

Describe the development of policy and legislation for Race since 1945

This essay will explore the development of policy and legislation concerning race since 1945 to the present day. This will include analysis of why these policies and legislations evolved. In addition it will involve an explanation of how policies and legislations work with one and other. Additionally, a brief overview will be given to the history of race and how international policies from the United Nations (UN) have aided the U.K government in developing and implementing legislation concerned with race. Despite the policies and legislation that have been implemented, racism still exists today in Britain even though we are multi-racial with diverse ethnicities society. This essay will seek to give an understanding of the policies and their development in a wider context to see if the policies are being adhered to.

After the Second World War in 1945 in the aftermath of the Holocaust a Universal Declaration of Human Rights was declared by the newly formed United Nations (UN). The declaration was made by nations from many different cultural and racial backgrounds and became the forerunner for modern human rights. It was adopted in Paris in 1948 and set out the rights and freedoms to which everyone, anywhere in the world is entitled. (Un.org, 2018) Exemplification of the freedoms are the requisite to life and exemption from persecution, malicious or demeaning approaches. Virtually every federation in the entire globe has established the Declaration. Adaption of the Declaration has been correlated to various sections of the planet, this also has an immediate network to our European union's human rights legislation. The Human Rights Act 1998 then integrated this principle into UK law. The stimulus from the declaration subsists presently. Civilisations undergoing the disputes and authoritarianism, are not the only effected counterparts. Passive democracies are included in which are open-ended to tackle prejudice and offensives to individual worthiness (Equalityhumanrights.com, 2018). There may always be disputes from now and into the future, as research suggests that certain civilisations have not moved forward along with other counterparts.

It was not until 1968 that the Race Relations Act was enacted, and it was the first piece of legislation to directly deal with racial discrimination, which made unlawful acts of discrimination within employment housing and advertising. It must be noted that this Act started in 1957 with the Racial Discrimination Bill. This Bill laboured to prohibit discrimination on the foundations of race in accommodation and occupation, also to oppose the concern of colour prejudice in the public domain. These proposals came about due to the need to understand and integrate the new migrant populations who had transferred from the Caribbean and South Asia. The Bill recognised offenses such as socio-religious discrimination targeting the Jewish and Irish community. However, the private members bill lacked support to progress through its following reading. This is due to their critic's debate regarding the fact it would increase statutory recognition towards the segregation within society, therefore further increasing division within society (Hansard debate on the Racial Discrimination Bill, 1957).

In 1965 the Race Relations Act came into force, from this race discrimination became forbidden in Britain from pubs and clubs. From this a Race Relations board was created to perform as a conciliatory body. Rather than daunting strict criminal penalties (Borune, 2015). The board also was brought forward to deliberate criticism conveyed from the act. It developed into the first legislation for the United Kingdom to take in hand racial discrimination. Granted it became critiqued since it individually covered discrimination in quantified public spaces. Although this act set up the grounds in which produced a basis for more successful legislation (Equalityhumanrights.com, 2018). With further research the official Race Relations Act 1965 describes the as before mentioned, 'To prevent enforcement or imposition on racial grounds on the transfer of tenancies, to penalise incitement to racial hatred' (Legislation.gov.uk, 1965). Then came the 1968 amendment, it was envisioned to fortify Britain's first-ever race relations legislation, in which conceded in 1965. Nevertheless, discrimination in additional regions was still extensive, and the Act was archaic, therefore reinforced courtesy of the 1968 legislation (News.bbc.co.uk, 1968).

On a more international scale the United Nations also explored racial discrimination and had the 1965: International Convention on the Elimination of all forms of Racial Discrimination. This became known as CERD and this then developed through the United Nations. This

international human rights treaty is set through convention and it positions out a widespread structure for safeguarding that economic, civil, social and political rights are relished by everyone. Regardless of difference of race, descent, ethnic origin, colour or national source. The acceptance of the convention commenced on 7th December 1962. The General Assembly espoused resolution 1780 (XVII), in which stated,

‘Deeply disturbed by the manifestations of discrimination[...]’ also including, ‘Considering the necessity of taking all possible steps conducive to the final and total elimination of all such manifestations[...]’ and ‘Emphasising that each State ought to take all the necessary action to put an end to these violations, which infringe human dignity’(Un.org, n.d.).

The United Kingdom sanctioned CERD in 1969 (Equalityhumanrights.com, 1965). This appears to have lagged behind the United Nations by a number of years.

