



THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS AND LONDON'S VOLUNTARY AND COMMUNITY SECTOR

REGIONAL PRESENCE AND PRIORITIES

Dr. Theo Gavrielides, March 2007

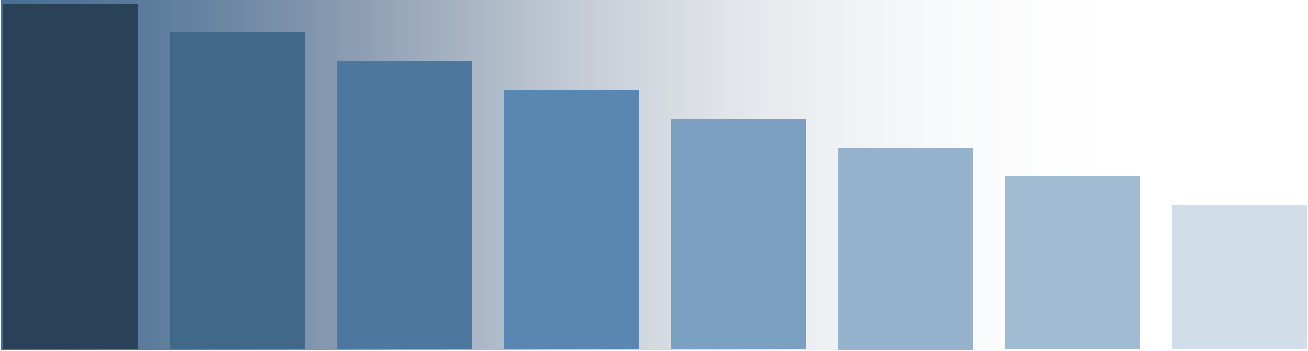


TABLE OF CONTENTS

<i>TABLE OF CONTENTS</i>	1
<i>TABLE OF CONTENTS</i>	2
<i>EXECUTIVE SUMMARY</i>	3
<i>BACKGROUND</i>	6
1. Introduction	6
2. Organisation and aim of the report.....	7
<i>SETTING THE SCENE</i>	8
1. Coming into being: the CEHR's story	8
2. The CEHR and London.....	11
3. The CEHR and the voluntary and community sector.....	13
<i>THE CONSULTATION FINDINGS</i>	15
1. The methodology	15
2. Challenges and lessons from the consultation	15
3. What are the key policy issues and challenges the CEHR will face in setting up an effective presence in London?.....	16
Findings that are not London specific:	16
Findings that are London specific:	18
4. How could London's VCS best support the establishment and ongoing work of the CEHR in the region?	20
Findings that are not London specific:	20
Findings that are London specific:	21
5. What does the CEHR need to do to make this happen?	22
Findings that are not London specific:	22
Findings that are London specific:	23
6. What do you think would be the most effective ways of approaching inequalities in London given its special characteristics and demographics?	24
7. Are you aware of the relevance of human rights principles and legislation to your work, and how do you think the CEHR could support the VCS to develop a better understanding? ..	24
8. What are the most effective ways that the CEHR can ensure that individuals/ employers get the advice and support they need on discrimination issues?	26
<i>REFLECTING ON THE FINDINGS</i>	28
1. CEHR engagement with the Voluntary and Community Sector.....	28
2. Greater collaboration within London's Voluntary and Community Sector.....	28
3. Awareness of the work of the VCS and its relevance to the CEHR	29
4. Addressing concerns and conflicts	29
5. Raising Public Awareness	29
6. Managing expectations	30
7. Further consultation.....	30
<i>ACKNOWLEDGEMENTS</i>	31
<i>APPENDIX I: THE PARTNERS</i>	32
<i>APPENDIX II: THE CONSULTATION PARTICIPANTS</i>	33
<i>BIBLIOGRAPHY</i>	35

EXECUTIVE SUMMARY

In October 2007, the Commission for Equality and Human Rights (CEHR) will come into being, taking on all of the powers of the existing Commissions (Commission for Racial Equality, Equal Opportunities Commission and Disability Rights Commission) as well as new powers to enforce legislation more effectively and promote equality and human rights for all. At this critical stage, Race on the Agenda (ROTA) in collaboration with London Voluntary Service Council (LVSC), the British Institute of Human Rights (BIHR) and the London Civic Forum (LCF) carried out a project to inform London's voluntary and community sector (VCS) about the CEHR and collect their views on key challenges that the Commission will face while delivering its workplan in the region. Over 150 organisations and individuals participated in the project which ran from June 2006 – January 2007.

1. The consultation identified a number of key issues and challenges that the CEHR will face in setting up an effective presence in London.

The key issues that the CEHR needs to address nationally are how to:

- Increase awareness around its existence, structure and workplan. Misunderstanding could lead to disappointment.
- Identify effective mechanisms for engaging the VCS particularly frontline organisations and small community groups.
- Establish a two-way dialogue with communities of interests e.g. establish effective internal and external communications (e.g. through a CEHR newsletter for the VCS).
- Represent all equality strands and human rights.
- Become a champion of race and faith and engage with the sectors that serve these strands.
- Promote a positive image of 'human rights', the Human Rights Act and equality legislation.
- Enforce and implement relevant law, to set an example by working in ways that are transparent, representative and strategic.
- Help make the Human Rights Act the country's Bill of Rights.
- Reach the most excluded especially those not represented by organisations in the VCS and beyond.

The key issues that need to be addressed in London are how to:

- Prepare a workplan that acknowledges London's diversity.
- Build a good working relationship with London's Black, Asian and minority ethnic (BAME) communities and the organisations that represent them. Currently, there is scepticism that is yet to be addressed.
- Work with neighbourhoods and local community groups without losing its strategic role in the region.
- Establish a healthy relationship with existing regional governance structures such as Government Office for London and the Greater London Authority.

- Build on the work carried out by the ChangeUp London Regional Consortium and its sub-groups.
- Strike the right balance between London and other regions.
- Link local, regional, national and international issues.

2. *The consultation showed that the majority of London's VCS is keen to support the establishment and ongoing work of the CEHR by:*

- Providing training and expert advice to the CEHR.
- Hosting secondments between the VCS and the CEHR.
- Delivering human rights education and information to the public.
- Enabling participation at the grassroots level.

However, it was acknowledged that the VCS often appears to be fragmented. Efforts need to be made by the sector to work in closer partnership and collaborate more fully. A number of respondents suggested that London's VCS could set up some form of advisory group or taskforce to assist the CEHR.

3. *The consultation participants appeared to have a number of expectations from the new Commission. The CEHR is expected to:*

- Carry out proper and extensive consultations with the sector (frontline and infrastructure organisations), bearing in mind the difficulties faced by small community groups. Compact compliance was thought paramount.
- Support the enforcement and implementation of relevant law.
- Work in a transparent, principled, representative and strategic way.
- Facilitate positive and effective media coverage of human rights.
- Provide adequate funding and resources.
- Support human rights and equality legislation through schools.
- Provide support and expertise to existing regional governance structures.
- Establish local offices in the region, ensuring strong local presence.

4. *Many respondents thought that the most effective ways of approaching inequalities in London are by:*

- Working together across sectors and equality strands.
- Keeping abreast of changing demographics and shifts in equality issues.
- Enabling infrastructure VCS organisations to engage in a dialogue with frontline and small community groups.
- Working with the auditors, commissioners and regulators (e.g. Audit Commission, Commission for Social Care Inspection) to enforce equality and human rights legislation and ensure quality of public services.

