Written evidence submitted by Race Equality Matters

Introduction

1. Race Equality Matters (REM) is a network of policy experts, lawyers, academics, journalists and campaigners who have come together to promote race equality and good race relations.

2. We do this by:
   - raising awareness of law, policy and practice which affect race equality and good race relations
   - monitoring the effectiveness of equality and human rights law
   - using our collective expertise to influence and inform government policy.

3. REM welcomes the inquiry by the Home Affairs Select Committee into hate crime and its violent consequences. Our members have considerable experience and expertise of promoting racial equality and good race relations, having worked at local race equality councils (RECs), community based organisations and also at the former Commission for Racial Equality (CRE). We understand only too well the impact of election – and referendum - campaigns on good race relations and believe that our expertise gives us an interesting and unique insight on how to encourage and promote good race relations.

4. Only recently, in August 2016, the UN Committee on the Elimination of Racial Discrimination (CERD) expressed its serious concern at the sharp increase in the number of racist hate crimes in the weeks prior to and following the EU referendum. It stated:

   In particular, the Committee is deeply concerned that the referendum campaign was marked by divisive, anti-immigrant and xenophobic rhetoric, and that many politicians and prominent political figures not only failed to condemn it, but also created and entrenched prejudices, thereby emboldening individuals to carry out acts of intimidation and hate towards ethnic or ethno-religious minority communities and people who are visibly different. ¹

5. In 2015, REM published ‘E lecting without Prejudice: Free speech, Hard facts, Real debate.’ This is a statement of principles for fair elections, free from prejudice and hate. (A copy is attached at Appendix 1). Our collective experience is that elections (and referendums) can be a playground for racial prejudice. We asked politicians, public bodies, trades unions, organisations and influential private individuals to join our call for an election debate in which political policies, and not the politics of prejudice, decide who wins.

¹ CERD/C/GBR/CO/21-23
6. A wide-ranging coalition of public figures, trade unions and civil society organisations supported the statement. Among the organisations endorsing the call were the TUC as well as individual trade unions such as Unite, UNISON, PCS, GMB, USDAW, NUT, NASUWT and NUJ individually. Among others involved were the Runnymede Trust, Race on the Agenda, Operation Black Vote, Institute of Race Relations, Southall Black Sisters, End Violence Against Women, All Different All Equal (Wales), Catholic Association for Racial Justice, Hindu Council UK, the Muslim Council of Britain, the Jewish Council for Race Equality, The Refugee Council, Scottish Refugee Council and the Migrants Rights Network.

7. There was also cross party support in the House of Lords from Lord Ouseley, Baroness Lawrence, Lord Dholakia, Baroness Warsi, Baroness Prashar, the late Lord Avebury and Lord Adebowale. It was also endorsed by Nicola Sturgeon and Leanne Wood.

8. The campaign was repeated for the London Mayoral Elections and the statement was endorsed by Sadiq Khan, then the Mayoral candidate.

9. The recent rise in the number of racist attacks nationally is disturbing. But REM has been concerned for some years now by the changing public attitudes to racism. We believe it has now become more acceptable for people openly to express racist views with impunity. We ask, ‘why is this?’

10. We believe one of the reasons is the absence of public institutions and leaders with a strong, unashamed commitment to equality and human rights. Instead, we now have a society where equality and human rights are derided and seen as obstacles to immigration control, counter-terrorism measures, British values and even economic growth. Government initiatives like the Red Tape Challenge played a significant part in undermining the protections in our equality legislation:

   ‘The Equalities red tape challenge package balances the need to provide important legal protection from discrimination with identifying which measures in the Equality Act 2010 are placing unnecessary or disproportionate burdens on business.’

11. We believe the importance, and prominence, given to racial equality and good race relations has receded against a rising, almost unstoppable, tide of intolerance for migrant workers, refugees, asylum-seekers and some religious groups. And, while a handful of politicians and the Far Right parties stir up hatred for these groups, there is silence from most of our public institutions, officials and leaders.

