

Appendix 1



Metropolitan Police Authority

Draft

Response to the Home Office consultation on proposals for implementation of the Race Relations (Amendment) Act 2000

The Metropolitan Police Authority welcomes the opportunity to respond to the consultation on implementation of the Race Relations (Amendment) Act 2000. The proposals represent a welcome drive to ensure that positive race relations is supported and indeed encouraged through this legislation. The MPA strongly supports the Home Secretary's approach on race equality and looks forward to the development and publication on similar legislation for other diversity areas.

The Act underpins the moral imperative for the elimination of racism and the promotion of just and equitable society, respected in the way in which public authorities will be required to deliver their service. This is a significant improvement in earlier legislation which the MPA fully support and is eager to promote.

Based on the above, the MPA will be pleased to have its response publicly available (Page 6 para 16).

General duty on public bodies to promote race equality - (Chapter 3)

Section 404 of the Greater London Authority Act 1999 requires the MPA to have regard to the need to promote equality of opportunity for all persons irrespective of their race, sex, disability, age, sexual orientation or religion, to eliminate unlawful discrimination and to promote good relations between persons of different racial groups, religious beliefs and sexual orientation.

This duty is specific to the MPA, the London Fire and Emergency Planning Authority and the Greater London Authority. There is no directly equivalent requirement for other police authorities. The MPA welcomes the Home Secretary's intent that all Police Authorities and other public authorities should be subject to the same positive race relations requirements embodied in the Act.

This, we believe, will contribute significantly to ensure the Police authorities (and the police service) make even greater progress in the implementation of key race relations recommendations, such as the recommendations of Stephen Lawrence Inquiry Report.

Views on extending the application of the general duty on public bodies to promote race equality - (Chapter 4)

The MPA supports the proposal that chief officers of police and the selection panel for independent members of police authorities, are subject to the general duty proposed in the Act.

The MPA is also pleased to see that other key bodies in the criminal justice system, including the Youth Justice Board for England and Wales, and the Lord Chancellor's Department are also included in the general duty.

Views on powers to impose specific duties on public bodies to promote race equality - (Chapter 6)

The MPA welcomes the powers given to the Home Secretary, to impose by order specific duties on public authorities where he considers these are appropriate. The Authority hopes that the Secretary of State will exercise the powers to ensure that public authorities comply with the duties proposed in the Act. Such actions will hasten the pace of change and vision embodied in the Act.

The Authority welcomes the proposals presented in paragraph 5.8 on proportionality.

The MPA will wish to see a system for monitoring performance and actions by public bodies based on agreed measures and targets. Such a process will contribute greatly in encouraging organisations to meet the requirements laid down by the Act in consultation with the CRE.

The Authority welcomes as a very positive move the empowerment of the CRE, to issue compliance notices to public bodies which it believes is not fulfilling a specific duty, and the legal backing that it has been given to implement that power. However, the Authority will wish to see the CRE develop clear performance and monitoring measures, probably specifying minimum and maximum requirements against which it will assess those public authorities failing in their duties. The MPA would additionally like to see proposals from the CRE for recognising and rewarding best practice.

The MPA support clear guidance given to public Authorities on the ways in which current performance and best practice initiatives that they have in place (such as

investors in people – IIP, European Foundation Quality Management, CRE Quality Means Equality Standards, Beacon Council Status, HMIC commendations etc), can be used as evidence to demonstrate their effectiveness and some government departments and local government organisations such as the Local Government Association and the Improvement and Development Agency (IDEA) have carried out work on benchmarking such quality initiatives. These may inform the progress proposed in this area.

Views on proposed specific duties to promote race equality: policy and service delivery - (Chapter 6)

The Authority supports the proposals set out in Chapter 6a – 9 for specific duties to mainstream race equality in policy development and implementation. Overall, these proposals could have significant implications for public Authorities. However, the MPA would welcome further information about the type and level of support that will be available from the CRE to develop race equality schemes. It is unclear in the proposal how such schemes will be evaluated and assessed by the CRE. The Authority will wish to receive assurance on this aspect from the Home Office.

Arrangements for assessing and consulting on the impact of the promotion of race equality is valuable and much needed in assessing the Home Office and the Police Authority in the public's experience and views of policing.

The McPherson Report into the racist murder of Stephen Lawrence identified the significant level of mistrust by certain sections of London's community in policing and the service it delivers to them. The proposed specific duties may present certain challenge to the Authority and the Police Service, the MPA welcomes the opportunity to progress this duty. Whilst the Authority welcomes the proposals in principle it will need to review the resource implications that these may have on policing in London.

It would be helpful for the Home Office to indicate the level of support, including financial support that will be available to public authorities such as the MPA where specific and pressing race relations and diversity issues have been identified.

The Authority welcomes the specific duty proposed for the Police Service and the other large organisations proposed. However, there are likely to be significant resource implications associated with the duties. The Home Secretary is aware of the serious recruitment difficulties that the MPS faces. Whilst welcoming the increased duty, the Authority needs to highlight the effect that this could have on the ability of the Service to respond to this duty.

The Authority will wish to be assured that considerations have been given to the resource implications for organisations such as the Metropolitan Police Service.

Response to proposed specific duties to promote race equality: employment - (Chapter 7)

The MPA support the proposals and will be working to ensure that it develops proposals both for the employment of its own staff and processes for monitoring practices in the MPS. This is likely to present a major challenge and one in which the Authority may need to seek collaborative working with key agencies.

The MPA has developed its own statement on Equal Opportunities and have established positive links with the CRE to progress a Diversity Strategy.

Response on provisions on vicarious liability of Chief Officers of Police

The MPA wishes to explore further the implications of a separate duty to be placed on the Commissioner. There are advantages in clarity of responsibility on the part of the Authority.