



# The Future of Equality: From Human Rights to Consumer Rights?

Writing in the March Bulletin on equality of opportunity, we speculated on how it might be reinterpreted in the debates around setting up a Commission on Equality and Human Rights. Here **Omar Khan** looks at three important reports published in the interim, and assesses their significance for defining terms fundamental to the foundations and structure of such a commission.

Three reports considering the form, functions and powers of the projected Commission on Equality and Human Rights (CEHR) have been published in May and June 2004:

- a summary report of the Task Force,
- a report by Parliament's Joint Committee on Human Rights,
- and the Government's own White Paper.<sup>1</sup>

Each one has implications for the basis, role and status of the future CEHR, and these issues are examined again here, drawing considerably on these reports and comparing them where appropriate. Although this article doesn't provide a full review of each report, readers should gain a sense of the significance of how each one approaches the issue of a single commission, as well as of the importance of the questions that remain.

## Background to the single CEHR

As we noted in the March *Bulletin*, the proposal for a single CEHR is in part a response to UK obligations under European law, whereby the government is required to create new provisions outlawing discrimination based on three specific grounds: age, religion/belief and sexual orientation. Currently, the UK has three commissions dealing with discrimination in terms of gender (the Equal Opportunities Commission, or EOC), race (the

Commission for Racial Equality, or CRE), and disability (the Disability Rights Commission, or DRC). Instead of developing three new commissions for the three new 'strands', the government has elected to create a single commission to deal with all six grounds of discrimination. The existing commissions will be eliminated; but the stated aim is to strengthen government's commitment to equality and human rights in British society through the creation of a single body. Although there are some detractors to this view, many agree that the promotion of equality and of a human rights culture in Britain can be best achieved by a single body, or, in the words of the White Paper, a 'champion'. Promotion of equality and human rights is mentioned as a primary function and also as one of the key benefits of a single commission. It is likely that the government's laudable aim in this regard *can* be achieved by a single commission, if successfully implemented. It is reassuring to read the emphasis on cultural change in these documents, and even if this review has a number of substantial disagreements with the White Paper in particular, the aims underlying the CEHR are both admirable and achievable.

## CEHR Task Force report

Before drafting the White Paper on the CEHR, the government established a task force of over

20 members as an 'ad-hoc, independent, advisory group made up of experts and key external stakeholders' (TF report, p. 1) to consider the form and powers of the proposed Commission on Equality and Human Rights. A summary of its discussions up to 1 April was made available before publication of the White Paper. According to government, one of the goals was for the White Paper to reflect some of the concerns of the Task Force, and reading the reports together generally confirms this view, with a few important exceptions. Significantly, the views expressed in the Task Force report are less unified in terms of message. As a result, some principles and recommendations are more tentative than in the Government White Paper, perhaps inevitably in view of the number of people and standpoints represented on the Task Force.

The Task Force report is also a shorter document, and in this review I will therefore concentrate mostly on the White Paper. This is not because there are no interesting features in the Task Force report, but because most of its findings can be found in the White Paper, which goes on to make a number of additional points and recommendations. It is therefore a more useful starting point in considering the insights and disadvantages of the proposals for the future Commission on Equality and Human Rights, not least because it better represents the views of government. In addition, the Task Force will continue, for the time being, to give its views on the proposals for the CEHR.

## White Paper – Principles and Powers Which Principles?

Government White Papers are statements of policy preceding the introduction of a Bill. In the March *Bulletin*, we pointed out that any policy requires principles

<sup>1</sup> Department for Trade and Industry (2004) *Fairness for All: a new commission for equality and human rights. White Paper*. In association with Department for Constitutional Affairs, Department for Education and Skills, Department for Work and Pensions and Home Office. Norwich: The Stationery Office [to order online, [www.tso.co.uk/bookshop](http://www.tso.co.uk/bookshop)]. House of Lords and House of Commons, Joint Committee on Human Rights (2004) *Commission for Equality and Human Rights: Structure, functions and powers*. Eleventh Report of Session 2003-04. HL Paper 78, HC 536. Commission for Equality and Human Rights Task Force (2004) *Summary of Discussions up to 1 April 2004*. DTI, Women and Equality Unit.

