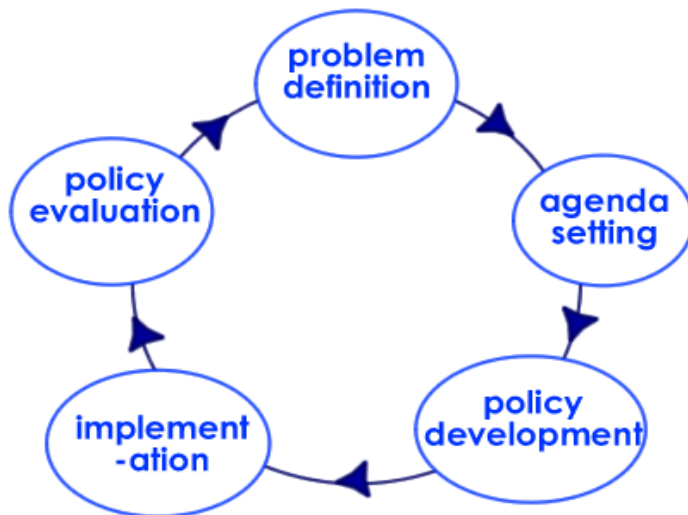


The following essay will describe the development of policy and legislation since 1945 in relation to 'race'. In order to describe the development of policy and legislation, It was necessary to explain what is meant by race and how legislation in the UK since 1945 has been implemented because of racial tensions in post-war Britain. In order to examine the legislation that has been passed since 1945, it was essential to understand the social context out of which legislation was deemed necessary. In other words, legislation does not come from a vacuum but from a set of social circumstances which create unsustainable tensions that must be addressed. This essay will start by first defining what race is. It will then lead on to look at social policy and the Welfare State and explain how the Welfare State impacted on social policy. The different pieces of legislation and policies that have been implemented since 1945 will then be considered and the issues which resulted in the need for legislation will be identified. The outcomes following the implementation of the legislation and policies will then be considered.

Race could be defined as groups of people who have biological differences, such as the colour of their skin and are deemed distinctive by society, and because of these differences they are treated unequally (Cliffnotes.com, 2018). Arguably, it can be difficult to make biological distinctions between white, black and Asian races (ThoughtCo, 2018). However, Blackburn (2000, cited in Thompson, 2004) argued that biologically, the only race is that of the human race.

As explained by Alcock (2014) Social Policy was a service to the public which was put in place by the Government with a strong emphasis and focus on solving problems and improving the wellbeing of its citizens. Policies are created for many different reasons and can be created for different rationales. A policy will have a main focus of ensuring compliance with Laws and improving practices. It is imperative that policies are implemented to provide clear structure and consistency of what is expected throughout organisations and assist with conflict resolution within the organisation. In order for a policy to be formulated, various processes need to be incorporated which include, initially, defining the problem followed by then setting the agenda, developing the policy, implementing the policy and finally evaluating the policy before being put to practice (Figure 1).

Figure 1



World Health Organisation (2005).

As reported by the BBC.co.uk (N.D), following the devastation of WW2 and the desperate need for labour workers to assist with rebuilding Britain, attention was drawn to the high number of people who were deprived and poor. This highlighted that there was political will for change in the UK as, in 1945, Prime Minister Clement Attlee introduced the Welfare State as proposed by William Beveridge in 1942. The introduction of the Welfare State impacted on social policy as reforms were introduced by the government in order to combat Beveridge's '5 Giants' which were the proposed reforms for a new system of social welfare (Marwick, 2003). The NHS was introduced to combat disease, full employment to combat idleness, state education to combat ignorance and National Insurance to combat want. According to Spicker, (2018) the Welfare State was introduced with a fundamental reason of promoting social services in an identical way to public services. This essentially meant that social services like housing and education would be available to everyone, regardless of race, religion or age and was considered as a view on what society should be providing as a minimum to citizens of the United Kingdom.

On the 10th December 1948 the United Nations Declaration of Human Rights was proclaimed by the United Nations General Assembly and sets as a common standard of achievements for all peoples and all Nations. It initially set out fundamental human rights to be universally protected (Un.org, 2018). The United Nations Declaration of Human Rights represents the universal recognition that basic rights and fundamental freedoms essential and applied equally to everyone whatever our race, gender or any other status (Un.org, 2018).

