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Describe the development of policy and legislation for one of the following groups since 1945:

Race

Within this assignment, I will be explaining what a policy is, how it works and how it is made (by explaining the Policy Making Process. There are several steps included in the Policy Making Process which include Problem identification, Agenda setting, Policy formulation, Budgeting and Implementation and Evaluation. During Problem identification, individuals raise concerns that are necessary to a certain policy or issue which affects members of the public or even organisations. A problem becomes clearly defined within mass media, parties or even interest groups which raise it within relevant forums for specific consideration. Within agenda setting the problem that becomes identified is pushed through the various organs in order to be discussed. This push for discussion will eventually lead to the allocation of time for the discussion to happen within relevant authorities. Solutions or policies then become made within the policy formulation stage which are made to deal with any problems that are raised and discussed. Once a specific policy becomes authorized, relevant authorities then have the ability to allocate certain resources or even money towards the implementation stage. This stage is called budgeting as it involves resource allocations within a number of different policies. Following with the implication stage executives become in charge of placing policies into action and are given the opportunity to implement all the requirements that have been set out within the policy. The last stage is evaluation, where various individuals examine all the policies against the results that are produced which helps individuals know if the policies are co-operating or not. After receiving the results of the evaluation, improvement or changes may be made to the policies.

A policy is a course or principle of action that is adopted / proposed by organisations or even and individual. English Oxford Living Dictionaries (2018) *Main Definitions of policy* Available at: <https://en.oxforddictionaries.com/definition/policy> (Accessed on the 19th of November 2018)

The purpose of social policy is to identify and find different ways of reducing any inequalities within access to services which are between social groups, which are defined by socio-economic statuses which include, race, ethnicity, migration statuses, gender, sexual orientation, disability and age. A policy is a plan or a course of action, made by the government, political party, or business. A policy is intended to influence and determine certain decisions, actions or any other matters. A policy is usually used by a government, business or political parties with the agenda of influencing or to help determine the course of a specific action that organizations take into certain situations. Social Policy is a study of social services and also the welfare state. In general terms, the idea of social welfare is studied as well its relationship to politics and societies. Specifically it also considers the policy and administration of

social services which includes policies for health, housing, income maintenance education and also social work. The needs and issues which are affecting which individuals are using these services, which include poverty old age, health, disability, family policy and also the delivery of welfare. *An introduction to Social Policy* (N.D) Available at: <http://www.spicker.uk/> (Accessed at: 21st of November 2018)

Legislation is the exercise of the power or function of creating rules (including laws). These have the force of authority by virtue of a promulgation by an official organ of a state or another organization.

The purpose of a legislation is to make sure that a governing framework is being provided. Legislation also guides the policy of the government and ensures that the code of conduct between citizens and between the government and citizens. Only legislation, if properly made and authorised, can unilaterally create or change rights and obligations of citizens, or change and affect the operation of the general law. Legislation can also be an option chosen in order to present a policy in a powerful way or to create a certain state of affairs which can only be changed further or ended by a legislation. Queensland Government (2016) *Why is Legislation Needed*. Available at : <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/legislation-handbook/context/why-its-needed.aspx> (Accessed: 16th November 2018).

The government can create policies that can affect all types of services. For example, the Human Rights Policy can affect individuals. Whilst discussing the Human Rights Policy and Race within this essay, Race Discrimination can happen within this policy. Race Discrimination is when an individual is treated differently to others because of their race in situations that are covered in the Equality Act.