12. Disappointingly, there are – and were – legislative provisions which provide public bodies – local councils in particular – with the armoury to counter racist material and

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behaviour but either they are not being used effectively or they have been watered down or repealed.

13. We expect the Committee will hear from witnesses with their views on the effectiveness of the criminal law and procedures for reporting hate crimes. This submission will focus instead on how equality law has helped to curb race hate speech and behaviour in the past and why the new law might not be as effective as its predecessor.

The Equality Act 2010

14. We believe that anti-discrimination law plays an equally, if not more important, role in preventing racial hatred and hostility.

15. The prohibition of racial discrimination, harassment and victimisation in the workplace, shops, clubs, housing and in law enforcement, helps to create a society where, over time, discrimination and racism are met with public disapproval. We believe this was a successful legacy of the Race Relations Act 1976 (RRA).

16. The Equality Act 2010 (EqA), which replaced the RRA, is a comprehensive equality statute but it is weaker than the RRA in two important respects which are relevant to this Inquiry:
   • it does not include a free-standing prohibition on discriminatory advertisements
   • it includes a narrower provision on instructions to discriminate.

We believe that both these provisions were useful for tackling racial hatred.

Discriminatory Advertisements

17. Many of us still remember the deeply offensive ‘No Blacks No Irish No Dogs’ signs of the Sixties. We recoil at the very thought that these signs were once commonplace.

18. Their disappearance is largely the result of the RRA which outlawed discriminatory advertisements. We believe that the impact of this provision on public attitudes to discrimination and racism cannot be overstated.

19. The RRA made it unlawful to ‘publish or cause to be published an advertisement which indicates or might reasonably be understood as indicating an intention by a person to do an act of discrimination, whether the doing of that act by him would be lawful or,... unlawful.’

20. This meant that the suggestion in an advertisement that a particular racial group was preferred or excluded was unlawful as evincing an ‘intention’ to discriminate’, even if the discrimination so indicated was itself lawful in fact.

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3 Race Relations Act 1976 s.29. Analogous provisions were contained in the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995
21. By way of example, an employer could lawfully discriminate on racial grounds when employing persons for work wholly outside Great Britain but it was still unlawful to express any racially discriminatory preferences in an advertisement for the job in question.

22. Similarly, a landlord could lawfully discriminate on racial grounds when taking in a lodger who would share some living accommodation but it was unlawful for the landlord to advertise, for example, for a White lodger.

23. An ‘advertisement’ was defined very widely as including:

‘every form of advertisement or notice, whether to the public or not, and whether in a newspaper or other publication, by television or radio, by displays of notices, signs, labels, showcards or goods, by distribution of samples, circulars, catalogues, price lists or other material, by exhibition of pictures, models or films, or in any other way, and references to the publishing of advertisements shall be construed accordingly.’

The words ‘in any other way’ were also interpreted to cover web-based advertisements or notices.

24. The rationale behind this prohibition was to eradicate public displays of racial prejudice or preference which were ‘inherently offensive and likely to encourage the spread of discriminatory attitudes and practices.’

25. The RRA did not provide for an individual right of legal redress but it gave the CRE the power to challenge directly discriminatory advertisements using its own legal enforcement powers.

26. The CRE referred to this provision in a range of situations when it was alerted to the proposed or actual publication of written or broadcast material which indicated an intention to discriminate. And any member of the public who was offended by a discriminatory advertisement could complain about it to the CRE.

27. This power of institutional challenge was used successfully to tackle discriminatory job adverts, be they ‘No Blacks’ or ‘Polish workers only’ signs; discriminatory ‘To Let’ signs; and no entry signs, such as the ‘No Gypsies and Travellers’ signs sometimes displayed by shops, clubs and pubs.