5. The consultation showed that among the VCS, there is low awareness of human rights and the relevant legislation. To address this, a number of participants suggested that the CEHR:

- Develops an outreach programme for frontline organisations. This could be delivered in collaboration with organisations from the VCS.
- Provides accessible, user-friendly information.
- Develops an interactive and user friendly website.
- Provides tailored training to the VCS.

6. The consultation participants identified a number of ways through which the CEHR could ensure that individuals/ employers get the advice and support they need on discrimination issues. These include:

- Setting up helplines.
- Supporting and referring people to advice centres.
- Setting up a dedicated website that might include a question and answer service.
- Providing training (e.g. to personnel departments).
- Running raising-awareness campaigns (e.g. developing audiovisual tools and/ or presentations across London).
- Bringing test cases to challenge discrimination and change legislation.
- Developing strategies to engage the private sector and the VCS (e.g. through a joint project using the idea of 'social responsibility' and by the use of trade unions and ACAS).

Both explicitly and implicitly, the underlying message was the need for tailored advice to particular groups both in terms of content and in terms of how the information is accessed (e.g. websites may not be an appropriate mechanism for some disabled people and the elderly).

BACKGROUND

1. Introduction

Race on the Agenda (ROTA) in collaboration with London Voluntary Service Council (LVSC), the British Institute of Human Rights (BIHR) and the London Civic Forum (LCF)¹ carried out a project to:

- **inform** London's voluntary and community sector (VCS) about the CEHR's powers and duties²;
- **consult** with London's VCS about its future relationship with the CEHR and the role it could play in the strategic planning and delivery of the Commission's powers and duties in the region;
- **engage** with the CEHR around its regional presence and priorities in London as identified by VCS bodies working on the key strands of its powers and responsibilities (race, gender, disability, religion or belief, age, sexual orientation) and the cross-cutting issue of human rights;
- **inform** the development of a model for wider VCS stakeholder engagement in other regions.

As infrastructure bodies working with frontline and second-tier organisations from the VCS, we believe that the CEHR has much to gain from a strong and healthy relationship with the third sector. Therefore, we considered it imperative that we inform our VCS colleagues about the Commission, and collect their views on key challenges that the CEHR will face while delivering its workplan in London.

The findings that are presented in this report were collected through a consultation exercise which ran from June 2006 to January 2007. This consisted of an event that took place on 11th December 2006, meetings with various stakeholders and individual responses submitted either in writing or verbally. The target audience was London's VCS especially organisations working in the fields of equality and human rights (approximately 150 organisations and individuals – see Appendix II).

The consultation focused on six key areas (three general and three specific policy issues), but the findings covered broader issues³. A briefing document was circulated to the participants in advance of the December event while a policy briefing was widely disseminated in August⁴. The project was supported by the National Council of Voluntary Organisations (NCVO), the Equality and Diversity Forum (EDF) and the ChangeUp London Regional Consortium Equality and Human Rights sub-group.

¹ See Appendix I for a short description of the partners.

² Recent evidence suggests that the VCS's awareness levels around the Commission's work are low; *loc cit infra* note 3.

³ The findings are organised under each question, see page 15.

⁴ For a copy, please contact Race on the Agenda, theo@rota.org.uk 020 7729 1319.

2. Organisation and aim of the report

This report aims to reach two different audiences: **the VCS** including but not limited to the participants of the consultation and **the CEHR** as well as government departments and the civil service at large.

The objective of this report is twofold. First, it aims to raise the **awareness** both of the VCS and the CEHR about each other's work. Recent research findings suggest that the awareness of both frontline and some infrastructure VCS bodies is very low in relation to the CEHR's powers and responsibilities and how these will affect their work. The evidence also suggests that public sector bodies are either not aware of the VCS's work in the field or do not tend to engage the sector as much as the private sector⁵. It is not within this report's remit to investigate the reasons behind this failure, but increase awareness in order to address it.

Second, the report aims to present the CEHR with clear and comprehensive **recommendations** as these are posited by London's VCS on:

- how to build a **successful relationship** with the sector;
- what the **priorities in London** should be;
- how London's VCS can **support** the CEHR to deliver its work;
- what will be **expected** of the CEHR.

The report has been split into three sections. The first section will put the project in context by providing some background information on key legislative, policy and institutional changes that gradually led to the passing of the Equality Act 2006 and the setting up of the CEHR. This section of the report will also make reference to the VCS' engagement in the setting up of the Commission, illustrating the significance of this report, which represents one more attempt of the sector to work with the CEHR and its Transition Team. Finally, this section will investigate London's significance.

The second section of the report will present the collated findings of the consultation based on the themes from the responses of participants to the six questions that structured the day's event.

Finally, the third section will present the partners' analysis of the data, based on which we make a number of recommendations for the CEHR and the VCS. Although our suggestions are based on the project's findings, they constitute the partners' interpretation of the consultation results.

⁵ See for example, GLA (2006) *Equality in our lifetime*, London: GLA; Joint Committee of Human Rights (2002-3) *The Case for a Human Rights Commission*, 6th Report, session 2002-03 HL Paper 67-I HC, Vol pp 11-12; Age Concern (2004) *Public Involvement and the Commission for Equality and Human Rights*.

SETTING THE SCENE

1. Coming into being: the CEHR's story

Over the past 100 years, the UK has seen an immense volume of anti-discrimination laws dealing with racism, sexism, ageism, homophobia, religious intolerance and disablism. Women became part of the political process only after the passing of the Emancipation Act 1918 while institutional racism was publicly recognised for the first time after the murder of Stephen Lawrence in 1993. The first race relations legislation was passed in 1964, but there is still a debate about the need for a consensual definition of equality. Section 28 of the Local Government Act 1988 which forbids the promotion of homosexuality by local authorities was repealed only two years ago (Local Government Act 2003), while the Disability Discrimination Act 1995⁶ was finally implemented after 20 years of struggle. While much has changed, there is evidence to suggest that there is still a long way to go until we can claim that equality and human rights are values that define the way all individuals are treated in the country⁷.

In the hope of creating a 'human rights culture', the then new Labour Government introduced a programme that promised to change the institutional, policy and legislative environment in which human rights and equality are delivered in the country. This programme is still ongoing and the establishment of the CEHR as well as the Discrimination Law Review and the consultation on a Single Equalities Act are part of it.

The UK Human Rights Act came into force in October 2000, bringing most of the rights contained in the European Convention on Human Rights into UK law. The European Convention on Human Rights is itself influenced by the Universal Declaration on Human Rights. The purpose of the Act was not only to provide a legal framework for the enforcement of rights, but also to create a 'human rights culture'. In 1999, the then Home Secretary said to Parliament: "What do we mean when we talk of building a culture of rights and responsibilities in the UK? These aren't empty words or mere jargon. It's what we want the whole public services in this country to move towards"⁸. For the first time, the delivery of equalities was seen in the context of human rights. For instance, the Human Rights Act 1998 was seen as the first step in a process that would gradually contribute to the development of a new framework where individuals' human rights are better protected and respected and equalities are protected in a holistic way. During the Bill's passage through Parliament, the Parliamentary under-secretary of State for the Home Office said that one of the results of the new Act "will be the beginning of the

⁶ This was followed by the Disability Discrimination Act 2005.

⁷ For instance, see Council of Europe (2005) Report by Mr. Alvaro Gil-Robles, *Commissioner for Human Rights on his visit to the United Kingdom 4th-12th November 2004*, Council of Europe: Strasbourg and Macpherson, Sir William (1999) *The Stephen Lawrence inquiry*, presented to Parliament by the Secretary of state for the Home Department by Command of her Majesty.