See also page 15 of this Bulletin.

for its implementation, justification and evaluation, and for the CEHR, the obvious candidates are equality and human rights. So in considering the possible form and powers of the CEHR, it is important to explore the issues of principle underlying the proposals, as the government's view on the principles of equality and human rights does seem to have a direct impact on its outline of the CEHR's provisions.

One of the most confusing aspects of the White Paper is that it doesn't advance a coherent vision of human rights. While the Task Force report and White Paper are nearly identical in chapter topics, the one exception is that a chapter on human rights in the Task Force report has not been paralleled in the White Paper. Since the Joint Committee on Human Rights focuses preponderantly on the issue of human rights, our review of the White Paper concentrates on its conception of equality. This is in keeping with the emphasis in the White Paper, where references to human rights read almost as an editorial addendum to equality concerns, especially because there is little elaboration of any specific conception of human rights.

#### **Equality Definitions – WP**

The White Paper has eleven chapters and four appendices, and almost immediately sets out its 'Vision' in its second full paragraph with a prominent statement on equality:

*'The Government believes that fairness for all is the basis for a healthy democracy, economic prosperity and the effective delivery of our public services. Equality and human rights therefore matter to all of us, not just those who experience discrimination and unfair treatment.'* (WP p. 11)

As this quote demonstrates, a key and recurrent theme of the White Paper is the notion that equality isn't only for 'minorities',

'those who experience discrimination', 'protected communities' or 'communities of interest', but for 'all' or the 'wider society'. There are two separate defences for such a claim, one principled and one pragmatic, but neither is explicitly elaborated in the document. The principled view is that equality requires impartiality and neutral standards. Differential treatment is often perceived as an unjust inequality, and many intuitively grasp that equality requires treating every person the same in whatever respect deemed relevant. So if we are all equal in terms of our level of political participation, each of our votes should be weighted the same, and we should all have the same political rights.

The more pragmatic view is that many Britons don't currently identify with the existing anti-discrimination commissions (the EOC, CRE and DRC). In the case of the CRE, and to a lesser extent the EOC, this has been clear in a number of media campaigns against the 'politically correct thought police of the inquisition'. Whatever the tenor and validity of such claims, it is obvious that a significant number of Britons view the current commissions as representing the interests of individuals protected by race equality or gender equality legislation. However, it is important to note that neither of the above two defences is articulated in the White Paper, perhaps because the government did not wish to bring it up and thus confront press sentiment directly, and perhaps because it remains unsure about its own vision of impartial treatment, as is indicated below.

#### **'Minority' Concerns and Self-Interest – WP**

But although there are plausible, if unexpressed, principled and pragmatic defences of the notion that equality matters to us all and not only to some, its central role in the White Paper is unfortunate. There are at least two reasons for criticizing this view.

(1) The White Paper suggests that there is some exclusive link between minority concerns and equality, even if it ultimately attempts to dispute it. That is to say, the continued reference to equality's importance for everyone – pp. 11, 12, 15 (three times), 19 (twice), 21, 24, 29, 60, 126, 127, 131 – leads one to believe that this is some novel or peculiar interpretation of equality, and that most view it as the concern of the minority or the disadvantaged only.

After all, if British citizens already believed that equality mattered to everyone, there wouldn't be any need to emphasise its importance to all of us over and over again. The problem is compounded by the continued comparisons to 'minorities' and 'protected communities' who are already claimed to benefit from equality. But being a 'minority' and having an interest in equality are evidently separate concepts (see below). In any case, given the impartial and universal core to equality, it is almost a tautology to insist that equality matters to everyone. Indeed, it is difficult to imagine how equality could be interpreted in a particularistic manner, and the repetitive emphasis in the White Paper can only serve to create confusion rather than clarify matters.