28. The CRE also used its power to stop the circulation of anti-Gypsy leaflets in areas with Gypsy and Traveller sites.

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4 Race Relations Act 1976 s78(1)
5 White Paper on Racial Discrimination 1975, Home Office, para 76
6 An individual job applicant, customer or tenant or other person directly affected by a discriminatory advertisement could bring proceedings for direct discrimination but only if they could demonstrate that the advertisement was part of the arrangements for determining who should be offered the job, service or tenancy. See Cardiff Women’s Aid v Hartup [1994] IRLR 390 EAT
29. In this respect, the CRE acted as a regulator of discriminatory advertisements, intervening early to stop an advertisement or ask for its withdrawal. And, in so doing, it also promoted a greater awareness of the need to avoid discrimination with employers and service providers and gave advice on the RRA.

30. Unfortunately, the EqA does not contain a specific, free-standing prohibition of discriminatory advertisements.

31. Also, the EHRC’s explicit power to challenge discriminatory advertisements has been repealed.

32. A discriminatory advertisement is now treated as part of the arrangements for determining who gets a job or service or tenancy. This means that only a job applicant or service user, who is affected by the terms of the advertisement, can bring legal proceedings for discrimination.

33. This approach follows the judgment of the European Court of Justice (CJEU) which held that the fact that an employer declares publicly that it will not recruit employees of a certain ethnic or racial origin constitutes of itself direct discrimination in respect of recruitment, since such statements are likely to strongly dissuade certain candidates from submitting their candidature and, accordingly, to hinder their access to the labour market.  

34. We do not disagree with the CJEU but it only addresses the narrower role of public declarations (and consequently advertisements) in the recruitment process. It does not question the wider impact of discriminatory advertisements on society – as did the UK government in its White Paper on Racial Discrimination back in 1975.  

35. The CJEU also observed that under the EU Race Directive an identifiable complainant/victim is not necessary for legal proceedings. The Directive permits relevant associations to bring legal or administrative proceedings without a specific complainant or in the absence of an identifiable complainant. This was already provided for by the RRA.

36. It is certainly not our position that the recent rise in race hate crime is attributable to the repeal of the prohibition of discriminatory advertisements.

37. But, if we are looking at actions or behaviours which hinder good race relations, then we do believe discriminatory advertisements contribute to poor race relations. We believe the repeal of the free standing statutory ban is a serious oversight and that the drafters of the EqA and civil servants did not understand or appreciate the rationale behind the prohibition of discriminatory advertisements.

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7 Centrum voor gelijkheid van kansen en voor racismebestrijding v Firma Feryn NV. Case C-54/07 http://ec.europa.eu/dgs/legal_service/arrets/07c054_en.pdf
8 see footnote 5
38. We also consider that the repeal of the explicit provision on discriminatory advertisements, and the EHRC’s explicit power to challenge them, means that there is now very little to deter anyone who wants to publish, through any media, their intention to discriminate.

39. We see no good reason why any provision, which seeks to eliminate public expressions of discrimination and prejudice, should not continue to be part of the legal armoury for tackling race hate crime and discrimination.

40. We recommend that the explicit prohibition of discriminatory advertisements be reinstated by way of a simple amendment to the EqA.

**Instructions/Pressure to discriminate**

41. The RRA made it unlawful to instruct or put pressure on a person to discriminate. The Act provided:

   s. 30 Instructions to discriminate

   It is unlawful for a person—

   (a) who has authority over another person; or
   (b) in accordance with whose wishes that other person is accustomed to act,

   to instruct him to do any act which is unlawful … or procure or attempt to procure the doing by him of any such act.

   s. 31 Pressure to discriminate

   (1) It is unlawful to induce, or attempt to induce, a person to do any act which (is unlawful under the Act)

42. In most cases, the provisions were used to tackle discriminatory instructions by employers and service-providers e.g. the employer who tells the job agency not to send Asian jobseekers or the nightclub manager who tells bouncers not to let in Black guests.

43. But, the provision also proved useful, albeit rarely, in countering racial hatred as well as discrimination.

44. For example, in CRE v D Riley⁹ the chairman of the Accrington branch of the National Front circulated a leaflet to residents in Accrington, Lancashire, urging them to write to the local authority’s planning department, to lodge objections to planning applications from Asian businesses. The county court decided he had acted unlawfully in pressurising the local authority to discriminate against Asians applying

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⁹ Manchester County Court 1982 (unreported)
for planning permission. The court also issued a five-year injunction preventing him from continuing those activities.