⁸ Straw, Jack (1999) "Building a Human Rights Culture" *Address to Civil Service College Seminar*, London.

strong development of a human rights culture". This pledge was renewed a few years later through the words of the Secretary of State for the Home Office: "The Human Rights Act will help us rediscover and renew the basic common values that hold us all together. And those are also the values, which inform the duties of the good citizen"⁹.

In 1997, the Home Office Minister, Lord Williams, said: "We are not ruling out the idea of a Human Rights Commission. We believe that we should have the best possible material available before we decide first whether to have one and secondly what its terms of reference and proper parameters should be ... it is extremely important that we get it right first time"¹⁰. This was followed by unprecedented public interest and debate on what the Commission could look like. Fierce discussions took place in Parliament, universities, TV channels, research centres and international *fora*. The Joint Parliamentary Committee on Human Rights (JCHR) was tasked with carrying out an inquiry into the potential of setting up a human rights commission while a special Task Force was recruited to advise government.

Since the Act was passed, Government has been subject to criticism for not doing more to realise a culture of respect for human rights. Having spent some £5.5 million to enable courts and tribunals to receive training in their responsibility for giving direct effect to the rights protected by the Human Rights Act, there was still a knowledge gap and a serious awareness issue among public and civil servants. More importantly, in the absence of a public body charged with ensuring that the legislation is effective, fears were created that the Act was introduced without teeth while being left unprotected from numerous unjustified media attacks.

In 2004, the Department for Trade and Industry (DTI) in association with the Department for Constitutional Affairs (DCA), the Department for Education and Skills (DfES), the Department for Work and Pensions (DWP) and the Home Office launched a consultation on the Commission through the White Paper "Fairness for all: A new commission for equality and human rights". The vision was rather different from the one originally conceived in 1997. The discussion now was about a single equality and human rights body.

The consultation paper said: "A single organisation will be a strong and authoritative champion for equality and human rights ... through a cross-cutting approach, a single organisation will be better able to tackle barriers and inequalities affecting several groups and identify and promote strategic solutions... A single organisation will also provide an opportunity to pursue a more coherent approach to enforcing discrimination legislation ... and promote good relations among different communities ... it will provide a single access point for information, advice and guidance on the full breadth of equality and human rights issues ... [Finally] In its policies and approach, a single organisation will be better equipped to address the reality of the many

⁹ *Ibid.*

¹⁰ House of Lords debate on the Human Rights Bill, 24 November 1997.

dimensions of an individual's identity and therefore tackle discrimination on all grounds"¹¹.

The White Paper was followed by a large number of responses some of which expressed serious concerns about the single equality body's remit, enforcement powers, governance and organisational structure. There were some serious objections, particularly from BAME communities, disabled people and organisations that represent them. These concerns mainly referred to the merging of the Commission for Racial Equality (CRE) and the Disability Rights Commission (DRC) with the CEHR and the single equality body's ability to protect and promote equality across all strands and human rights. In its response to the Consultation submissions, the government said: "We recognise that some individuals and groups, especially from BAME communities, have expressed strong reservations about many of the proposals. The government is pledged to maintain dialogue with these communities so as to find a basis for the CEHR in which all key interests can share"¹².

However, it was not made clear how government and the newly established Commission would open and maintain this dialogue with communities particularly since no clear reference was made to the role of the VCS and the organisations that represent them.

In February 2006, the Equality Act gained royal assent, setting up the CEHR. Responsibility for establishing its organisational structure, strategic direction for its work and the deployment of its workforce was handed to a Transition Team based at the Department for Communities and Local Government (DCLG). The Team will hand over its work to the Commission in October 2007. The CEHR will cover England, Scotland and Wales. In Scotland and Wales there will be statutory committees responsible for the work of the CEHR.

There will be up to 15 Commissioners including a Chair, and a Commissioner for Scotland and a Commissioner for Wales. Trevor Phillips has been appointed as the CEHR's Chair and Dr Nicola Brewer as its Chief Executive. The ten Commissioners appointed so far are: Baroness Margaret Prosser, Kay Allen, Dame Jane Campbell, Kay Carberry, The Baroness Greengross, Prof. Francesca Klug, Ziauddin Sardar, Ben Summerskill, Dr Neil Wooding plus the Chair.

The CEHR represents a new vision for equality and human rights¹³. In addition, an independent Equalities Review, led by Trevor Phillips, has just published its report which proposes the use of a capabilities approach to equalities, based on international human rights standards. At the same time,

¹¹ DTI (2004) *Fairness for all: A new commission for equality and human rights*.

¹² DTI (2004) *Fairness for all: The government's response to consultation*.

¹³ For a description of the CEHR's powers and duties see our briefing document and policy briefing – for a copy contact Dr. Theo Gavrielides, theo@rota.org.uk or download a copy from www.rota.org.uk For further information visit the CEHR's website www.cehr.org.uk.

the Discrimination Law Review is looking at how anti-discrimination laws in the UK can be simplified so that rights and responsibilities are clearer and more effective possibly with a view to creating a single Equalities Act. The review is expected to increase consistency in the protection the law extends to different groups across equality strands.

2. The CEHR and London

The CEHR will be based in two sites in England, with a majority of staff based in its Headquarters in Manchester, but with a significant presence in London. The CEHR would also have offices in Glasgow and Cardiff. To facilitate the delivery of the CEHR's work, the new Commission will have a presence in each of the nine English regions. It is still not clear whether the CEHR will have a local presence and how many offices it will have in London.

At regional level, and therefore in London, the CEHR activities could include:

- Fostering networks of voluntary, community and statutory organisations who already play a critical role in raising awareness and promoting compliance and good practice on equality and human rights.
- Supporting local organisations to deliver equality and human rights projects, including those it will inherit from the CRE.
- Developing productive relationships with local Business Links, Chambers of Commerce and Regional Development Agencies to influence small and medium-sized businesses and promote compliance and good practice in this sector.
- Developing strategic relationships with, for example, Learning and Skills Councils, Local Strategic Partnerships, or ACAS regional offices, to promote awareness and understanding¹⁴.

The demographics of London are distinct from other parts of the country, making the capital one of the most interesting areas for the setting up of the CEHR and its regional policy priorities. Despite a strong London lobby, the government's decision was made for the CEHR Headquarters to be in Manchester. A consultation process is now underway to determine regional arrangements and this report is timely as it can inform this process.

London's population encompasses at least 14 faiths as well as atheists and agnostics. 58% of all Jews living in England and Wales live in London. 53% for Hindus, 39% for Muslims, 39% for Buddhists and 32% for Sikhs. Following the events of September 11 and the London bombings, hate crime statistics have risen particularly in relation to Muslims living in London. Muslims aged 16-24 in London have lower qualification levels as a group compared with their peers in the general population. The 2001 Census indicated that Muslims have the lowest rates of employment and economic activity and the highest unemployment rate of all the faith groups.