Equality is all about ensuring that each individual has the equal opportunity to make the most of their lives and talents. There is also the belief that no individual should have poorer life chances due to the way they were born, where they originate from, what they currently believe in, or whether or not they have any type of disability. Equality also recognises that certain groups of people have protected characteristics, which protect race, disability, sex and sexual orientation, have experienced discrimination. Equality and Human Rights Commission (2018) *Understanding Equality*. Available at : <https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed: 18th of November 2018)

The purpose of the Equality Act 2010 is to prohibits employers, service providers, from discriminating, harassing or victimising individuals who have protected characteristics. Protected Characteristics include – age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. All these characteristics are protected under the Equality Act 2010 and individuals are not allowed to discriminate others on these characteristics. Equality and Human Rights Commission (2018) *Protected Characteristics*

Available at: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

(Accessed at: 20th of November 2018)

Unlawful discrimination would include refusing to admit a child into school as a result of their race. If an individual believes they are being discriminated, harassed or victimised in any way, which is defined within The Equality Act 2010 they can claim legal action. Direct Discrimination is when an individual receives unfavourable treatment from other individual, which is based on age, disability, ethnicity / national origin, race, religion, sexual orientation, colour or gender reassignment.

Equality and Human Rights Commission (2018) *Understanding Equality* Available at:

<https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed: 20th of November 2018)

The Free Dictionary (2003 – 2018) *Direct Discrimination* Available at: <https://medical-dictionary.thefreedictionary.com/direct+discrimination> (Accessed at: 12th of November 2018)

Direct discrimination is against the Equality Act 2010 and is unlawful. Direct discrimination can happen because of who you are, the perception someone has of you or an individual that you are with. Indirect Discrimination happens when a policy from a employer or organisation applies to all individuals but also results in certain individuals having protected characteristics for example – race or gender, which automatically puts these individuals at a disadvantage. One example of Indirect Discrimination which is connected to race includes, an employer in a workplace failing / refusing to allow an individual time off work for any type of religious holiday – this would be indirect discrimination on the grounds of religion or belief. InBrief Helping with Life's Legal Issues (N.D)

What is the difference between direct and indirect discrimination? Available at:

<https://www.inbrief.co.uk/discrimination-law/difference-between-direct-indirect-discrimination/>

(Accessed at: 20th of November 2018)

Citizens Advice (2018) *Direct Discrimination* Available at: <https://www.citizensadvice.org.uk/law-and-courts/discrimination/what-are-the-different-types-of-discrimination/direct-discrimination/>

(Accessed at: 12th of November 2018)

The Race Relations Act 1965 was the first legislation in the UK which addressed racial discrimination. This legislation was criticised because it was only relevant to discrimination in specified public places. The Race Relations Act forbids discrimination on the “grounds of colour, race, ethnic or national origins” and includes hotels and restaurants. However, the act excludes not only private boarding houses, but shops as well. Conservative opponents to the law insist on making discrimination a civil offence, not a criminal offence, which caused Labour backbenchers and anti-racism campaigners to say the law is not tough enough. The also laid down foundations for legislation which was more effective. It also caused the Race Relations Board to consider complaints that were

raised under this act. Equality and Human Rights Commission (2018) *A history of human rights in Britain* Available at : <https://www.equalityhumanrights.com/en/what-are-human-rights/history-human-rights-britain> (Accessed: 16th November 2018)

The Race Relations Act came into force after the number of immigrants coming into Britain increases and tension was also building. This was triggered by race riots that were happening across the country. This act outlaws any type of racial discrimination from happening in public places. It forbids discrimination from occurring on the “grounds of colour, race, or ethnic or national origins”.

iWonder (2018) *How has immigration changed Britain since WW2?* Available at:

<https://www.bbc.com/timelines/zxm6pv4> (Accessed: 20th of November 2018)

The Race Relations Act 1976 enshrined many of the laws on discrimination which are taken for granted even today. The act, that applies to Great Britain but not Northern Ireland. The Act was amended last year in order to impose duties on many public authorities in order to promote racial equality. The Act defines discrimination as a direct and indirect discrimination and victimisation. Direct race discrimination occurs when a person treats another person less favourably relating to colour, race, nationality, ethnic or national origin. This includes refusing to serve ethnic minority clients and ignoring racial harassment of employees. The 1976 Act makes race discrimination unlawful in Employment, Education, Training and the Provision of goods, facilities and services. BBC News (2001) *10 key moments in UK race relations* Available at:

<http://news.bbc.co.uk/1/hi/uk/1517672.stm> (Accessed at: 20th of November 2018)

inSlideShare (2010) *Race Relations* Available at: <https://www.slideshare.net/katepatay/race-relations-act> (Accessed at: 20th of November)

Race Riots eventually erupted across the country, which was encouraged by the right-wing pro-white groups, building on ill-feeling at competition for housing and jobs. The Riots began in Liverpool in August 1948, then spread to Birmingham, Nottingham and West London in the 1950s. They then culminated to the infamous Notting Hill Riots in 1958. The separate assaults on five black men by white youths in Shepherd's Bush and Notting Hill sparked and unrest and at around midnight on August 30th rioting broke out and lasted a week. BBC iWonder (2018) *How has immigration changed Britain since WW2?* Available at: <https://www.bbc.com/timelines/zxm6pv4> (Accessed at: 2nd of November 2018)

The government have established the Commission for Racial Equality (CRE). The statutory body were charged with tackling racial discrimination. The anti-discrimination laws from 1965 and 1968 are considered effective. A new law then replaced them in order to establish the CRE. Against a background of high unemployment and racial tension, the commission's duties were to work towards the elimination of racial discrimination, in order to promote equal opportunities and good relations

between racial groups. This also suggests extending the existing law in order to protect groups not only defined by race, colour, ethnicity or nationality, but also defined by religious belief. BBC

iWonder (2018) *How has immigration changed Britain since WW2?* Available at:

<https://www.bbc.com/timelines/zxm6pv4> (Accessed at: 2nd of November 2018)

Human rights are the basic rights and freedom that belong to every individual in the world, from birth until death. Human Rights apply regardless of where you come from, what you believe in and how you choose to live your life. These rights can never be taken away from an individual, but they can sometimes become restricted – for example if an individual breaks the law, or in the interest of national security. These basic Human Rights are based on shared values which include – dignity, fairness, equality, respect and independence. These values are defined and protected by law. In Britain our basic Human Rights are under protection by the Human Rights Act 1998. Equality and Human Rights Commission (2018) *What are human rights?* Available at:

<https://www.equalityhumanrights.com/en/human-rights/what-are-human-rights> (Accessed at: 20th of November 2018)

This Human Rights Act 1998 has been in force since October 2000. The Human Rights Act was incorporated into domestic law with the rights and liberties enshrined within the European Convention of Human Rights. Human Rights can support individuals. Human Rights are relevant to all individuals, not just those who face repression or mistreatment. They also protect individuals in many areas of day-to-day life. Individuals have the right to express your own individual opinions, an individual's right to education, and individuals right to private family life and their right not to be mistreated or wrongly punished by the state. UK Human Rights Blog (N.D) *Introduction to Human Rights Act 1998* Available at: <https://ukhumanrightsblog.com/introduction/> (Accessed at: 20th of November 2018)

The horrific murder and death of Stephen Lawrence has developed as one of Britain's most notorious racially-motivated murders.

The murder of the 18-year-old Stephen Lawrence in London in 1993 was a very brutal attack on a young black teenager by a group of white youths, who motivated the murder based on the victim's skin colour. The Stephen Lawrence murder case resulted in racism being exposed not only on the streets but also within police ranks. On the 22nd of April 1993, Stephen became under attack by a group of white youths, who hurled racist abuse at Stephen during the attack. In 1990's London, racist abuse, attacks and graffiti fuelled by prejudice were working their way through the streets of London. In 1990's London, it appears that the life of a black youth did not mean as much as the life of white youths.

In 1993 Britain was in the grip of racial issues. There was still a divide between black and white individuals within communities.

