) Act 1973
- A licensing board constituted under Section 1 of the Licensing (Scotland) Act 1976
- A police authority established under section 2 of the Police (Scotland) Act 1967
- Scottish Higher Education Funding Council
- Scottish Homes
- Scottish Legal Aid Board
- Accounts Commission for Scotland
- Scottish Further Education Funding Council



# Appendix 6: Part 2

Educational bodies for which the specific duties at paragraphs 6.16 and 6.17 are proposed

- Governing bodies of educational establishments maintained by LEAs, FE and HE institutions within the meaning of Sections 91(3) and (5) of the Further and Higher Education Act 1992
- Managers of a grant-aided school within the meaning of Section 135 of the Education (Scotland) Act 1980
- Board of management of a college of further education within the meaning of Section 36(1) of the Further and Higher Education (Scotland) Act 1992
- Board of management of a self-governing school within the meaning of the Self-Governing Schools, etc (Scotland) Act 1989
- Governing body of an institution within the higher education sector within the meaning of Part II of the Further and Higher Education (Scotland) Act 1992
- Managers of a central institution within the meaning of Section 135 of the Education (Scotland) Act 1980



# Appendix 6: Part 3

Public bodies with executive functions for which no specific duties are being proposed with regards to policy or service delivery

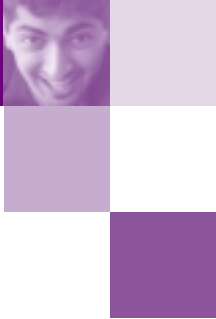
## Department for Culture, Media and Sport

- Museum of Science & Industry in Manchester
- Horniman Museum
- Geffrye Museum
- Commission for Architecture & the Built Environment
- Resource – The Council for Museums, Archives and Libraries
- The Film Council
- British Library
- Historic Buildings and Monuments Commission for England
- British Museum
- Victoria & Albert Museum
- Natural History Museum
- National Museums & Galleries on Merseyside
- Tate Gallery
- Historic Royal Palaces
- Sport England (English Sports Council)
- National Gallery
- National Maritime Museum
- Imperial War Museum
- British Tourist Authority
- Museum of London
- Arts Council of England
- National Heritage Memorial Fund

- National Portrait Gallery
- Royal Armouries
- Millennium Commission
- Wallace Collection
- English Tourist Board
- New Opportunities Fund
- UK Sports Council
- Royal Commission on Historical Manuscripts
- Sir John Soane's Museum
- Registrar of Public Lending Right
- National Endowment for Science, Technology and the Arts
- National Museum of Science & Industry
- National Lottery Charities Board

## Department of the Environment, Transport and the Regions

- National Forest Company
- National Air Traffic Services Limited
- The Health & Safety Executive
- Nature Conservancy Council for England
- Trinity House Lighthouse Service
- Northern Lighthouse Board
- Commission for the New Towns
- A joint board which is continued by virtue of Section 263(1) of the Local Government Act 1972



- A body corporate established pursuant to an order under Section 22 of the Local Government Act 1992 (residuary bodies)
- A joint committee constituted in accordance with Section 102 (1)(b) of the Local Government Act 1972
- A joint planning board constituted for an area in Wales outside a National Park by an order under Section 2(1B) of the Town and Country Planning Act 1990
- A National Park authority established by an order under section 63 of the Environment Act 1995
- A parish meeting constituted under Section 13 of the Local Government Act 1972
- A port health authority constituted by an order under Section 2 of the Public Health (Control of Disease) Act 1984
- A waste disposal authority established by virtue of an order under Section 10(1) of the Local Government Act 1985
- A water or sewerage authority constituted under Section 62 of the Local Government etc. (Scotland) Act 1994
- Any Charter trustees constituted under Section 246 of the Local Government Act 1972
- Civil Aviation Authority in respect of its public functions
- British Standards Institute
- The Institution of Civil Engineers
- The Institution of Electrical Engineers
- British Waterways Board

#### Department of Education and Employment

- Student Loans Company
- British Educational Communication & Technology Agency
- Construction Industry Training Board

- Qualifications and Curriculum Authority
- Teacher's Training Agency
- Engineering Construction Industry Training Board
- Investors in People UK

#### Department for International Development

- Commonwealth Scholarship Commission in the UK

#### Department of Health

- Public Health Laboratory Service Board
- National Radiological Protection Board
- National Biological Standards Board
- English National Board for Nursing, Midwifery & Health Visiting
- Human Fertilisation and Embryology Authority
- Dental Practice Board
- Royal Pharmaceutical Society of Great Britain in respect of its public functions
- General Medical Council
- United Kingdom Central Council for Nursing, Midwifery and Health Visitors in respect of its public functions
- General Dental Council
- Council for Professions Supplementary to Medicine in respect of its public functions
- General Optical Council
- General Osteopathic Council
- General Chiropractic Council
- Specialist Training Authority of the Medical Royal Colleges
- The Association of Child Psychotherapy
- The British Medical Association
- The Joint Committee on Postgraduate Training for General Practice