45. Also, a CRE formal investigation found that two residents of the village of Brymbo, near Wrexham, and a local councillor, had unlawfully put pressure on Wrexham Borough Council to refuse a council house to a family because they were Gypsies. Non-discrimination notices were issued by the CRE to all three respondents.\(^{10}\)

46. Sadly, such behaviour is not confined to the past. In July 2016, residents in Sidcup staged a protest outside a house in which the Home Office had housed Syrian refugees. Bexley Council responded by evicting the refugees from the property stating that their occupation was unlawful.\(^{11}\)

47. The EqA makes it unlawful to instruct someone to discriminate or to cause or induce, or to attempt to cause or induce, someone to discriminate.\(^{12}\)

48. However, this section does not apply unless the relationship between the person giving the instruction (or causing or inducing the unlawful act), and the recipient is one in which discrimination, harassment or victimisation is prohibited. In other words, there is a relationship which is regulated by the EqA – e.g. an employer/employee, service provider/service user, landlord/tenant.

49. The requirement for a ‘regulated relationship’ was not included in the RRA.

50. This change signifies a shift in emphasis from outlawing a particular form of behaviour to providing protection for the employee/service-user/tenant who refuses to comply with a discriminatory instruction.

51. And it is right that they should be protected. But the requirement for a relationship means the new law on discriminatory instructions is narrower than the former law. It’s our understanding that there are now situations which were once covered by the RRA but are now outside the scope of the EqA:

- a landlord who instructs a letting agent not to let their property to African tenants
- a homeowner who instructs an estate agent to sell their house to a White buyer only
- an employer who instructs a job agency to send only Eastern European workers
- a nightclub manager who tells bouncers from the security firm it hires not to let in Asian clubbers
- a councillor and local residents who put pressure on the Chief Executive to refuse a council house to a Syrian family.

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\(^{10}\) Brymbo Community Council: Report of a formal investigation. CRE 1981


\(^{12}\) Equality Act 2010 s.111
52. It means that the behaviour found in Riley and Brymbo cannot now be challenged under the EqA.

53. In the context of this Inquiry, we believe that the former law on instructions and pressure to discriminate was a useful provision in tackling racial hatred, which is often the motivation behind discriminatory actions.

54. We consider that the new law renders the EqA weaker than the RRA and we recommend that it be reviewed with a view to amendment.

The statutory duty to foster good relations

55. The Equality Act 2010 section 149 places a duty on public bodies to have due regard to the need to—
   • eliminate discrimination, harassment, victimisation and any other unlawful conduct
   • advance equality of opportunity, and
   • foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

56. Fostering good relations involves having due regard, in particular, to the need to—
   • tackle prejudice, and
   • promote understanding.

57. This duty is commonly known as the Public Sector Equality Duty (PSED).

58. Most public bodies, including central government departments, when complying with the PSED, have chosen to focus on equality monitoring, audits and assessments with a view to eliminating discrimination in employment and service provision.

59. The duty to foster good relations has the potential to transform public attitudes yet it is often neglected or misunderstood as simply a duty to hold ‘multi-cultural festivals’ etc…But it may be used in conjunction with other laws to tackle racist behaviour head on.

60. The ‘good relations’ duty has its origins in the race equality duty in the RRA and, before that, in the statutory duties placed on the former Commission for Racial Equality and local authorities to eliminate unlawful racial discrimination; and to promote equality of opportunity and good race relations.

61. The race equality duty was part of the package of reforms to the RRA which were brought forward by the government in response to the Stephen Lawrence Inquiry. One of its principal aims was to tackle ‘institutional racism’ which was highlighted in the Report as undermining the confidence of BME communities in public bodies.