Crime Traveller (2018) *The Murder of Stephen Lawrence: How One Crime Changed Britain*

Available at: <https://www.crimetraveller.org/2015/09/stephen-lawrence-case/> (Accessed at: 21st of November 2018)

The 18-year-old Stephen Lawrence lost his life after being stabbed by a group of white youths which was an unprovoked attack. After the initial police investigation, five suspects were arrested but not convicted. A public inquiry was held back in 1998, which led to the publication of the Macpherson Report. This report has been called ‘one of the most important moments in modern history of criminal justice within Britain’. This led to profound cultural changes to attitudes on racism, law and even police practices. It also paved the way for a greater understanding about discrimination of all forms of new equalities in legislation. Stephen Lawrence Charitable Trust (2018) *Stephen’s Story – Stephen Lawrence Charitable Trust* Available at: <http://www.stephenlawrence.org.uk/stephens-story/> (Accessed at: 16th of November 2018)

Twelve years after the ‘Scarman report’, the murder of black teenager Stephen Lawrence, which occurred in 1993, and the subsequent investigation, or lack of, again blew open the schism between non-whites and the police.

Lawrence’s parents gained influential support from the media as the parents insisted on hounding the police for answers. Eventually a public inquiry was ordered, which was chaired by Sir William Macpherson.

Macpherson blamed police racism and incompetence for scuppering any chance there was for justice. Macpherson also identified the police as being ‘institutionally racist’, which thereby challenged ‘Scarman’s’ “bad apple” theory. Equality and Human Rights Commission (2018) *A History of human rights in Britain* Available at: <https://www.equalityhumanrights.com/en/what-are-human-rights/history-human-rights-britain> (Accessed at 29th of October 2018)

The full Macpherson Report was published in 1999 which highlighted 28 failings that were part of Stephen Lawrence’s death which included, poor supervision levels, information managed incorrectly, lost and delayed information to the individuals who needed it, loss of opportunities and a lack of necessary leadership.

Crime Traveller (2018) *The Murder of Stephen Lawrence: How One Crime Changed Britain*

Available at: <https://www.crimetraveller.org/2015/09/stephen-lawrence-case/> (Accessed at: 21st of November 2018)

In this assignment, I have explained what a policy is, how a policy works and how a policy is made (by explaining the policy process). Whilst explaining the policy process, I have also explained the meaning of Problem Identification, Agenda Setting, Policy Formulation, Budgeting and Implementation and Evaluation. I have explained that a policy is a course or principle of action that is

proposed or even adopted. By explaining the purpose of a policy, I have discovered that a policy should identify the different ways of reducing inequalities within social groups and that they are currently defined by socio-economic statuses, such as – race, ethnicity, migration status, gender, sexual orientation, disability and even age. I have also explained the purpose of legislation, which is to make sure that a certain governing framework is provided, which also guides the policy of the government and even citizens. Whilst discussing legislation, I have discussed how the government can make policies and how the Human Rights Policy can affect individuals, Equality and Race Discrimination. Whilst discussing Equality, I have explained how this protects individuals with protected characteristics, which include, race, disability, sex and sexual orientation. I also discussed the purpose of the Equality Act 2010, which now prohibits individuals from being discriminated against by employers with regards to their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and even sexual orientation. Within discussing discrimination, there are two types of discrimination I have discussed which are Direct Discrimination and Indirect Discrimination which are both unlawful under The Equality Act 2010. I have also briefly discussed the meaning of the Race Relations Act 1965 and 1976 and when they both came officially into force, how they affect individuals and how they defined how individuals are treated under these acts. Human Rights within this assignment has also been necessary. I have briefly explained what The Human Rights is and how it can support individuals through their daily life. I then, finally, moved on to discuss a example of a race issue that caused an innocent 18 year old to lose his life. I discussed the situation of Stephen Lawrence, and how him being a black 18 year old young man, caused him to be the victim of a brutal attack and sadly lose his life.