- The Royal College of Nursing
- The Royal College of Psychiatrists

### Department of Trade and Industry

- National Consumer Council
- Medical Research Council
- Biotechnology & Biological Sciences Research Council
- Natural Environment Research Council
- UK Atomic Energy Authority – in respect of its public functions
- Council for the Central Laboratory of the Research Councils
- Advisory, Conciliation & Arbitration Services (ACAS)
- Engineering & Physical Sciences Research Council
- Particle Physics & Astronomy Research Council
- Gas Consumers' Council
- Coal Authority
- Economic & Social Research Council
- Competition Commission
- Design Council
- Post Office Users' National Council
- British Hallmarking Council
- Post Office in respect of its public functions
- British Nuclear Fuels plc in respect of its public functions
- The Association of Authorised Public Accountants
- The Association of Certified Chartered Accountants
- The Engineering Council
- The Insolvency Practitioners Association

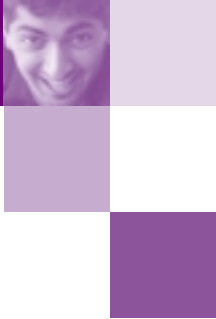
- The Institute of Chartered Accountants in England and Wales
- The Institute of Chartered Accountants of Scotland
- The Institute of Trade Mark Agents
- The Law Society

### Foreign and Commonwealth Office

- Westminster Foundation for Democracy
- British Association for Central & Eastern Europe
- British-Russia Centre
- Great Britain-China Centre
- British Council
- Marshall Aid Commemoration Commission

### Home Office

- Horserace Totalisator Board (The Tote)
- Criminal Injuries Compensation Authority
- Police Information Technology Organisation
- Office of the Information Commissioner
- Youth Justice Board for England & Wales
- Gaming Board for Great Britain
- Community Development Foundation
- Horserace Betting Levy Board
- Alcohol Education & Research Council
- Board of Visitors to Penal Establishments
- Electoral Commission
- Fire Service Research and Training Trust
- Immigration Detention Centre Visiting Committees
- Selection Panel for Independent Members of Police Authorities
- A licensing planning committee constituted under Section 119 of the Licensing Act 1964



### Lord Chancellor's Department

- The Official Solicitor
- Her Majesty's Magistrates' Courts Service Inspectorate
- Bodies responsible for regulating the provision of legal services e.g. the Law Society, the Bar Council, the Institute of Legal Executives, Council for Licensed Conveyancers, the Chartered Institute of Patent Agents & the master of facilities)

### Ministry of Agriculture, Fisheries and Food

- Wine Standards Board of the Vintners' Company
- Meat & Livestock Commission
- Royal Botanic Gardens, Kew
- Sea Fish Industry Authority
- British Potato Council
- Home-Grown Cereals Authority
- Horticultural Development Council
- Milk Development Council
- Apple and Pear Research Council
- Agricultural Wages Board for England & Wales
- Agricultural Wages Committees for England
- Food from Britain
- Regional Flood Defence Committees
- An internal drainage board which is continued in being by virtue of Section 1 of the Land Drainage Act 1991
- Covent Garden Market Authority

### Ministry of Defence

- Oil & Pipelines Agency

### National Assembly for Wales

- Countryside Council for Wales

- National Museums and Galleries of Wales
- National Library of Wales
- Welsh National Board for Nursing, Midwifery & Health Visiting
- Wales Tourist Board
- Arts Council of Wales
- Qualifications, Curriculum & Assessment Authority for Wales
- Royal Commission for Ancient & Historical Monuments of Wales
- Welsh Language Board
- Agricultural Wages Committee (Wales)
- Library and Information Services Council (Wales)
- Sports Council for Wales

### Office of Water Services

- OFWAT Customer Service Committee (CSCs)

### Scottish Executive

- Scottish Crop Research Institute
- Macauley Land Use Research Institute
- Rowett Research Institute
- Hannah Research Institute
- Scottish Screen
- Scottish Further Education Unit
- Community Learning Scotland
- Moredun Research Institute
- Scottish Natural Heritage
- Scottish Environment Protection Agency
- Scottish Qualifications Authority
- National Museums of Scotland
- National Library of Scotland
- Royal Botanic Garden, Edinburgh
- Scottish Tourist Board
- National Galleries of Scotland



- Sportscotland (Scottish Sports Council)
- Scottish Arts Council
- Royal Commission on the Ancient & Historical Monuments of Scotland
- Water Industry Commissioner for Scotland
- Scottish Dental Practice Board
- Commissioner for Local Administration in Scotland
- Crofter's Commission
- Scottish National Board for Nursing, Midwifery & Health Visiting
- Deer Commission for Scotland
- Scottish Medical Practices Committee
- Scottish Conveyancing & Executry Services Board
- Scottish Agricultural Wages Board
- Scottish Hospital Endowments Research Trust
- Caledonian MacBryane Ltd in respect of its public functions
- Highlands & Islands Airports Ltd in respect of its public functions
- Scottish Transport Group
- Mental Welfare Commission for Scotland
- Scottish Council for Postgraduate Medical & Dental Education
- Scottish Hospital Trust
- The Law Society of Scotland
- Learning and Teaching Scotland