(2) The second reason why the White Paper repeatedly emphasises equality's importance to all is linked to a key assumption of the document – that appeals to self-interest are the only way to engage citizens. In fact, the title of chapter seven, 'Supporting key customers', suggests that we all choose and then purchase a form of equality and human rights, a view in stark contrast to the notion of democratic citizens whose rights are universally protected as a matter of first principle. The view that individuals are motivated only by personal benefit (or self interest) is fundamental to the White Paper, and the following phrases are fairly typical:



**PARLIAMENTARY  
MONITOR**

**'Promotion of equality and human rights is mentioned as a primary function and also as one of the key benefits of a single commission'**



*'our deepening understanding of the nature of discrimination reveal[s] the potential cost – to us all' (WP p. 15)*

*'equality and human rights will deliver benefit for everyone' (WP p. 19)*

*'The CEHR will also be able to undertake work to promote better understanding of the costs of discrimination' (WP p. 29)*

*'benefiting everyone – not just those that experience discrimination' (WP p. 127)*

The overall impact of these repetitive phrases is that equality (and human rights) can and will be defended *only* if the individuals in question directly benefit from them. That is to say, the principle of equality (and human rights) will matter to people only through a direct and positive impact on their self-interest. Only if a person genuinely feels and recognizes a harm being done will they then support equality. This assumption helps to explain the emphasis on equality benefiting everyone, but closer consideration of the view that it currently benefits minorities reveals the weakness of the claim.

A majority can have just as much of an interest in equality as a minority – witness South Africa. Yet it would seem perverse to claim that white South Africans could be expected to support equality (and human rights) only if they were to *benefit* individually, or thought some personal interest would accrue from it, or that they would experience no personal harm from dismantling the apartheid system. The claim to humane and egalitarian treatment is a matter of principle. Quite simply, it is morally obtuse to support certain forms of domination and inequality, and whether or not they benefit anybody or whether they are in anyone's interest can only ever provide instrumental reasons for rejecting discrimination.

**'...any policy requires principles for its implementation, justification and evaluation, and for the CEHR, the obvious candidates are equality and human rights'**

### **'Consumers' of Equality – WP**

However, for whatever reason, the government employs the language of self-interest and personal benefit and is thus undermined in any attempt at making universal moral claims about equal treatment. This is not surprising when the six 'principles' or 'values' mentioned are: leadership, partnership, transparency, strategy, effectiveness and efficiency (WP pp. 22–3), none of which directly connects to normative concerns. Recall that the 'vision' quoted above refers to the advantages of a 'healthy democracy, economic prosperity and the effective delivery of public services' (other variants of this list include 'successful', 'cohesive', 'efficient' and 'prosperous'). While these are all admirable goals, it is significant that the White Paper never states that a society that respects equality and human rights would be a *better* society. For both economic prosperity and efficiency are entirely possible within a framework of oppressive government, and the vagueness of the term 'healthy democracy' is such that few in Britain could be expected to disagree.

Nowhere is the avoidance of normative arguments for equality more evident than in chapter seven (the longest), where individuals are identified as 'customers' of equality and human rights and the 'business case' for diversity is given central prominence. Put simply, the business case for diversity is that firms that discriminate in hiring or service provision will lose out economically. But it is important to note that this is a purely *instrumental* argument for equality. If it so happens that it is economically advantageous for a company to discriminate, even in the most egregious fashion, how can the proponent of the business case object, given that economic advantage is the sole criterion determining why diversity was pursued in the first place? Indeed, it is not difficult to

imagine racist or sexist employers providing empirical evidence that their practices benefit their companies.

Regardless of any economic arguments, the crucial factor to note is that whether or not discriminatory practices benefit anyone, they are still wrong. As long as the state recognises this moral judgement in the law, employers will be unable to discriminate. However, if economic benefits become the criterion of judgement, we should not be too surprised if some individuals try to demonstrate that it is in their economic interest and thus acceptable for them to discriminate.

Prominent among other 'difficult' concepts in the White Paper are the notions of equal opportunity and society proffered. Rather than giving further explanation of the confusions in these views, we will restrict our comment to noting that the White Paper is disappointing in its content and presentation. The writing is poor and often opaque, there are frequent redundancies in form and content, and the groundwork that may lead to policy formulation in the future Bill is underdeveloped.