62. Examples of how the good race relations duty has been used in the past are set out in paragraphs 77 to 83.
63. The race equality duty included a list of specific duties outlined in secondary legislation that were designed to assist public authorities in complying with the duty. They were a lot more prescriptive than the current specific duties, and dismissed by many as too bureaucratic. However, there were also those who acknowledged that they helped to guide them to comply with the general duty. However, with the fear of too much bureaucracy and red tape, the government chose to water down specific duties under the EqA.

64. We believe the PSED is no longer seen as a duty to help combat institutional racism and that the duty to foster good race relations is at risk of being lost.

Local councils: correcting false information

65. We believe that local councils have an important role to play in promoting and maintaining good race relations.

66. One important function is ‘mythbusting’: English local councils may use their general powers of publicity with the public sector equality duty to correct false, erroneous and misleading information, especially where it undermines good race relations.

67. When they exercise their publicity powers, local councils must have regard to the statutory Code of Recommended Practice on Local Authority Publicity 2011 (the ‘Code on Publicity’). The relevant paragraphs of the Code state:

16: Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy. It is acceptable for local authority publicity to correct erroneous material which has been published by other parties, despite the fact that the material being corrected may have been published with the intention of influencing the public’s opinions about the policies of the authority. Such publicity should seek to explain the facts in an objective manner.

19: Where local authority publicity addresses matters of political controversy it should seek to present the different positions in relation to the issue in question in a fair manner.

31: Publicity by local authorities may seek to influence (in accordance with the relevant law and in a way which they consider positive) the attitudes of local people or public behaviour in relation to matters of health, safety, crime prevention, race relations, equality, diversity and community issues.

32: Local authorities should consider how any publicity they issue can contribute to the promotion of any duties applicable to them in relation to the
elimination of discrimination, the advancement of equality and the fostering of good relations.

68. However, the Local Government Act 1986 section 2 prohibits publication by a local council of material which, in whole or in part, appears to be designed to affect public support for a political party.

69. This prohibition might explain why local councils are reluctant to say anything about racist material circulated by a political party.

70. But it still remains the case that a local council may correct any false, erroneous or misleading information circulating in its area which affects good relations, equality, diversity and community issues. And, having due regard to the PSED, it may choose to do so.

71. For example, if it appears that community relations are adversely affected by campaign literature which exaggerates the demand on local services by migrant workers, then a local council may act to make the facts clearer to the public.

72. But the publicity must be:
   - Factual
   - Objective
   - Corrective
   - Even handed
   - Non-attributable to any political party or candidate
   - Cost effective.

Election material

73. As we state in the Introduction elections (and referendums) can be a playground for racial prejudice.

74. Local authorities also have limited discretion to correct false, erroneous or misleading information during an election period. But caution is needed. The Code also states:-

   33. Local authorities should pay particular regard to the legislation governing publicity during the period of heightened sensitivity before elections…
   34. During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or views or proposals in such a way that identifies them with any individual members or groups of members…
   35. In general, local authorities should not issue any publicity which seeks to influence voters

75. The Code on Publicity is silent on whether corrective information may be published during an election period; but following a debate in the House of Lords on the Local
Audit and Accountability Bill, Baroness Hanham made it clear in a Ministerial Statement on 15 July 2014 that local authorities may correct false information:

‘…[T]he publicity code explicitly provides for a local authority to correct or rebut misinformation, making explicit provision in the sections about objectivity and care during periods of heightened sensitivity. Moreover, it contains provisions about equality and diversity, specifically allowing local authority publicity to seek to influence the attitudes of local people or public behaviour in relation to matters including equality, diversity and community issues.

During an election period, for example, local authorities may publish factual material. A local authority should take care when issuing publicity and should not be issuing publicity that seeks to influence voters. **However, this does not prevent an authority from fulfilling its role in seeking positively to influence people in terms of equality and diversity.** Hence if there is disinformation in circulation promoting harassment, a local authority may take action to correct it at election time or indeed any other time…Nothing in the publicity code prevents local authorities addressing issues of discrimination or harassment and tackling them head on.’

76. The law in this area is complicated and we understand why local councils might choose the safest option, which is to say nothing. We believe greater encouragement and support should be given to local councils to use their publicity powers and the PSED to challenge false, erroneous and misleading information which undermines good race relations.