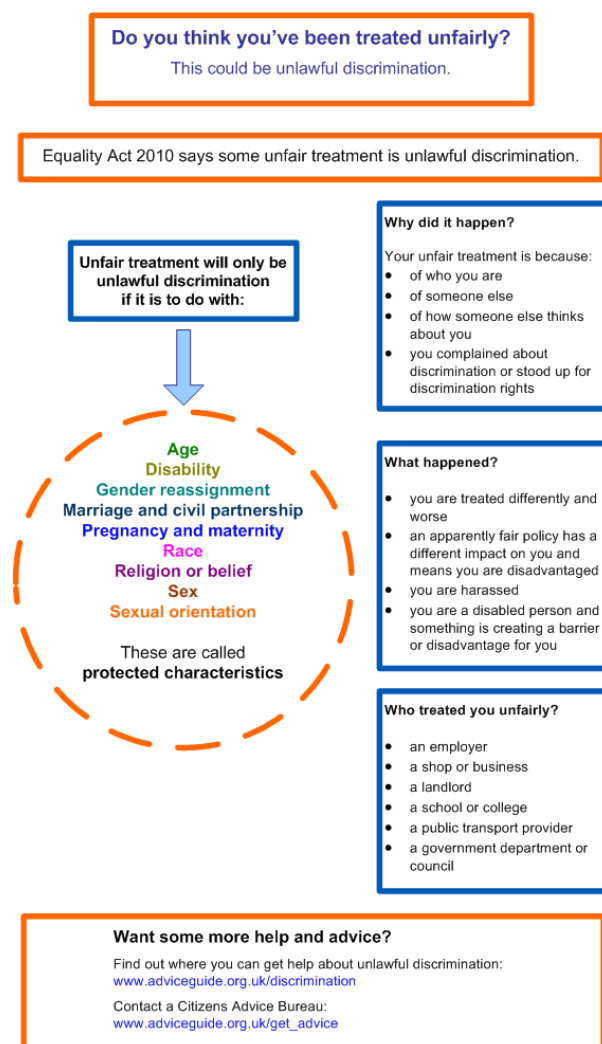
This was followed in the U.K by the 1976 Race Relations Act with the precise goal to eliminate discrimination on the grounds of racism (Diversityjobboard.co.uk, 2012). However a third act then substituted both the previous Legislations of 1965 and 1968, it was the 1976 Race Relations Act. This act ominously bound the laws (News.bbc.co.uk, 1968). This act was to make a renewed provision with deference to judgment for racial reasons and associations amongst people of various racial assemblages (Legislation.gov.uk, n.d.). The act comprises of education, housing, services and provision of goods and job hunting. Notably the act is relevant to all races within society including people of white ethnicity. Importantly as a result of this act the Commission for Racial Equality was formed (Diversityjobboard.co.uk, 2012). Implemented by the Labour government the Commission for Racial Equality (CRE) comprises of a large amount of legislation intended to challenge prejudice relating to race. It also aims to accentuate ethnic harmony in Great Britain as it is becoming progressively multicultural. The CRE strives to emphasise knowledge and focus upon any injustices that might occur. Although the CRE has been put in place to protect all races, situations shall still occur where individuals are mistreated in society (Dayjob.com, 2018). Amendments were made to the 1976 act, to ensure race fairness included are those public authorities in which had formally been immune dishonourably in such legislations. The main aim is ensure the protection, in situations that occur every day, of all individuals. There are specific exceptions

to the act where it can be acceptable to discriminate. The Genuine Occupational Qualifications cover (GOQ's) this in regards to certain roles in employment that require a specific ethnicity or gender. An example of this is the drama industry where a soap opera may specifically require a woman to a role, not a man. Also the exception applies when raising awareness of the issues stated in the format of dramatic performance (Diversityjobboard.co.uk, 2012). Most notably in chapter 74 of the Race Relations Act 1976 part two specifically refers to discrimination within the realms of employment. This was to ensure that employees of different race were given equal opportunities in relation to employment. However, within the act itself it states, '[...]do not apply to employment for the purposes of a private household' (Legislation.gov.uk, 1976). This seems to imply that private employers have an immunity from certain clauses within the act. Subsequent to tragic racial events leading to death, the 1976 Act became modified further in 2000 to incorporate law enforcement in hope of positive alteration (News.bbc.co.uk, 1968).

Amongst all of the acts The Equality Act 2010 transformed over 116 individual fragments from legislation into a single solitary act. This modernized the legal charter to safeguard individuals' rights and progress equality and prospects for all. The Equality Act 2010 covers everybody in Britain and defends people from persecution, discrimination and victimisation. There are nine safeguarded characteristics including, Race, sex, pregnancy and maternity, gender reassignment, age, marriage and civil partnership, disability, sexual orientation, religion or belief (Equalityhumanrights.com, 2018). Furthermore, we speculate the topic of race in which is considered as either nationality, colour and ethnic or national origins. The safeguarded characteristics of race are indicated to an individual who has a specific protected characteristic to a particular racial group (Legislation.gov.uk, 2010). Also where a individual shares a specific characteristic beneath the act individuals are shielded from discrimination when public healthcare is used, when using transport, in the workplace, when joining an association or club, when using organisations and businesses that offer services or goods, with public bodies such as government and local council. The foremost categories of discrimination include, victimisation which means a person cannot be treated unfairly if action is being seized under the act. For example making an objection of discrimination, even under the circumstances of supporting another person who is undertaking action. Indirect discrimination, for instance when an establishment creates a policy or rule or even a way of doing things, this can have an inferior effect on a person with a shielded characteristic rather

than someone without. Direct discrimination means to treat one individual inferior to another due to their protected characteristic. Finally, harassment, where individuals cannot encroach upon a person's dignity. Also, not to degrade, humiliate, create an offensive or hostile environment. Correspondingly, the act requires public bodies to contemplate how their verdicts and policies affect individuals with various protected characteristics. They must also demonstrate how they have prepared this and have appropriate substantiation (Equalityhumanrights.com, 2018). Regarding *figure 1* Under this act one is also protected from discrimination by association, which entails people in one's life such as family adherents and friends (Citizensadvice.org.uk, 2010).