Reference List

The Free Dictionary (2003 – 2018) *Direct Discrimination* Available at: <https://medical-dictionary.thefreedictionary.com/direct+discrimination> (Accessed at: 12th of November 2018)

Queensland Government (2016) *Why is Legislation Needed*. Available at : <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/legislation-handbook/context/why-its-needed.aspx> (Accessed: 16th of November 2018)

Equality and Human Rights Commission (2018) *Understanding Equality*. Available at : <https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed: 18th of November 2018)

Equality and Human Rights Commission (2018) *A History of human rights in Britain*. Available at: <https://www.equalityhumanrights.com/en/what-are-human-rights/history-human-rights-britain> (Accessed: 19th of November 2018).

Reference (N.D) *What Is the Purpose of Legislation?* Available at: <https://www.reference.com/government-politics/purpose-legislation-e5bffd6e833dfb11> (Accessed: 19th of November 2018)

Reference (2018) *What Is the Purpose of a Policy?* Available at: <https://www.reference.com/government-politics/purpose-policy-bb9e4ffc27472a65> (Accessed: 19th of November 2018)

Prezi (2015) *The Impact of UK Government Policies on the Public Services*. Available at: <https://prezi.com/u7y3e1nzqnxn/the-impact-of-uk-government-policies-on-the-public-services/> (Accessed: 19th of November 2018)

Equality and Human Rights Commission (2018) *Race Discrimination*. Available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/race-discrimination> (Accessed at: 19th of November 2018)

The Free Dictionary (2003 – 2018) *Direct Discrimination*. Available at: <https://medical-dictionary.thefreedictionary.com/direct+discrimination> (Accessed at: 19th of November 2018)

Citizens Advice (2018) *Discrimination because of race*. Available at: <https://www.citizensadvice.org.uk/law-and-courts/discrimination/discrimination-because-of-race-religion-or-belief/discrimination-because-of-race/> (Accessed at: 19th of November 2018)

Citizens Advice (2018) *Direct discrimination*. Available at: <https://www.citizensadvice.org.uk/law-and-courts/discrimination/what-are-the-different-types-of-discrimination/direct-discrimination/> (Accessed at: 19th of November 2018)

Reference (2018) *What Are the Steps Involved in the Policy-Making Process?* Available at:

<https://www.reference.com/business-finance/steps-involved-policy-making-process-60af83ccf0d802e5> (Accessed at: 19th of November)

BBC News (2001) *10 key moments in UK race relations*. Available at:

<http://news.bbc.co.uk/1/hi/uk/1517672.stm> (Accessed at: 19th of November 2018)

in SlideShare (2010) *Race Relations Act*. Available at: <https://www.slideshare.net/katepatay/race-relations-act> (Accessed at: 19th of November 2018)

BBC (2018) *How has immigration changed Britain since WW2?* Available at:

<https://www.bbc.com/timelines/zxm6pv4> (Accessed at: 19th of November 2018)

Equality and Human Rights Commission (2018) *Understanding Equality* Available at:

<https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed at: 19th of November 2018)

English Oxford Living Dictionaries (2018) *Main Definitions of policy* Available at:

<https://en.oxforddictionaries.com/definition/policy> (Accessed on the 19th of November 2018)

<https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed: 20th of November 2018)

Equality and Human Rights Commission (2018) *Protected Characteristics* Available at:

<https://www.equalityhumanrights.com/en/equality-act/protected-characteristics> (Accessed at: 20th of November 2018)

Equality and Human Rights Commission (2018) *Understanding Equality* Available at:

<https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality> (Accessed: 20th of November 2018)

English Oxford Living Dictionaries (2018) *Main Definitions of policy* Available at:

<https://en.oxforddictionaries.com/definition/policy> (Accessed on the 19th of November 2018)

An introduction to Social Policy (N.D) Available at: <http://www.spicker.uk/> (Accessed at: 21st of November 2018)

Crime Traveller (2018) *The Murder of Stephen Lawrence: How One Crime Changed Britain*

Available at: <https://www.crimetraveller.org/2015/09/stephen-lawrence-case/> (Accessed at: 21st of November 2018)