77. We consider that the government, as part of its hate crime strategy, should publish further guidance on how local councils may use their publicity powers to correct false information which undermines good race relations.

The role of a national equality body and voluntary organisations

78. We have referred on several occasions to the work done by the former Commission for Racial Equality. Whatever its faults, we believe that having a national institution which could speak out on racial equality and race relations was pivotal to changing public attitudes. it worked.

79. For thirty years, the CRE gave advice and guidance on how to respond to racial hatred and promote good race relations, as part of its statutory duties, working closely with local councils, the voluntary sector, employers and service-providers to change behaviour. Some examples include:-

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13 HL Deb 15 July 2013 col. 602 [Lords Chambers]
80. *Kick It Out - Let's Kick Racism Out of Football* was launched by the CRE and the Professional Footballers’ Association (PFA) in 1993. A “10-point plan” of measures professional football clubs had to follow to challenge racism was drawn up. This is arguably the most well-known and successful CRE initiative undertaken as part of its good relations duty.

81. *Guidance To Racial Equality Councils On Election-Related Issues* - a simple guide for RECs on maintaining good race relations during an election period.

82. *Safer Communities Initiative (SCI)* - this was a project to look at good practice for promoting good race relations in Great Britain focusing on five regions which were selected because of their wide range of challenges in respect of diversity: Wrexham, Birmingham, Glasgow, Leicester and Tower Hamlets. The SCI project developed new, strategic ways of working to tackle tensions within and between communities and to encourage communities and statutory agencies to come together and to promote cooperation between them in order to facilitate dialogue, problem solving and conflict resolution.

83. *Local council publicity powers* – delivering seminars with the Local Government Association and the Local Government Information Unit Seminars for senior council officers on how to use their publicity powers to tackle racist material and behaviour.

84. *Defeating Organised Racial Hatred Toolkit* which gave advice on how to maintain and promote good race relations during an election period, and guidance on using the relevant criminal and civil law to deal with organised racist activity. It also offered councils and community groups practical steps to challenge false or misleading information, and to tackle racist harassment and abuse, as well as information on anti-Semitism, Islamophobia, Gypsies and Travellers, and on refugees and asylum seekers.

85. Equally important is the voluntary/community sector. In its final publication, ‘*A lot done, a lot to do*’ the CRE acknowledged the contribution made by local and regional contacts.

86. The CRE regional offices and many Race Equality Councils (RECs) had their ears to ground and were the primary sources of local intelligence. This partnership with local and regional contacts meant that, at the very least, there was a statutory body to which local agencies could refer racist and discriminatory material.

87. The CRE regional offices and RECs worked closely with local councils providing information and advice on promoting good community relations. A good example is the Midlands Monitoring Group which was set up to counter the challenges presented by Far Right political groups. In the run-up to the 2004 local elections, the group produced a joint party statement for local areas to adopt. By signing up to the statement, local politicians undertook to keep their campaign fair, and free of racial hatred or prejudice.
88. This type of collaboration has largely disappeared. We fear that the repeal of the duty on the EHRC to promote good relations has led to the abandonment of policies in this area; and the cessation of EHRC grants to voluntary organisations, combined with local authority budget cuts, has resulted in the closure of most RECs and other community based organisations.

89. We appreciate this is now largely historical material – and focuses on the work done by the CRE - but we consider it demonstrates the kinds of measures which can be taken as part of a ‘good relations duty’ but which are now sadly missing. But it’s more than the absence of measures: we believe the commitment, enthusiasm and drive for promoting good race relations within public bodies is now missing.

90. We do not consider we can ignore this change in the landscape when asking why racist crimes and behaviour are increasing.

Conclusion

91. Race hate crime, and the cruel racism and prejudice which feeds it, is so destructive and so easily repeated that it requires the full commitment of all elements of the State to combat it.