Moreover, the 2003 Mid Year Estimates (MYE) showed that out of the 7,387,900 people living in London, at least 3 million belong to BAME groups. It

¹⁴ Source www.cehr.org.uk

is estimated that over the next ten years BAME communities will account for 80% of the increase in London's working age population. The 2001 census showed that the unemployment rate for inner London is 8.9% and for Greater London 6.7%. 6.2% and 5.0% respectively are White British and 15.1% and 11.3% are BAME people. The latest census also showed higher proportions of limiting long-term illness and poor health within most BAME groups. Since the Acheson Inquiry which noted that ethnic origin was "not routinely recorded in the NHS" progress has been made, but factors such as economic disadvantage and poverty, racism and discrimination, lack of social support and access to quality public services continue to influence the health of London's BAME communities. In addition, as noted in the Mayor's Commission on African and Asian Heritage report 'Delivering Shared Heritage', London's culturally and ethnically diverse population is still to be reflected in the heritage sector's actions and thinking. Generally, younger people of all ethnic groups in London are better qualified than their elders, but young people of black African, Caribbean, Bangladeshi or Pakistani origin are particularly at risk of poor educational outcomes.

Although over 52% of London's population are female, fewer women are in employment, and those who are tend to be confined to less senior and lower paid jobs (GOL 2004). The most common man's employment in London pays £17.30 an hour while the most common woman's employment pays £5.38. In Greater London, the Metropolitan Police Service attends around 300 domestic violence incidents every 24 hours, and the economic cost of domestic violence to the capital is £3,199 million (Mayor's Second London Domestic Violence Strategy).

Furthermore, according to the 2001 census, there are more than 8.7 million people in the UK with a disability. Of this number, more than 1.4 million disabled people are in London. Of the working age population, 6.9 million have a disability in the UK and about 810,000 of these people are in London. Disabled workers earn considerably less than non-disabled workers, with a gross average hourly wage for disabled Londoners a fifth lower than for non-disabled Londoners. An estimated 18% of disabled people in London have higher-level qualifications compared to 34% of non-disabled people, and are more likely to be unemployed than non-disabled people.

London is often seen as a city of young people, but over 15% of London's population - nearly 1.2 million people - are aged 60 or over. Almost a quarter of a million people in London are aged 80 or over. GLA projections indicate that London's 60 and over population will increase by 9% between 2001 and 2021, compared with a rise of nearly 14% in the population as a whole. The profile of older London will change dramatically in the coming years, particularly with the increasing proportion of older people from BAME groups - from 12 to 23% by 2021. There are also other significant subpopulations of older people such as LGBT and disabled people. At the opposite end of the age scale, London also has the highest level of child poverty in the country (52%).

The LGBT community is also representative of the broader London demographic, inclusive of the full range of diversity and needs¹⁵. Access to services, employment and opportunities are still limited in London¹⁶, and the face of homophobic discrimination and hate crime is still highly prevalent¹⁷. In April 1999, three people died and many more were injured as a result of the bombing of the Admiral Duncan pub; in November 2004, David Morley was killed as a result of a homophobic attack; in October 2005, Jody Dobrowski was beaten to death in Clapham. A 2003-4 study by Stormbreak showed that 45% of LGBT people had experienced a homophobic crime and 20% had been a victim of actual physical assault.

To conclude, London is one of the most diverse and multicultural, multilingual and multifaith cities in the world and unique in the UK context. To some extent the regional equality and human rights policies have developed to be able to respond to London's special characteristics and needs. These are regional characteristics that the CEHR will need to take into account while developing and delivering its business plan and regional strategy.

3. The CEHR and the voluntary and community sector

There are over 60,000 VCS groups in London¹⁸. The government has defined the VCS as: "Registered charities, as well as non-charitable, non-profit organisations, associations and self-help groups and community groups. Most involve some aspect of voluntary activity, though many are also professional organisations with paid staff, some of which are of considerable size. Community organisations tend to be focussed on particular localities or groups within the community; many are dependent entirely or almost entirely on voluntary activity" (Compact)¹⁹.

Commentators have repeatedly stressed the important role of the VCS in promoting a feeling of empowerment and belonging in community groups. Organisations working in the VCS help maintain a balance between community groups often feeling isolated and let down by public services and government. The VCS establishes communication channels between individuals and government bodies, and enable small and large minority groups to have a say in policymaking, legislation and regulation of the country's affairs. Moreover, the VCS is an employer and involves volunteers. In both these roles it often works with communities that cannot find jobs easily in other sectors e.g. refugee people, asylum seekers, ex-offenders and people with multiple disadvantages. The Learning and Skills Council (LSC) also found out that the VCS employs higher proportions of people from BAME

¹⁵ Standing, J (2005) *LGBT Infrastructure Development Project Phase I December 2005 to June 2006 Paper I – Background*, Kairos in Soho.

¹⁶ Standing, J (2006), *Phase I Lesbian, Gay, Bisexual and Transgender Infrastructure Development Project, Final Report*, Kairos in Soho.

¹⁷ The Metropolitan Police reported 1,359 incidents of homophobic hate crime in the 12 months to January 2006.

¹⁸ London Development Agency (2006) *LDA Third Sector Policy Statement*, London: LDA.

¹⁹ Compact is the VCS's written agreement with the government (or local public bodies) which has undertakings on both sides, shared principles and values such as recognising the sector's independence, and mechanisms for making it work <http://www.thecomcompact.org.uk/>

communities and women, people with long-term illness or disability and graduates²⁰.

The vast majority of VCS activity takes place at a local level, often addressing the needs of society's most disadvantaged groups. As partners, providers and advocates, VCS organisations are ideally placed to work with local authorities to achieve results for local people - improving the quality of life and the quality of services in every area and encouraging strong and cohesive local communities. Therefore, regional governance bodies and strategic structures are increasingly relying on the VCS to help deliver on their human rights, equality, community cohesion and integration agendas. More importantly, they rely on the VCS and infrastructure organisations in particular, to provide a voice for 'hard to reach groups'. Statistics also show that the public trusts the VCS more than other sectors, particularly in relation to equalities and human rights work²¹.

The impact of the sector is being recognised and grows and strengthens every day. Recently, there have been a number of government schemes aiming to strengthen the sector e.g. Partnership, Guide neighbourhoods, ChangeUp and Capacitybuilders, Children, Young People and Families grant programme, Neighbourhood Learning in Deprived Communities²². However, there is evidence to suggest that government does not engage with the VCS adequately. It is not the intention of this paper to present a list of the VCS' achievements or failures, or comment on the reasons that discourage civil servants from engaging with the sector. It is important to note that the sector does not feel that it has been engaged adequately in the setting up of the CEHR²³.

²⁰ <http://www.lsc.gov.uk/>

²¹ <http://www.idea.gov.uk>

²² For more information on these schemes visit www.lvsc.org.uk

²³ For example, according to research carried out by the 1990 Trust, Black communities do not feel that their concerns in relation to the merging of the CRE with the CEHR and the lack of a statutory duty for a race commission have been listened to. Operation Black Vote also noted: "Without a full debate, inclusive of the Black community, a Commission for Racial Equality (CRE) merger would be a disaster for tackling the issues of Black Britain in the next ten years" (Simon Woolley, The Voice Jan 2003)

THE CONSULTATION FINDINGS

1. The methodology

The findings presented in this report were collected through:

- The transcribed discussions from the two workshops that took place during a consultation and awareness raising conference that was held on 11th December 2006. Over 150 organisations and individuals from London's VCS attended the event and shared their views in two workshops²⁴.
- The fifty-one feedback forms that we received during the conference with individual comments on the six key questions of the project.
- The speakers' presentations²⁵.
- The question and answer sessions during the conference which were recorded and transcribed²⁶.
- Separate individual submissions via email or telephone and a letter from Karen Chouhan, Black Londoners Forum and 1990 Trust²⁷. The submissions were invited through a briefing document and announcements through the partners' monthly newsletters and websites.