As stated by Bloch, Neal and Solomos (2013), the implementation of the Nationality Act 1948 ensured right of entry and British citizenship for all citizens of British colonies and the Commonwealth. However, prejudice and hostility shown towards ethnic minorities was clearly evident as stated by Moltest, (2018). Following the invitation to the Commonwealth and British Colonies for labour workers to assist with the post war rebuild of Britain and the subsequent arrival of 'The Empire Windrush' in 1948, black people faced extreme hatred from Londoners who were in fear of them 'taking' jobs and homes. Black people found it difficult to find employment and housing as a direct result of the colour of their skin and were deliberately overcharged rent in comparison to what a white person would be charged. People refrained from wanting to live near a black person. Ethnic minorities faced prejudice and unequal treatment that continues until the present day. In 1948 there was even strong opposition to inclusivity towards ethnic minorities from Members of Parliament as highlighted in a letter sent to Prime Minister Clement Attlee. 'An influx of coloured people domiciled here is likely to impair the harmony, strength and cohesion of our public and social life and to cause discord and unhappiness among all concerned' as cited in Skellington & Morris, (1996). The Royal Commission of population reported in 1949 as cited in the (Nationalarchives.gov.uk. 2018) that immigrants of 'good stock' would be welcomed 'without reserve'. However, this was not the case and hostility and racist attacks continued throughout the United Kingdom. One of the most notable attacks was that of the Notting Hill Riots in 1958 where, as reported by Solomos, (2003) a number of racial attacks on black people by white gangs took place. Surprisingly it was not until 1965 before new Legislation was introduced with an aim of tackling discrimination in the form of the Race Relations Act 1965.

The Race Relations Act 1965 was the first Act in the UK to protect people from racial discrimination. The Act prohibited racial discrimination in public places on the grounds of race, colour or ethnic/national origins and made racism a criminal offence punishable by law. This Act was then strengthened in the form of both the Race Relations Act 1968 and the Race Relations Act 1976 which extended its discrimination laws in public areas to include education, housing and employment (UK Parliament, 2018). By the 1980's the degree of discrimination against Britain's black community became so grave that it provoked further Riots. The 'Brixton Riots' began after a black man had been stabbed and was perceived not to have received adequate medical attention whilst in police custody. Hundreds of people, most of whom were black people attacked the police with petrol bombs and iron bars (Scarman, 1981 cited in Solomos, 2003). and resulted in over 300 police officers being injured. This led the

Government to set up the Scarman Inquiry which concluded that the Brixton Riots was a result of built up resentment and racial disadvantage due to the disproportionate use of stop and search powers against black community. Recommendations were put in place which led to improvements in housing and leisure activities and also the implementation of a new code for police behaviour in the Police and Criminal Evidence Act 1984 (News.bbc.co.uk, 2018).

However, the findings from the Scarman Inquiry and the Race Relations Act was not enough to prevent the prejudice and discrimination that was found within the British police force which became evident following the brutal murder of Stephen Lawrence. Stephen Lawrence was an 18year old black male who was stabbed to death on the 22nd April 1993 in an unprovoked racist attack by a gang of white youths whilst waiting at a bus stop in south east London. However, Stephens murder uncovered failings in the police force that still resonate. BBC News (2018). Furthermore, Stephens legacy has had a massive impact on race legislation and policies today. Travis, (2018) stated that Stephens family fought for many years after his murder for an inquiry to be opened focusing on the failures within the police force in the handling of the murder enquiry. This eventually resulted in the Macpherson Report being published. The Macpherson Report identified that ‘institutional racism’ contributed to the failure of the Police not prosecuting the murderers of Stephen Lawrence. The report made 70 recommendations for change which led to further developments in policy and included recruitment targets being put in place leading to higher employment rates for black and Asian officers, the creation of the independent police complaints commission and the elimination of the ‘double jeopardy rule’ which finally led to the conviction of two men for Stephen’s murder. Furthermore, another development in the form of The Race Relations Amendment Act (2000) came into force which now required public authorities to promote race equality and avoid unlawful discrimination. Organisations must monitor their workforce and ensure that ethnic minorities are treated equally. It is also now mandatory for public organisations to have a policy on race equality. A positive outcome of the Stephen Lawrence case is the change in societies views on race. Imran Khan suggested (cited in Muir 2018) ‘What the Lawrence case did was it made race mainstream. It made it something people had to recognise, acknowledge and accept. Before that, it was something that the left and liberals talked about as a fringe issue. Now suburban England had to accept that race existed’ (Khan cited in Muir, 2018). In addition, Khan further claimed that what we have now is an acceptance within mainstream society that racism is a problem, that people can complain about it and that there is legislation that allows you to do something about it’ (Khan cited in Muir 2018). Even though improvements have been made to

meet the Home Offices targets of 7% ethnic minorities employed within the police service, the overall figures were still at just 4%. These findings further led the Government to a new approach on positive action against discrimination through the Equality Bill.