In fact, it is often impossible to determine what concrete measures the government has in mind, and it sometimes appears as if the government's desire not to offend – whether it be a 'minority' or the 'rest of society' – results in overgeneralised statements.

### **Powers and Functions – WP**

On the positive side, there are a number of good ideas concerning the powers and functions of the proposed CEHR. As mentioned above, the general remit to contribute to a culture of equality and human rights is to be commended. The following summary delimits the commission's core functions:

- Encouraging awareness and good practice on equality and diversity;

- Promoting awareness and understanding of human rights;
- Promoting equality of opportunity between people in the different groups protected by discrimination law;
- Working toward the elimination of unlawful discrimination and harassment;
- Promoting good relations among different communities and between these communities and wider society. (WP p.29)

The elaboration of these principles reveals that the government is concerned both to ensure that discrimination is curtailed and punished, and to increase social cohesion. It insists that these principles are two sides of the same coin and the attempt to be as fully committed to social cohesion as to greater equality of opportunity seems genuine. Here again the document suffers from a lack of specificity on the particular ways in which social cohesion will be addressed.

In order to ensure greater equality, the commission will also exercise significant enforcement powers. Many of these relate to judicial intervention, whether in the form of individual cases, amicus curiae briefs, or named investigations. Although some of these powers could be quite interventionist, there is a clear preference for working with offending organisations to encourage change from within. The preference for non-confrontational dispute resolution is complemented by an explicit rejection of any form of discrimination.

The White Paper continually emphasises the need for a culture of respect for human rights, and a key goal of the CEHR will be to help achieve this through education and advocacy where necessary. The White Paper propounds universal human rights as a common standard that all Britons can and ought to follow, perhaps the strongest commitment in the document.

Human rights are further invoked as the standard by which conflicts of rights can be adjudicated. For example, where different communities disagree on a particular issue, the White Paper argues that human rights can determine how the conflict might be resolved. Crucially, the arguments for human rights are seen to be coherent with the government's key concern for social cohesion and thus guide the activities of the proposed commission.

#### **Independence – WP**

Two final issues concern the status of the body and the membership of its board. The White Paper proposes that the CEHR should be a non-departmental public body (NDPB) with funding secured via the relevant Secretary of State (at present unknown). It is suggested that the board might contain 10–15 members, with one having experienced a disability and one each from Scotland and Wales. However, the commission rejects the notion that there should be either proportionality or 'strand-specific' hirings; instead 'due regard' will be given to ensure as representative a group of board members as possible. The board members will be appointed in line with government regulations on standards of transparency and will then have control of recruitment and policy within the organisation. The White Paper emphasises the need for the commission to be independent of 'the Government of the day', and argues that an NDPB is the most likely means for achieving it.

#### **JCHR – Principles and Powers**

A comparison with the Joint Commission on Human Rights' (JCHR) report helps to underline some of strengths and weakness of the White Paper as well as the potential scope of the CEHR. While the White Paper mainly focuses on anti-discrimination legislation, the JCHR report is far

more focused on the issue of human rights. Whereas one of the weaknesses of the White Paper is a failure to specify in detail how and why human rights are worthy aims, the JCHR report is far more direct. Interestingly, this is despite the fact that the report recommends that 'no further qualification defining what is meant by "human rights"' (p.12) is necessary. But unlike the White Paper, the JCHR report is clear that human rights are 'entitlements' of citizenship, and not part of a set of goods for customers. Its recommendation for a culture of human rights is therefore more coherent, particularly since these rights are categorized 'in a broad inclusive sense'.

The JCHR report insists that the 'principal purpose' of the new CEHR should be 'to foster a culture of respect for human rights' (p.8). In fact, it recommends that the commission should have a *positive duty* to promote human rights, and cites evidence from existing commissions on how this can be beneficial. The JCHR report is concerned that human rights do not become a 'poor relation' to equality issues and furthermore categorises 'the right to equality of treatment' as 'a fundamental human right' (p. 9). Quoting Lord Falconer from the Lords debate on 16 January 2004, the report notes that 'human rights include but go beyond equality issues' (quoted in JCHR p. 9). Given its remit, it is not surprising that the JCHR should focus on human rights, but their document also provides considered treatment and accords high status to equality.