The partners met several times and discussed the findings which are presented in this section under the six questions that structured the workshops. At this point, the paper will only present the findings in the form of 'data display' without engaging in any analysis.

2. Challenges and lessons from the consultation

In carrying out the consultation, we came across a number of challenges, which we present here as learning for future engagement with the sector:

- Among the VCS, there is a significant interest in the CEHR's work; however, most organisations, particularly frontline services, do not have the time or staff to engage through workshops, conferences or consultations. Despite being a free event, the conference was therefore attended primarily by infrastructure organisations that have the funds to

²⁴ See Appendix II for a list of organisations.

²⁵ The Rt Hon the Baroness Ashton of Upholland, Minister for Human Rights and Parliamentary Under Secretary, Prof. Francesca Klug CEHR Commissioner, Dinah Cox, CEO Race on the Agenda, Sheila Rogers, Transition Team DCLG, Elizabeth Balgobin, CEO London Voluntary Service Council, Jane Esuantsiwa Goldsmith, Independent Consultant, Kate Monkhouse, Director London Civic Forum. There was also a panel discussion, Chair: Lisa Greensill, Head of Voluntary and Community Sector, Government Office for London, Panel Members: Ceri Goddard, British Institute of Human Rights; Dr Theo Gavrielides, Head of Policy, ROTA; Allan Johnstone, Director of Operations, Consortium of Lesbian Gay Bisexual & Transgendered Voluntary and Community Organisations; Samantha Mauger, Chief Executive, Age Concern London; Vivienne Hayes, Director Women's Resource Centre.

²⁶ Questions were asked from Sue Sanders LGBT History Month, Vivienne Woolston Thursday's Child, Gordon Deuchars Age Concern London, Karen Chouhan Black Londoners Forum and 1990 Trust, Richard Kirker Lesbian and Gay Christian Movement, John Christie BME Elders Forum, Lindsay River Polari, Citizenship Foundation, Florence Davies GOL, Rachel Carter LVSC, Helen Marsh LCF.

²⁷ For a copy of this letter and our response please contact Race on the Agenda, 020 7729 1310, theo@rota.org.uk www.rota.org.uk

employ four or more staff. This does not reflect the diversity of the sector of which a great fraction is composed of small community groups with either one or two members of staff. This limitation is not only due to funding. It is also due to time constraints and responding to priorities and workload. The CEHR and VCS infrastructure organisations will need to consider alternative mechanisms of engagement for these small organisations, probably through outreach work with the help of the VCS. This is particularly true for BAME networks and groups. ROTA consulted with these groups through MiNet and concluded that outreach work is needed.

- Despite approaches to various government departments, the Transition Team and regional strategic authorities, we were unable to raise financial contributions from them for this project. Therefore, all costs were met from the partner's own limited resources²⁸, and although we would like to do further work in this area, we are unable to continue self-financing it. Such consultations offer a wonderful opportunity for CEHR to engage with the VCS, at least indirectly, and we would therefore recommend providing resources to expand this initiative within London and to other regions.

3. What are the key policy issues and challenges the CEHR will face in setting up an effective presence in London?

Findings that are not London specific:

3.1. *Identify effective mechanisms for engaging the VCS particularly frontline organisations*

One challenge for the Commission will be the engagement and consultation with the VCS, particularly grassroots and frontline organisations. Two reasons were given: there are no completely representational structures in terms of engagement; second, there is little awareness about each others' work.

3.2. *Reaching the most excluded*

Another key challenge was thought to be the Commission's ability to influence the lives of hard-to-reach groups. The VCS's role in representing marginalised groups is not properly acknowledged. Many individuals particularly those belonging to minority groups are not properly listened to. It was noted that: "Not everyone belongs to an organisation. The most disadvantaged are often the least engaged. How can they be represented? How can they be re-engaged? If the CEHR can get its governance right, people will engage with it".

3.3. *Establishing a two-way dialogue with communities*

Linked to the above was the CEHR's ability to establish an open, two-way dialogue with the communities it aims to serve. Currently, grassroots communities lack the awareness, resources and the time needed to establish

²⁸ For more information contact Race on the Agenda, theo@rota.org.uk.

such a relationship while it is questionable whether the Commission will have the staff to represent all community interests.

3.4. *Being a champion of race and faith*

Some representatives from BAME organisations were concerned with the CEHR's ability to champion race and faith equality. The merging of the CRE in combination with the fact that there have not been any statutory provisions to set up a race committee are some of the reasons for concern. For instance, one respondent said: "We are very concerned that there is no statutory basis with the CRE going and we will no longer have statutory basis – there is statutory basis for disability and that is great – there is no equivalent for faith or race and the CEHR has been set up on an unequal footing right from the very beginning ... The Race Equality Reference group has demanded a statutory race committee and if they don't get it they will pull out altogether".

3.5. *Promote a positive image of 'human rights', the Human Rights Act and equalities*

'Human rights' is widely misunderstood, while there is a great level of hostility towards human rights legislation. Human rights do not resonate with individuals who tend to associate them with extreme cases of torture and inhumane treatment, 'luxury entitlements' used by celebrities and even convicted criminals who want to avoid punishment or claim compensation for trivial reasons. Few people immediately associate human rights with their everyday encounters with public services. This creates a challenge for the Commission as it has been tasked to promote an accurate image of human rights and equality. One participant said: "Human rights principles and legislation underpins a lot of the work that we do in the VCS. Human rights is often devalued and ridiculed in the public domain and particularly in the media. How can the new Commission use the Human Rights Act to promote a human rights culture?"

3.6. *Representing all equality strands and human rights*

A serious concern was the CEHR's ability to effectively represent all equality strands and human rights. This was expressed in various ways:

- A key challenge was thought to be the balancing of conflicting interests within equality strands. One delegate said: "It is interesting to see the different equality strands here and the gaps in protection; but there is too much fighting for our own particular strand. What we want is a strong body to protect all the strands, even the strands that are not yet at the table, and this is the opportunity to influence this".
- It was questioned how the Commission will deal with conflicting views within equality strands. One participant said: "Another problematic area is the interrelation between faith and homophobia ... How will the CEHR interpret its role in relation to the contradictory claims made between people of faith and the LGBT community?"
- Another challenge was the recruitment of the necessary expertise to deal with the particular issues facing each equality strand and human

rights. Respondents did not feel that the CEHR has considered using the expertise that is available from the VCS. One respondent said: “The CEHR is a single equality body; there is multiple discrimination in the country but there doesn’t seem to be any mention of specialists ... What I would like to see is that if someone accesses information, their enquiry is forwarded to a specialist so that they can get a comprehensive answer”.

- The prioritisation of resources was also discussed. There were fears that because of the merging of the existing Commissions, some equality strands might be weakened.
- Finally, a challenge was thought to be the setting up of effective mechanisms that will enable the Commission to work across strands on issues such as multiple discrimination, hate crime and community cohesion. Participants did not feel that the Commission is properly prepared to deal with the multidimensional nature of equalities and human rights. The need for a single equality Act and the significance of the Discrimination Law Review were discussed. For example, someone said: “It will be important that groups engage with the Discrimination Law Review and input into the consultation when it is produced in February. The Equalities Review also needs much greater involvement from grassroots organisations”. Someone else said: “We need to have laws to support all human beings in this country to live lives of dignity and respect and enable us to live up to our potential”.