#### Treasury

- Financial Services Authority
- Bank of England in respect of its public functions



# Appendix 6: Part 4

## Advisory NDPBs subject to the general duty and for which specific duties are not being proposed

### Cabinet Office

- Political Honours Scrutiny Committee

### Department for Culture, Media and Sport

- Theatres Trust
- Treasure Valuation Committee

### Department of the Environment, Transport and the Regions

- Advisory Committee on Releases to the Environment
- Building Regulations Advisory Committee
- Disabled Persons Transport Advisory Committee
- Inland Waterways Amenity Advisory Council

### Department for Education and Employment

- School Teachers' Review Body

### Department for International Development

- Overseas Service Pensions Scheme Advisory Board

### Department of Health

- Standing Dental Advisory Committee
- Unrelated Live Transplant Regulatory Authority

- Standing Pharmaceutical Advisory Committee
- Standing Medical Advisory Committee
- Medicines Commission
- Joint Committee on Vaccination and Immunisation
- Committee on the Safety of Medicines
- Advisory Board on the Registration of Homeopathic Products
- Administration of Radioactive Substances Advisory Committee
- Standing Nursing & Midwifery Advisory Committee
- British Pharmacopoeia Commission

### Department of Social Security

- Central Advisory Committee on War Pensions
- Industrial Injuries Advisory Council
- Disability Living Allowance Advisory Board
- Social Security Advisory Committee
- War Pensions Committees

### Department of Trade and Industry

- Industrial Development Advisory Board
- Low Pay Commission





### Foreign and Commonwealth Office

- Wilton Park Academic Council
- Government Hospitality Fund Advisory Committee for the Purchase of Wine

### Food Standards Agency

- Advisory Committee on the Microbiological Safety of Foods
- Advisory Committee on Novel Foods and Processes
- Expert Group on Vitamins and Minerals
- Food Advisory Committee

### Home Office

- Advisory Council on the Misuse of Drugs
- Animal Procedures Committee
- Firearms Consultative Committee
- Police Negotiating Board
- Sentencing Advisory Panel

### Lord Chancellor's Department

- Advisory Council on Public Records
- Land Registration Rule Committee
- Family Proceedings Rule Committee
- Crown Court Rule Committee
- Council on Tribunals
- Civil Justice Council
- Insolvency Rules Committee
- Law Commission
- Legal Services Consultative Panel
- Civil Procedure Rule Committee

### Ministry of Agriculture, Fisheries and Food

- Veterinary Products Committee
- Hill Farming Advisory Committee for England, Wales and Northern Ireland

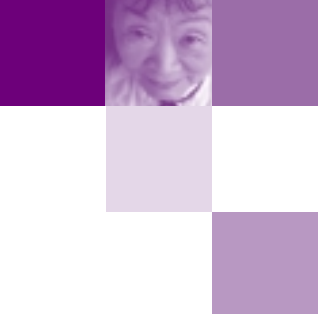
- Agricultural Dwelling Houses Advisory Committees
- Advisory Committee on Pesticides

### National Assembly for Wales

- Welsh Nursing & Midwifery Committee
- Wales New Deal Advisory Task Force
- Environment Agency Advisory Committee for Wales
- Welsh Scientific Advisory Committee
- Welsh Optical Committee
- Welsh Medical Committee
- Welsh Industrial Development Advisory Board
- Welsh Dental Committee
- Welsh Committee for Professional Development of Pharmacists
- Local Government Boundary Commission for Wales
- Historic Buildings Council for Wales
- Hill Farming Advisory Sub-Committee for Wales
- Ancient Monuments Board for Wales
- Welsh Pharmaceutical Committee

### Scottish Executive

- Ancient Monuments Board for Scotland
- Scottish Industrial Development Advisory Board
- Scottish Records Advisory Council
- Scottish Law Commission
- Royal Fine Art Commission for Scotland
- Local Government Boundary Commission for Scotland
- Historic Buildings Council for Scotland
- Hill Farming Advisory Committee for Scotland

- 
- General Teaching Council for Scotland
  - Building Standards Advisory Committee
  - Advisory Committee on Sites of Special Scientific Interest
  - Fisheries (Electricity) Committee



# Appendix 7

## List of consultees

Bodies listed in Appendix 4, e.g. Government Departments, Agencies, local authorities, police authorities, health authorities, etc

Bodies listed in Appendix 5, e.g. Non-Departmental Public Bodies, etc

Other interested parties, e.g. the Association of Chief Police Officers, Chief and Assistant Chief Fire Officers Association, Local Government Association, Racial Equality Councils, National Black Police Association, Association of Scottish Colleges, Association of Teachers and Lecturers, etc.