The Equality Act 2010 was a major piece of legislation passed with the aim of tackling discrimination and socio-economic inequalities, even though there was no significant change to the race legislation within it. Its main purpose of tackling discrimination was not only on the grounds of race, but it brought together all previous discrimination laws with a view of strengthening all of the current legislation in order to protect individuals from discrimination and inequality. The Act outlines nine 'protected characteristics' namely age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act 2010 also provides protection for discrimination where a friend or family member has a protected characteristic. This is called discrimination by association, which is now one of the seven different types of discrimination that can be found in the new Legislation (Equalityhumanrights.com, 2018).

Statistics from the 2015 is Wales fairer? report shows that people who fall within certain categories of 'protected characteristics' groups as outlined in The Equality Act 2010, are more likely to live in poverty, achieve lower educational attainment and experience discrimination, violence and abuse. This further leads to The Well-being of Future generations (Wales) Act 2015. The Future Generations of Wales Act shows us that Legislation surrounding equality is important both now and, in the future, and is continuously striving to improve in order to end discrimination and provide equality for all. The Future Generations (Wales) Act sets out a principle that public bodies must follow and has seven main goals within it. A Prosperous Wales, A Resilient Wales, A More Equal Wales, A Healthier Wales, A Wales Of Cohesive Communities, A Wales of Vibrant Culture and Welsh Language and a Globally Responsible Wales. These goals are in place to try and improve social, cultural, economic and environmental well-being and make Wales a better place to live in now and for the people in the future (The Future Generations Commissioner for Wales, 2018). Unfortunately, racial inequality in Wales still exists and over 75% of all hate crime towards ethnic minorities is as a direct discrimination against race and religion (Equalityhumanrights.com, 2018). As identified in Table 1 hate crimes in England and Wales have significantly risen each year.

Table 1 Hate crimes recorded by the police by monitored strand, 2011/12 to 2017/18

<u>Hate crime strand</u>	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>2017/18</u>
Race	35,944	35,845	37,575	42,862	49,419	62,685	71,251	14
Religion	1,618	1,572	2,264	3,293	4,400	5,949	8,336	40
Sexual orientation	4,345	4,241	4,588	5,591	7,194	9,157	11,638	27
Disability	1,748	1,911	2,020	2,515	3,629	5,558	7,226	30
Transgender	313	364	559	607	858	1,248	1,651	32
Total number of motivating factors	43,968	43,933	47,006	54,868	65,500	84,597	100,102	18
<u>Total number of offences</u>	<u>N/A</u>	<u>42,255</u>	<u>44,577</u>	<u>52,465</u>	<u>62,518</u>	<u>80,393</u>	<u>94,098</u>	<u>17</u>

Assets.publishing.service.gov.uk (2018)

This shows that the legislation and policies that are currently in place are not entirely enough to completely prevent racial discrimination. Although, it can be said that without any Legislation in place things would be a lot worse than they currently are. To compliment the legislation Unesco for example, promote education to tolerance (Unesco.org, 2018)

In conclusion, whilst describing the developments in race legislation and policies since 1945, this essay has found that despite the attempts to bring about change within the various legislation and policies, there is still a high number of race related crimes and people are still discriminated against. There is political will as evident from Legislation, however, there is still an undercurrent of racial hatred in Britain. Britain is a multicultural society and this will not change, so the question is if legislation is not working, what needs to be done? Can the Government do more to address racial inequality? Is racial discrimination a learned behavior and how can this be changed? Education is key as evidenced by Unesco who identified that only tolerance can ensure the survival of mixed communities. Unesco pointed out that although legislation is necessary, it is not sufficient in countering intolerance in individual attitudes and that greater emphasis needs to be placed on educating more as intolerance is taught and learned at an early age (Unesco.org, 2018).

References

BBC News. (2018). *Stephen Lawrence murder: A timeline*. [online] Available at: <https://www.bbc.co.uk/news/uk-26465916> [Accessed 3 Nov. 2018].

Bbc.co.uk. (N.D). *BBC - GCSE Bitesize - The Welfare State*. [online] Available at: http://www.bbc.co.uk/schools/gcsebitesize/history/mwh/britain/welfarestaterev_print.shtml [Accessed 18 Nov. 2018].

Bloch, A., Neal, S. and Solomos, J. (2013). *Race, Multiculture & Social Policy*. New York: Palgrave Macmillan, p.55.