92. We wholeheartedly support the CERD recommendation that the UK government ‘adopt comprehensive measures to combat racist hate speech and xenophobic political discourse, including on the Internet, particularly with regard to the application of appropriate sanctions, and ensure that public officials not only refrain from such speech but also formally reject hate speech and condemn the hateful ideas expressed so as to promote a culture of tolerance and respect.’

Race Equality Matters

See footnote 1 para 16
Britain’s social fabric rests on a strong bedrock of democratic political discussion. The freedom to debate and argue the issues of the day, great and small, gives lasting strength to our elected institutions.

That bedrock is threatened by those who abuse open debate and stir up prejudice and fear. Such activities make individuals the targets of violence and abuse. They obscure the real issues at stake, sowing mistrust and misunderstanding instead of open, public debate in which all can take part. Such activities, and those who pursue them, should be rejected by all.

Every voter wants to know that an election campaign was a fair one, however hard and passionately it may have been fought. Every voter has the right to the facts upon which to base their decision on the rival solutions offered by different candidates. Every candidate has the right to have their proposals considered objectively. Everyone working for the public has the right to have their efforts judged on the basis of information that is as objective as possible, not on supposition.

All of us have a role to play in seeing that an election campaign gets to the heart of the issues. Candidates, political parties, local councils and other public bodies, voluntary, community, charitable and trade union organisations, can all contribute to an election campaign that gets to the heart of the issues and is conducted in a responsible manner.

Racism, racial hatred, prejudice and misunderstanding are serious dangers in Britain today. We call on all who have a role to play in ensuring that our elections are fair and truly free, to join us in supporting this call for an election campaign rid of the exploitation of prejudice.
To achieve

- **vigorous debate** during the coming election campaigns around the issues facing Britain today;
- **full participation** by all involved - candidates, electors and the wider public; and
- **a secure and open** atmosphere during election campaigns so that all electors feel able take part in debating the issues, challenging candidates and gaining a proper understanding of their different approaches and proposed solutions;

We call upon those

- putting themselves forward for election
- seeking to take part in election debates, and
- public authorities responsible for ensuring that the rights of electors, of candidates and of the public in general are properly fulfilled;

To support the following principles:

**Candidates standing for election should**

- Work for a welcoming Britain which values all its people, celebrates its diversity and provides equality of opportunity for all.
- Commit that, if elected, they will seek to represent everyone, and not pitch one group against another for short-term political or personal gain.
- Ensure they do not take actions or use words likely to generate prejudice or hostility between different groups.

**Leaders of political parties involved in an election should**

- Guarantee that their party, its candidates and campaigners abide by the above principles and that where complaints are made of activities that may be likely to stir up prejudice, these will be properly investigated, with appropriate action taken and publicised, if the complaint is upheld.

**Those responsible for electoral arrangements should**

- Join in actively encouraging the participation of electors in the electoral process.

**Those responsible for public safety and security during election campaigns should**

- Ensure that all electors and candidates can take part in the campaign, and proceed to cast their votes, free of intimidation and fear.
Public bodies serving our communities should

• Prepare for the controversies that surround elections and consider in advance how to challenge misperceptions in the local community relevant to that authority’s particular responsibilities, its own work or the impact of that work on people locally.

• Refute any false or misleading information circulating in the area relevant to their responsibilities that could lead to racial hatred or damage relations between people from different racial groups. They should act on the basis of the objective information available to the authority. (See attached Explanatory Note for local authorities).

Voluntary, community, trade union and other interested bodies should

• Enable voters to have access to objective information on issues that concern the organisation and those it serves. Voters have a right to be able to learn from the diverse experiences of different bodies, their members and those they serve, who in some cases may be the best, if not the only, source of such information.

Further advice on the law, elections and political campaigning

Detailed advice on different aspects of electoral law as it affects candidates, campaigners, interested bodies and public authorities can be obtained from the Electoral Commission at www.electoralcommission.org.uk.

The Charity Commission for England and Wales provides specific advice for registered charities.


The Office of the Scottish Charity Regulator does not offer guidance of its own. The advice is designed for registered charities but is applicable to other voluntary and related bodies.

Produced by Race Equality Matters