3.7. *Ending violations of human rights in public services*

Participants noted that violations of human rights are still an every day phenomenon in public services: the police, health services, social care, children services, transport etc. To build a human rights culture, the CEHR will need to address the issue of direct breaches of human rights by ensuring better law enforcement and regulation.

3.8. *Protecting and promoting the Human Rights Act*

Respondents thought that the protection and promotion of the Human Rights Act will prove a serious challenge for the CEHR. The misleading coverage it has received by the media and some political figures has created public confusion about its usage. Public servants seem to lack awareness of its clauses while some groups want to repeal it. Some participants noted that certain policies and procedures are in conflict with the Act and it will be the responsibility of the new Commission to identify these inconsistencies and help to address them.

Findings that are London specific:

3.9. *Acknowledging London’s diversity*

There was a serious concern among participants that the Commission will fail to acknowledge London’s distinct demographics and diversity. A key challenge for the Commissioners will be the understanding of London specific

issues particularly in relation to integration, diversity, community cohesion, poverty and inequality.

3.10. Working with London's BAME communities

One participant expressed concerns about the “political philosophy” of the CEHR as it was not seen to be beneficial for BAME communities, race and faith equality. The participant said: “The focus is on integration and cohesion and that is not the focus that black communities currently want to see. Trevor Philips said at the last reference group that he wasn't so interested in enforcement but in cultural change. We are very concerned about what that means and very concerned about enforcement – not least because you can't get legal aid for employment tribunals it will be much more difficult to access legal aid ... For black communities it is critical that we pay attention to structural and economic disadvantage and it doesn't look as though the CEHR is going to do that ... None of the concerns raised by black communities have been listened to so far. I am very concerned that this is not going to work; it is not going to engage with black communities”.

3.11. Working with neighbourhoods and local community groups

A key challenge will be the establishment of a rapport with small community groups working at the neighbourhood level in London. There were fears that the CEHR's national remit will not encourage engagement at the local level and that organisations working with small community groups will not properly be supported or listened to. This was thought to be a critical point, as London is a city of extremes with certain neighbourhoods being the richest places in the country and others representing the most deprived. The realities of each geographical area is better represented and understood by local groups who have experience of these issues. The future of Race Equality Councils was discussed with some participants expressing serious concerns about their funding as they were not clear how this will be carried out after the merging of the CRE. For instance, someone said: “Devolution of the Race Equality Councils (RECs) can increase prejudice; racism can become more enshrined at the local level e.g. Barking and Dagenham”²⁹.

3.12. Establishing a healthy relationship with existing regional structures

Participants were sceptical about the CEHR's developing relationship with some key strategic decision makers in London. The Greater London Authority and London Councils were given as examples. It will be a challenge for the Commission to integrate current thinking and policy making and help influence the areas where more work needs to be done. One respondent said: “How will the CEHR interact with the Mayor? The existence of the GLA means that London has different governance structure than the rest of the country and the CEHR will need to think how it best interacts with that”.

²⁹ ROTA with GoL and Metropolitan University have produced an evidence based report on REC future models, for further details contact ROTA, Dinah@rota.org.uk

3.13. Building on the work carried out by the London Regional Consortium of ChangeUp

A number of participants thought that the ChangeUp London Regional Consortium and its sub-groups have carried out some important work on the VCS' needs in the field of equality and human rights, community cohesion, neighbourhoods and integration. A key challenge for the CEHR will be to establish a relationship with the Consortium's sub-groups, making sure that their expertise and work is used.

3.14. Striking the right balance between London and other regions

Respondents thought that although there needs to be awareness about London's distinct demographics and the challenges they add, the CEHR will need to be careful with the distribution of its resources and use of staff, making sure that other regions' needs are equally considered. Some respondents stressed that the VCS in other regions is not as active as it is in London and this might add an extra challenge for the Commission.

3.15. Linking local, regional, national and international issues

As a strategic national body, the Commission will be expected to link issues taking place at all levels: local, regional, national and international. To this end, the Commission will need to acquire expertise that might not be currently available through the existing Commissions.

4. How could London's VCS best support the establishment and ongoing work of the CEHR in the region?

Findings that are not London specific:

4.1. Secondments between the VCS and the CEHR

Respondents felt that secondments should be encouraged between the VCS and the CEHR to benefit directly from the expertise that exists in the sector. This would also give the opportunity to people working in the sector to work closely with the Commission and acquire additional skills.

4.2. Provide training and expert advice to the CEHR

Participants thought that the CEHR could benefit from some training by the VCS. These could be on issues relating to the VCS and the way it works with the communities it aims to represent. It could also be on specific issues affecting local communities and minority groups.

4.3. The VCS: working in partnership

Participants acknowledged that the sector needs to better coordinate itself especially on human rights and equality related issues. However, coordination

should not mean losing the diversity of views. One respondent said: “self-organise, working together across all strands, speaking with one voice while being able to identify specific issues”. Infrastructure bodies could better link frontline organisations, provide networks and a good communication strategy to benefit from each others’ work. Some talked about the need for more engagement between the first and second-tier organisations as well as between second tier organisations frontline groups and the CEHR. One respondent said: “Umbrella groups need to make this work a priority even if there is no funding. They need to take a proactive approach to the CEHR”.

4.4. *Provide education and information to the public*

The VCS could help in raising public awareness in relation to human rights issues, equalities, diversity and integration. Infrastructure VCS organisations work with regional and sub-regional networks with either specialised groups (e.g. BAME, refugee, elders) or generic organisations. They are aware of the knowledge gaps they face and where information is most needed. Special reference was made to young people and human rights education.

4.5. *Enable participation at the grassroots level*

Respondents suggested that the VCS can provide the voice that will give credibility to the CEHR and help its staff reach small community groups at all levels. VCS infrastructure bodies can enable participation of frontline organisations. Some respondents noted that the long established relationship and access that VCS infrastructure bodies have to grassroots groups will allow for the values and principles of human rights to cascade to those who need them. It will also ensure that communities have access to the knowledge of the CEHR, enabling them to effectively represent themselves. Finally, the VCS could bring real life experiences of discrimination to the CEHR and highlight where legislation has not worked or has not delivered. Case studies would be extremely beneficial in this regard particularly in identifying legislation/ policy gaps and practical recommendations to address them.

Findings that are London specific:

4.6. *A London VCS advisory group to the CEHR*

The VCS of London could form an advisory group to better coordinate with the Commission making sure that it receives the support and the expertise it needs from the sector. This could take different forms: committee, board, task force, network or forum. Its functions could be strategic and delivery focused. For example, someone said: “We need an advisory panel that represents the VCS to the CEHR. We all can’t go to the CEHR and respond. Best structure would be an advisory group or panel who could lead on consultations and represent the sector in London”. Someone else added: “A truly representative advisory group which goes down to the grassroots would be ideal. Such an advisory group should produce regular reports and publicise issues and points to be addressed”.

5. What does the CEHR need to do to make this happen?

Findings that are not London specific:

5.1. *Provide funding and resources to the VCS*

The identification of a dedicated budget was thought to be appropriate. Reference was made to providing support for second-tier bodies especially those providing academic and research support. Fears were expressed that the CEHR will not have the funds to support VCS organisations working in all strands and human rights and that prioritising will compromise collaboration and may create unhealthy competition and conflict. One respondent said: “A substantial number of VCS organisations have no funding and no resources to even carry out research or identify issues ... How can they bring themselves up to speed to engage with the CEHR?”