Since the construal of human rights is broad and inclusive, the equality commitments defended in the report are in fact more substantial and specific than those in the White Paper. Consider the following quote:

*'For the body concerned with racial and sex equality to be disbarred from commenting on compliance with the*



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**'...if British citizens already believed that equality mattered to everyone, there wouldn't be any need to emphasise its importance to all of us over and over again'**



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<sup>2</sup> Oonagh Gay and Barry Winetrobe (2003) *Officers of Parliament: Transforming the Role*, University College London, Constitution Unit, April.

<sup>3</sup> JCHR report p. 45.

**'If human rights and equality matter at all, it is because they are basic moral entitlements to a decent life and to a functioning democracy'**

*Convention on the Elimination of all forms of Racial Discrimination and the Convention on the Elimination of all forms of Discrimination against Women would be a nonsense.'* (JCHR p. 11)

Finally, the JCHR report insists on the 'need to make the Convention rights real in the lives of those whom they could most help' (p. 18). It therefore recommends further advice and assistance for individuals and greater knowledge regarding human rights among lawyers with the goal of 'vindicating' the rights of members of the public. So while the focus in terms of principle is on human rights, the emphasis on effective assertion of those rights links the issue to equality in terms of treatment.

### **Powers and Functions - JCHR**

Like the White Paper and the Task Force report, the JCHR report recommends that the CEHR should be able to conduct public inquiries and exercise substantial litigation powers. Again, as in the other publications, the JCHR report recognises that alternative dispute resolution can be a more effective way of combating discrimination. There are a few key areas where the JCHR report goes further than the White Paper. In general, the tone of the report recommends a greater consultative and at times interventionist role for the commission in the legal sphere. For example, it states that:

*'The central task of "promotion" of human rights does not just mean effective public relations, advertising and education, but also effective, credible inquiries backed up by necessary investigative powers.'* (JCHR p. 22)

However, the JCHR agrees that individual cases should not be investigated by the CEHR and that the commission should not become a 'major litigant'. But it assumes that it will be able to act

on behalf of a third party, as its remit of promoting a culture of human rights makes it 'self-evident' that such interventions will be justified.

### **Structure – JCHR**

Perhaps the key difference between the White Paper and JCHR report is their view on how to achieve independence for the proposed commission. Unlike the White Paper, the JCHR is not convinced that the NDPB model is appropriate for a commission dedicated to supporting and monitoring human rights. The following four key features of the CEHR make the NDPB accountability structure inappropriate:

1. most fundamental is the relationship between human rights and the State. Whereas 'most NDPBs are dealing with non-state actors', it is 'the State itself' which will be the subject of the CEHR
2. the NDPB accountability structure 'does not give the appearance of full independence'
3. 'on the matter of the protection of fundamental rights and freedoms, Parliament should be involved more fully'
4. pragmatically, the commission will have 'responsibilities ranging across those of all Government departments'. For example, the EOC has variously been assigned to the Department for Education and Employment, the Cabinet Office, the Office of the Deputy Prime Minister and the Department of Trade and Industry since 1997 (JCHR pp. 44–5)

The JCHR report thus compares the NDPB structure with alternative models for achieving independence, notably the Parliamentary Commissioner for Administration (PCA) and the National Audit Office (NAO). Summarising the distinctive elements of these bodies, the JCHR recommends that the CEHR will require the following eight features, as recommended

by the Constitution Unit (Gay and Winetrobe 2003):<sup>2</sup>

1. statutory guarantees of independence from both the executive and parliament;
2. a system of funding independent of direct ministerial control;
3. independent staffing arrangements;
4. statutory involvement of a parliamentary body in approving, overseeing its budget and strategic plan;
5. parliamentary involvement in key appointments, which should be for a fixed term;
6. dismissal only with parliamentary approval;
7. direct reporting to parliament, both through a designated committee and through questions;
8. extra-parliamentary accountability.<sup>3</sup>

### **Concluding Observations**

There is much to be commended in the government's White Paper, particularly the strong commitment to a culture of human rights and equality. Furthermore, the litigation and enforcement powers are appropriately balanced with a commitment to alternatives to formal litigation where appropriate. It is also difficult to find fault with the core functions recommended in the White Paper. If the government is able to achieve these goals, there will be little to quibble about regarding the philosophy and structure of the commission.