Cliffsnotes.com. (2018). *Race and Ethnicity Defined*. [online] Available at: <https://www.cliffsnotes.com/study-guides/sociology/race-and-ethnicity/race-and-ethnicity-defined> [Accessed 16 Nov. 2018].

Equalityhumanrights.com. (2018). *Protected characteristics | Equality and Human Rights Commission*. [online] Available at: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics> [Accessed 6 Nov. 2018].

Equalityhumanrights.com. (2018). *Is Wales Fairer?*. [online] Available at: <https://www.equalityhumanrights.com/sites/default/files/is-wales-fairer-2015-easy-read.pdf> [Accessed 15 Nov. 2018]

Equalityhumanrights.com. (2018). [online] Available at: <https://www.equalityhumanrights.com/sites/default/files/is-britain-fairer-2018-is-wales-fairer.pdf> [Accessed 15 Nov. 2018].

Home Office Hate Crime England & Wales 2017/18. [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf [Accessed 15 Nov. 2018].

Letter to Clement Attlee- Cited in Skellington, R. and Morris, P. (1996). *'Race' in Britain today*. London: Sage Publication in association with the Open University, p.65.

Marwick, a. (2003). *British society since 1945*. 4th ed. London: Penguin books, p.28.

Moltest. (2018). [online] Available at: <https://www.museumoflondon.org.uk/discover/how-did-empire-windrush-change-london-docklands> [Accessed 14 Nov. 2018].

Muir, H. (2018). *The Stephen Lawrence case: how it changed Britain*. [online] the Guardian. Available at: <https://www.theguardian.com/uk/2012/jan/03/how-stephen-lawrence-changed-britain> [Accessed 10 Nov. 2018].

Nationalarchives.gov.uk. (2018). *The National Archives | Exhibitions | Citizenship | Brave new world*. [online] Available at: http://www.nationalarchives.gov.uk/pathways/citizenship/brave_new_world/immigration.htm [Accessed 5 Nov. 2018].

News.bbc.co.uk. (2018). *BBC NEWS | Programmes | BBC Parliament | Q&A: The Scarman Report*. [online] Available at: http://news.bbc.co.uk/1/hi/programmes/bbc_parliament/3631579.stm [Accessed 17 Nov. 2018].

Solomos, j. (2003). *Race and racism in Britain*. 3rd ed. hampshire: palgrave macmillan, p.148.

Spicker, P (2018), *Social Policy in the UK, An introduction to Social Policy*, <http://spicker.uk/social-policy/uk.htm>, obtained on 29 October 2018.

Thompson, N (2006). *Anti discriminatory practice*. 4th ed. New York: Palgrave Macmillan, P.24.

The Future Generations Commissioner for Wales. (2018). *Future Generations Act – Future Generations Commissioner for Wales*. [online] Available at: <https://futuregenerations.wales/about-us/future-generations-act/> [Accessed 15 Nov. 2018].

ThoughtCo. (2018). *Understanding the Real Differences Between Race and Ethnicity*. [online] Available at: <https://www.thoughtco.com/difference-between-race-and-ethnicity-2834950> [Accessed 16 Nov. 2018].

Travis, A. (2018). *Stephen Lawrence: how his murder changed the legal landscape*. [online] the Guardian. Available at: <https://www.theguardian.com/uk/2013/apr/22/stephen-lawrence-murder-changed-legal-landscape> [Accessed 15 Nov. 2018].

UK Parliament. (2018). *Race Relations Act 1965*. [online] Available at: <https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/relationships/collections1/race-relations-act-1965/race-relations-act-1965/> [Accessed 3 Nov. 2018].

Un.org. (2018). *The Foundation of International Human Rights Law*. [online] Available at: <http://www.un.org/en/sections/universal-declaration/foundation-international-human-rights-law/index.html> [Accessed 16 Nov. 2018].

Un.org. (2018). *Universal Declaration of Human Rights*. [online] Available at: <http://www.un.org/en/universal-declaration-human-rights/index.html> [Accessed 16 Nov. 2018].

Unesco.org. (2018). *Promoting Tolerance | United Nations Educational, Scientific and Cultural Organization*. [online] Available at: <http://www.unesco.org/new/en/social-and-human-sciences/themes/fight-against-discrimination/promoting-tolerance/> [Accessed 20 Nov. 2018].

World Health Organization (2005) Health Service plan and policy making: a toolkit for nurses and midwives. Western Pacific Organisation WHO Assets.publishing.service.gov.uk. (2018).