Figure1



(Citizensadvice.org.uk, 2018)

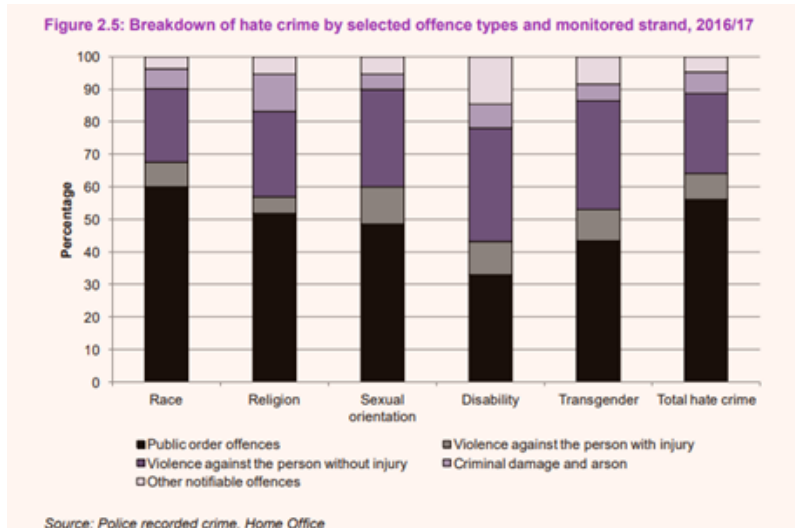
The Equality act indorses a more uniform society in which promotes fair treatment. Although there are a few elements of the act that shall not be imminent due to reduction of the price of regulation to business. Inequalities beneath the Public Sector Equality Duty via Socio-economics (Equalityhumanrights.com, 2018). On regards to race and education, schools have to ensure that no pupils from any race are singled out. All pupils are to be treated at equal levels, always fairly. Segregation of any kind is prohibited, pupils should not be placed in different sets due to their ethnicity (GOV.UK, 2010). Although previously to 1st October 2010 the Equality act would not concern to improper treatment. Anything previous to that specific date would apply to the Race Relations Act 1976, not the Equality act. This stands true of any legal procedures. They shall proceed bestowing to the legislation under which they had been conveyed, including under the circumstance of proceedings that had sustained after 1 October 2010 (GOV.UK, 2015).

Subsequently, the Hate Crime Act 2016 was established. Hate crime is when an individual initiates a felony to deliberately cause harm, or hurt to another person due to their race, colour, nationality or ethnicity. This kind of crime can have an adverse effect both mentally and physically on an individual. Which can therefore have a very negative impact on their everyday lives. The effect of this could lead to the individual feeling vulnerable within their own community. However this only applies to Wales and England currently, but concepts are shared with counterpart governments within Northern Ireland and Scotland. The act has an action plan which comprises of five key parts including, how to prevent hate crime and dealing with the issue amongst communities. A pressing issue is to entice or encourage more victims to report the crimes committed against themselves. A key part of the plan is to have a more adequate support system in place for victims. Then finally to raise awareness and develop a greater understanding of hate crime in society. This five point action plan is a crucial framework to minimise hate crime in society today, and to educate future generation of the 2016 act (Assets.publishing.service.gov.uk, 2018).

‘The documents set out the government’s plan of actions to deal with hate crime until 2020’
(GOV.UK, 2016).

Statistics show that the largest number of hate crimes recorded relates to race. However the Government's current action plan suggests that there have been less recorded incidents on regards to hate crimes in general throughout England and Wales (GOV.UK, 2016).

Figure 2



(Assets.publishing.service.gov.uk, 2017)

Unfortunately for many people if they encounter regular abuse it can seem normal and become a way of life. Hate crime increases after any serious incident or terror attack. The majority of hate crimes are likely to occur at night in urban areas. Each of the strategies referred to previously also apply to the internet and all forms of social media. Thus attempting to tackle all forms of hate crime once and for all (Assets.publishing.service.gov.uk, 2018).

In conclusion the UK has made significant progress since 1945 in gaining an insight into the need to legislate against all types of racism. However, it is notable not all individuals adhere to these guidelines and racial hatred still exists in society today. Although progress has been made to try to reduce racial hatred, it shall always unfortunately still occur. The most recent act and legislation will continue to need constant updating as society changes in the future. Society seems to have become more understanding as a whole however, there shall always be a minority of individuals who see the world differently. (2252 Words)

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