However, given the generality and confusion on matters of principle, it seems unlikely that the recommendations of the White Paper will be realised. Furthermore, the lack of specificity makes it very difficult to imagine what the proposed legislation will look like. As noted in the previous *Bulletin*, and in the Task Force report and the JCHR report, the continuing inconsistencies in equality 'strands' of gender, race, disability, age, religion/belief and sexual

discrimination cannot be easily glossed over. A comparison with the JCHR report serves to highlight these and other inadequacies in the White Paper. First and foremost is the continued reference to equality (and human rights) as a concern for everyone in the sense that they personally benefit from it.

This is linked to the second difficulty – the emphasis on consumers and the business case. While the chapter on ‘key customers’ is the longest in the White Paper, and the concerns of business are prominent, in the JCHR report only two paragraphs are devoted to the private sector specifically. What is important to recognise is *not* that the private sector is inherently more discriminatory *nor* that it has no role or interest in advancing equality and human rights in British society. One does not have to object to business to view the emphasis in the White Paper as misplaced; the business community can be perceived as a supremely beneficial and positive force in Britain. The point is rather that self-interest arguments are inappropriate in universal conceptions of equality and human rights. It is difficult to imagine that the most important legislation on the key democratic principles of equality and human rights would place such an emphasis on instrumental justifications in terms of economic efficiency.

If human rights and equality matter at all, it is because they are basic moral entitlements to a decent life and to a functioning democracy. If Britain is finally to have comprehensive legislation in these areas, it is imperative that equality and human rights are defended in the most universal terms at the level of first principle. □

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## Consultations with Government

For Response before September 2004

### Legislation on Identity Cards: A Consultation (CM6178)

Announced on 11 November 2003

Government proposes to build the base for a compulsory national identity cards scheme, as set out in Identity Cards: The Next Steps (Cm 6020). Through this consultation paper presented to Parliament in April 2004, Government seeks comments on a proposed Identity Cards Bill that would establish the legislative framework for the incremental introduction of this scheme. Comments are sought on the draft legislation from individuals and organisations. The House of Commons Select Committee on Home Affairs will, in addition, be carrying out formal pre-legislative scrutiny of the draft Bill.

The consultation paper explains the need for new legislation as a requirement to establish a clear legal foundation for what is a major policy development and also to provide a statutory basis for spending public money on setting up the scheme and charging the fees required to recover the cost of issuing cards. The consultation paper is set out in four chapters over 42 pages with four annexes amounting to over 80 further pages.

**Responses are required by 20 July 2004 in writing, by letter, fax or email to:**  
**Robin Woodland, Legislation Consultation, Identity Cards Programme, Home Office,**  
**3rd Floor, Allington Towers, 19 Allington Street, London SW1E 5EB**  
**F: 020 7035 5386 E: [identitycards@homeoffice.gsi.gov.uk](mailto:identitycards@homeoffice.gsi.gov.uk)**

### WHITE PAPER - Fairness for All: A New Commission for Equality and Human Rights

Published 12 May 2004

Proposal for a new single equality and human rights body to ‘achieve a fairer, more inclusive Britain’ published by the Secretary of State for Trade and Industry and the Secretary of State for Constitutional Affairs. The Prime Minister noted in his foreword to the White paper that ‘the proposed new single Commission for Equality and Human Rights (CEHR) will be responsible for promoting equality throughout our whole society ... [and] will also, for the first time, provide institutional support for human rights’.

