

Revised letter 27th November 2012

To The Rt. Hon. David Cameron MP, The Rt. Hon. Nick Clegg MP, The Rt. Hon. Edward Miliband MP, The Rt. Hon. Alex Salmond MSP, The Rt. Hon. Carwyn Jones AM

Why are we writing this open letter about the Race Equality Duty and the Public Sector Equality Duty?

We – Doreen Lawrence OBE and Dr Richard Stone OBE – both understand the reason why the Race Equality Duty was introduced following the Stephen Lawrence Inquiry. The Race Equality Duty, alongside the Disability Equality Duty and the Gender Equality Duty, were replaced in 2010 by the Public Sector Equality Duty (Equality Act 2010, Section 149).

After some delay the Public Sector Equality Duty (PSED) came into force in April 2011 but now we understand that the PSED, which has been in force for just over 18 months in England, Scotland and Wales, is to be reviewed.

We are writing this open letter to you as party leaders and in your capacities as the most senior ministers of the Crown. We believe that you are all committed to challenging institutional discrimination, advancing equality, and fostering good relations. We also believe that there is cross-party support for these commitments as there was for the Race, Disability and Gender Equality Duties and the relatively new Public Sector Equality Duty.

We are particularly concerned about the planned review of the Public Sector Equality Duty since it incorporates the Race Equality Duty which is a key legacy of Stephen Lawrence and the 1997/99 Inquiry set up in his name.

What are our specific concerns?

There has been no formal announcement or consultation with stakeholders in the voluntary and community sector about: the terms of reference for the review; who will oversee it; nor the wider governance arrangements. However, we are aware that it has been suggested that the review will be overseen solely or predominantly by those from the public sector or the Government Equalities Office (GEO).

We note that a primary purpose of the Race Equality, the Disability Equality and Gender Equality Duties, and now the Public Sector Equality Duty, was, and is, to require public bodies to hold up a mirror, question their actions, address institutional discrimination, foster good relations and advance equality of opportunity.

We believe that the recent post-legislative review of the Freedom of Information Act, conducted by the Justice Committee, provides an important model for high quality, objective and transparent post-legislative scrutiny by Parliament.

In particular, the post legislative review process:

- provided parliamentary and cross party scrutiny;
- reported formally to parliament;
- was a demonstrably transparent, objective, rigorous and evidence based process;

- allowed interested parties to submit written evidence and evidence in person where appropriate;
- recognised that those who are to be held to account by legislation may have radically different views when compared to those who wish to use the legislation to hold public bodies to account.

What are we asking you to do?

Please will you ensure that the review of the Public Sector Equality Duty:

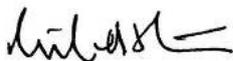
- Will be overseen by an appropriate parliamentary committee - for example, the Home Affairs Select Committee - or that it is overseen by an independent panel;
- if overseen by an independent panel, that the independent panel is advised by those from the public sector, civil society and other interested parties;
- is governed by clear published terms of reference;
- follows best practice in terms of post-legislative reviews, as demonstrated by the Justice Committee's post-legislative review of the Freedom of Information Act including:
 - taking written evidence and submissions;
 - commissioning relevant research;
 - committing itself to an evidence based review;
 - taking evidence in person;
 - publishing the evidence submitted and research commissioned to support and/or inform the review;
 - publishing its report and recommendations for consideration by the Government and parliament.

We hope that as party leaders and first ministers committed to challenging discrimination, advancing equality and fostering good relations, that you will ensure that the review of the Public Sector Equality Duty meets the highest standards that this Government and previous Governments have demonstrated.

Very sincerely



Doreen Lawrence OBE
The Stephen Lawrence Charitable Trust, 39 Brookmill Road, Deptford SE8 4HU



Dr Richard Stone OBE, ROTA Patron
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Cc The Rt. Hon. Maria Miller MP
Culture Secretary and Minister of State for Women and Equalities

This letter is supported by the following member organisations of the BME VCS coalition:



Race on the Agenda



Friends Families and Travellers



Black Minority Community Organisation Network



Black South West Network



Coalition for Racial Justice



OLMEC



Operation Black Vote



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