5.2. *Proper and extensive consultation*

Equally important was the establishment of effective ways of engaging and talking with the VCS particularly through adequate consultations. The way most consultations are currently carried out was not thought to be appropriate. The CEHR could benefit from a two-way consultation/ communication that bears into account the limitations and challenges faced by the sector. For instance, someone said: “At the moment, there needs to be more consultation with frontline organisations but there are insufficient funds to do this. The VCS needs to build a relationship with the CEHR through face-to-face engagement ... There could be a specific post in the CEHR whose responsibility could be to engage with the VCS in London”. Someone else added: “There was very little chance to affect the original set up of the CEHR. This was disheartening and may limit involvement in the future”.

5.3. *Support enforcement and implementation of relevant law*

It was considered crucial that the CEHR supports the enforcement of human rights and equality legislation by providing legal advice in leading cases, conducting research and influencing policy. The CEHR should provide the teeth, or the clout, to ensure enforcement. The work of local authorities was specifically mentioned as an area where the CEHR could influence/ audit/ monitor. Respondents also suggested that the CEHR challenges the issue of confidentiality of human rights and equality cases that never go to trial.

5.4. *Work in a transparent, principled and strategic way*

The Commission will need to become a model of an independent, transparent and fair authority that is detached from politics and personal interests. One respondent said: “I am concerned that the CEHR might become embroiled in or have to pander to political wheeling and dealing”. So far, the media have spread fears that some decisions have been taken as part of a political balancing game. Accountability is therefore important as the Commission will need to show that it is fair, objective and independent.

5.5. Provide information about its role, powers and responsibilities

Respondents thought that the organisations they represent could benefit from some further awareness raising about the Commission and how it will affect their work. They suggested that the best way to achieve this would be through outreach work, short courses and training. These should be provided free of charge and preferably by someone from the Commission. Information material was also thought to be useful but only in combination with face-to-face training.

5.6. Develop a media strategy

Participants thought that the media is significant in the way human rights, human rights legislation and equalities are conceived. Therefore, a powerful and proactive media strategy was thought to be imperative. Some participants suggested that the CEHR establishes a well-resourced press department. Some implied that the CEHR might also have to fight misleading media coverage about its own work. “The human rights agenda has been laughed at by the national media, which may mean the CEHR is not taken seriously”.

5.7. Support human rights and equality legislation through schools

Apart from a general human rights education strategy, respondents said that they would expect the Commission to encourage human rights education through schools both as a cognitive process (e.g. through the curriculum – citizenship was mentioned as an example) and as a skills-based approach. Various case studies were cited from the VCS; participants thought that these could be used as models or simply for learning. It was also suggested that the Commission visits international projects such the BORIS in Northern Ireland and the UN 3Rs. Human rights education was also thought to encourage community cohesion.

Findings that are London specific:

5.8. Provide support to existing regional governance structures

The ChangeUp Regional Consortium, the Greater London Authority and the State of London report steering group were some examples that were mentioned as existing structures that the CEHR will need to support and work with.

5.9. Establish local offices and ensure strong local presence

London covers a considerable geographical area. This needs to be considered while setting up the regional offices, making sure that CEHR services are accessible. The needs of disabled and older people were particularly mentioned.

6. What do you think would be the most effective ways of approaching inequalities in London given its special characteristics and demographics?

6.1. *Keep abreast of changing demographics and shifts in equality issues*

Statistics show that London's demographics are dynamic. The challenges faced by newer communities constitute one example. Some respondents also talked about certain groups not being captured by official statistics such as those suffering from bulimia. The CEHR's role will be to support and protect everyone's rights, particularly those who cannot speak for themselves. Therefore, it should not rely solely on official statistical information.

6.2. *Identify and prioritise cross-cutting inequality issues*

Some thought that the CEHR's work would benefit by strategically identifying cross-cutting inequality issues affecting all Londoners. Some examples were given: access to services, employment, housing and transport. Some respondents spoke about BAME inequalities.

6.3. *Work together across sectors and equality strands*

It was proposed that the Commission identifies strategies that will allow some work to be carried out across equality strands and sectors. Some respondents identified a need to work on inter-sectoral issues giving the example of older BAME people and debt.

6.4. *Work with infrastructure VCS organisations*

Respondents suggested that the Commission's work in London could be facilitated by working closely with infrastructure organisations from the VCS. In the capital, second-tier bodies working in the areas of human rights and inequalities have carried out a significant amount of work on which the Commission could build. However, there needs to be better coordination and leadership to avoid overlaps and replication.

6.5. *Work with the auditors, commissioners and regulators*

The Commission should build on the work already carried out by the auditors, commissioners and regulators of public services namely: the Audit Commission, the Healthcare Commission, the Commission for Social Care Inspection and OfSTED. The equality frameworks developed by these bodies and the self assessment toolkits they have disseminated to public services should be used.

7. Are you aware of the relevance of human rights principles and legislation to your work, and how do you think the CEHR could support the VCS to develop a better understanding?

The general message was that people working in the VCS, whether in first-tier, second-tier or umbrella organisations, lack awareness about:

- The CEHR and how it will affect their work.
- Individuals' entitlements under human rights and equality legislation.
- How to work with others to increase their human rights awareness.
- How to claim their rights as individuals e.g. bring a case to court.

One participant said: "Every public body has to respect human rights in everything that it does. We need to understand the law in order to use it". Some were particularly concerned with not having adequate knowledge about human rights and equality legislation and policies affecting the lives of refugees and asylum seekers; they were not sure how the CEHR's work will influence this area.

The following recommendations were posited as to how the CEHR could increase awareness in the sector:

7.1. *Provide accessible, user-friendly information*

Respondents said that the CEHR should make information on human rights, equality, diversity and related legislation user friendly and in plain English. Accessibility seemed to be an important concern for all groups, particularly those from BAME communities and people whose first language is not English.

7.2. *Develop an interactive and user friendly website*

Through an interactive website information and legal advice could be provided on human rights and inequalities. Collaboration and communication could also be facilitated through this website which could provide a directory of infrastructure VCS bodies providing support to frontline organisations.

7.3. *Develop an outreach programme for frontline organisations*

Participants from frontline organisations stressed that due to lack of resources they engage in activities that do not directly involve their target groups. The CEHR should consider these limitations and develop an outreach programme in collaboration with VCS organisations. Written material could be produced to accompany face-to-face training.

7.4. *Work with infrastructure VCS bodies*

Infrastructure bodies in London working in the fields of human rights and inequalities could help the CEHR develop a delivery plan to increase awareness within the sector and beyond. Through their databases and membership list, their communication strategies and channels, London's VCS infrastructure organisations could facilitate the Commission's role in this area. For example, someone said: "The VCS could help as it has networks, training groups, advice and support groups and knows what people find useful".

7.5. Provide training

This could be both on human rights/ inequalities as well as on the legal obligations imposed by human rights and antidiscrimination legislation.

7.6. Respond to legal obligations

Some respondents said that although they may have some awareness about human rights, the implementation of human rights and equality legislation to their work might prove difficult due to lack of resources. The CEHR could allocate a specific budget for supporting small organisations.

8. What are the most effective ways that the CEHR can ensure that individuals/ employers get the advice and support they need on discrimination issues?

8.1. Set up helplines

Helplines could be set up covering all fields of discrimination. Accessibility was brought up as an issue with some participants suggesting a 24 hour service that is confidential and impartial. The DRC helpline, the Refugee helpline and the BAME/ Age helpline were mentioned as good examples.