The purpose of the White Paper is to set out the Government’s proposals for the Commission for Equality and Human Rights (CEHR) in detail, including its role, duties and powers, and outline the way in which it will deliver to its key stakeholders. It also sets out the anticipated next steps towards establishment. The Government wants to receive comments on any aspect of the document, and especially the areas where specific comments are invited. [see coverage of this WP on pp. 10-15 of this Bulletin].

Published online at [www.dti.gov.uk/consultations/](http://www.dti.gov.uk/consultations/)

**Responses are required by 6 August 2004 in writing by letter, fax or email to:**  
**CEHR Project Team, Women and Equality Unit, Department of Trade and Industry**  
**35 Great Smith Street, London SW1P 3BQ**  
**F: 020 7276 2323 E: [equality.project@dti.gsi.gov.uk](mailto:equality.project@dti.gsi.gov.uk)**

### Statutory Code of Practice on Racial Equality in Employment

Launched May 2004

The Commission for Racial Equality is seeking feedback on its revised code of practice in employment, which set standards for achieving race equality at work, via a web-based consultation process.

The code first came into effect in 1984 and in the 20 years since there have been several important amendments to the Race Relations Act 1976 as well as the introduction of EU legislation on race equality in the workplace. The revised code, which has been developed in partnership with key organisations from the public, private and voluntary sectors, aims to give practical advice to employers, recruitment agencies, trades unions and individual employees on how to meet their obligations under the Race Relations Act. The code has a statutory status; this means that any of its provisions can be referred to in an employment tribunal.

The 100-page consultation draft code can be downloaded along with the accompanying questionnaire at [www.cre.gov.uk/gdpract/employment\\_code.html](http://www.cre.gov.uk/gdpract/employment_code.html)

**Responses are required by 6 August 2004 by emailing completed questionnaires to [employmentcode@cre.gov.uk](mailto:employmentcode@cre.gov.uk)**

### GREEN PAPER - Equality and non-discrimination in an enlarged European Union

Launched on 1 June 2004

The European Commission has launched a public consultation, based on this Green Paper, to analyse progress made since, 5 years ago, huge impetus was given to the fight against discrimination in the European Union when new powers were granted to tackle discrimination on grounds of sex, racial or ethnic origin, religion or belief, age, disability and sexual orientation and promote equal treatment.

This Green Paper seeks views about how the EU can continue and reinforce these efforts, in response to calls from the European Parliament and others to organise a public consultation on the future development of policy. It looks at how these initiatives now relate to other policy developments at European and international levels. It examines new challenges that have emerged in recent years, including those linked to the enlargement of the EU. It assesses the implications of this changing context for policy development in the field of non-discrimination and equal treatment.

The Green Paper and accompanying questionnaire can be accessed at [http://europa.eu.int/comm/employment\\_social/fundamental\\_rights/greenpaper\\_en.htm](http://europa.eu.int/comm/employment_social/fundamental_rights/greenpaper_en.htm)

**Responses are required by 31 August by submission of a completed on-line questionnaire.**

### Strength in Diversity: Towards a Community Cohesion and Race Equality Strategy

Launched 19 May 2004

This 22-page document, launched by Home Office Minister Fiona Mactaggart, is described as ‘not a conventional Government consultation document and deliberately so’, in response to which Government wants to ‘lead an honest and robust debate, in which people freely express their views’.

The Home Office wants to hear views on the issues and challenges facing Britain in the drive to achieve a successful, integrated society where diversity is recognised and celebrated. The Government will hold a series of events and workshops across the country as part of the consultation around *Strength in Diversity*. Responses to the consultation will inform the development of the Government’s community cohesion and race equality strategy, due to be launched in autumn 2004. The strategy aims to provide a coherent framework for action across Government and the public services. The pamphlet is published online at [www.homeoffice.gov.uk/comrace](http://www.homeoffice.gov.uk/comrace)

**Responses are required by 17 September 2004 in writing or by email through the Home Office website**

As we are publishing this Bulletin late in June, we have omitted from this list any consultations requiring response within June or the first half of July.