8.2. Advice Centres

Participants thought that the use of existing advice centres and the setting up of new ones could help deliver this objective. In particular:

- The CEHR should link with existing advice centres, creating a directory and a referral strategy that is aware of vulnerable groups' needs. Services such as Citizens Advice Bureaux, legal aid centres and the Community Legal Service framework were mentioned as examples.
- For specialised advice that is not currently provided by existing centres, the CEHR will need to introduce mechanisms that will make it available and accessible to everyone. Reference was made to the needs of disabled people and the language barriers that some minority groups face.

8.3. Going online: website, online forum and email services

The setting up of a dedicated website was mentioned by a number of respondents. Participants thought that this could be complemented with an email service and an online forum. Information should also be made available in other formats e.g. Braille, CDs etc and translated into different languages.

8.4. Provide training to employers/ employees

This could take the following forms:

- Face-to-face either through existing infrastructure organisations or the CEHR's staff.
- Online interactive training.

- TV/ radio programmes.

8.5. *Develop national and regional strategies to engage employers*

Respondents thought that the CEHR will have to set up national and regional strategies to reach all employers, otherwise they would simply “preach to the converted”. The strategies will need to be proactive and include campaigns at the local level. The significance of outreach work to deliver these strategies was highlighted by frontline organisations. Finally, the Commission’s strategies will need to consider the region’s distinct demographics. For example, they should expect an increased demand on LGBT, race and faith related issues. This might mean that the CEHR will have to recruit expert staff, particularly since faith and sexual orientation are new equality strands.

8.6. *Link with existing VCS and other regional services*

Participants talked about existing services that are being provided in this field both by VCS organisations and other regional bodies. Reference was made to trade unions and ACAS³⁰. For example someone said: “The CEHR should have many of the same features as ACAS to provide information to employers through phone helplines and online courses”. Someone else said: “The CEHR could work through VCS projects such as the LVSC-PEACe project on employment, ensuring that information reaches all VCS employers”.

8.7. *Advertise as widely as possible*

Participants thought that it will be crucial for the CEHR to inform the public, employees and employers about its advisory role in employment and inequality issues. Advertising should take place not only through conventional routes, but also in places where users visit regularly. For example someone said: “The CEHR should advertise in solicitors’ offices, in places where people might be discriminated against and in organisations with expertise on employment law. It should advertise in GP offices, hospitals, mosques, synagogues and gay clubs”.

³⁰ Acas (Advisory, Conciliation and Arbitration Service) aims to improve organisations and working life through better employment relations. It is publicly funded and was set up in 1975.

REFLECTING ON THE FINDINGS

1. CEHR engagement with the Voluntary and Community Sector

Throughout the consultation event, those attending repeatedly emphasised the need for the CEHR to engage with the VCS in ways it has not done so far. The VCS's depth and breadth of experience of working on inequality issues in London will be of immense value to the CEHR. It will help the CEHR to identify not only key issues facing the diverse communities of London, especially traditionally excluded groups, but also good practice to address these. Moreover, constructive engagement will allow the CEHR to reach people it could otherwise fail to impact. It would provide opportunities to both encourage the development of understanding of the relevance of equalities and human rights to different people's lives, and to ensure that the CEHR's priorities are responsive to experiences 'on the ground'.

The time for this is ripe. Although many participants in this consultation were keen to engage, concerns were expressed that the CEHR's structure and/or ethos may dilute or undermine existing achievements and work on equality. Losing VCS support risks condemning the CEHR to failure even before it opens its doors. The VCS is the key to delivering on the ambitious aims of the CEHR. ***We recommend that the Transition Team and the new CEHR identify and implement a variety of mechanisms to engage the VCS meaningfully as soon as possible, perhaps starting with further consultation events such as this. These might include setting up a VCS advisory body for CEHR, and working with existing initiatives (ChangeUp was mentioned for example), London governance structures (Government Office for London for instance) and/or other Commissions that already engage with the VCS (the Audit Commission, the Commission for Social Care Inspection, the Healthcare Commission and OfSted were mentioned), as well as the option of creating a VCS liaison officer post within CEHR,***

2. Greater collaboration within London's Voluntary and Community Sector

The VCS is not a united body. Within London alone, there are over 60,000 VCS organisations, reflecting the diversity of people and needs across the capital. This necessary diversity of organisations offers a big challenge to those who wish to engage with the sector, particularly as no network or umbrella body can claim to be fully representative of all VCS organisations, let alone all the communities, groups and individuals they support. ***We recommend that all London-based VCS networks and umbrella bodies identify together (a) ways of engaging collectively with the CEHR, (b) common equality and human rights issues around which they can unite, and (c) means of reflecting the experiences and perspectives of the communities, groups and individuals whom they support.***

3. Awareness of the work of the VCS and its relevance to the CEHR

Through the consultation exercise, it became clear that both the VCS and CEHR suffer from lack of knowledge about what each other does, and what they can offer each other. Some VCS organisations are also aware of their low level of understanding of relevant equality and human rights legislation, and of the relevance of human rights generally to their work. **We recommend that the CEHR supports the development of a variety of ways to increase VCS and CEHR knowledge and awareness of each other, and of equalities and human rights e.g. through training, workshops, secondments, helplines, toolkits etc.**

4. Addressing concerns and conflicts

There are still some serious concerns about the CEHR's ability to be a champion for all equality strands and human rights. This was expressed in various ways:

- Concerns about resources: It is still not clear how the CEHR will distribute funds and resources. **We recommend that the CEHR addresses this concern by consulting with key stakeholders, including the VCS, on this issue and developing a clear and transparent process based on this consultation which takes into account the concerns and needs of all the strands, and of human rights as a cross-cutting issue.**
- A champion of race and faith equality: Fears were expressed by some BAME and faith VCS organisations that the work of these strands will have less prominence and support than other strands. These fears are mainly due to the merging of the CRE with the Commission, the lack of a statutory duty to set up a race committee and the uncertainty over the Race Equality Councils' future. **We recommend that the CEHR consults with these communities in particular to explore their concerns and try to address them before October 2007.**
- Conflicting interests within as well as between equality strands: Participants in the consultation event acknowledged the existence of different perspectives, philosophies and interests not only between, but also within, equality strands. **We recommend that the CEHR learns about, and from, these conflicts and moves to mitigate them through developing inclusive cross-cutting strategies.**

5. Raising Public Awareness

The importance of raising public awareness of the relevance and importance of equalities and human rights was mentioned in many different ways throughout the consultation. Key ways of doing this included ensuring that the school curriculum incorporated human rights and equalities, that strategies were put in place that encouraged positive, rather than negative, media coverage of human rights and equalities-related stories. **We recommend that raising public awareness about the relevance and importance of equality and human rights to everyone is made a priority in the new CEHR.**

6. Managing expectations

Given the range of its mandate, but the limited budget with which it has to work, the CEHR will need to both manage expectations and deliver results that prove its worth from an early stage. It will need to be strategic in what it takes forward and transparent in how such decisions are made, at local, regional, national and international levels. ***We recommend balancing the requirements of different strands in different regions possibly by using a human rights framework to underpin CEHR's equality work, and by developing clear and strategic criteria for resource-allocation between strands and between regions.***

7. Further consultation

This project could serve as a model for further consultations in other regions. The project was run by a partnership that comprised organisations from the VCS working either in the equality and human rights fields or providing infrastructure and policy support to other second-tier and frontline organisations. Failing to raise funds for this project, the consultation was run on a small budget; therefore its success was mainly due to the great interest that exists in the sector about the CEHR's work. We concluded that there is considerable need for further information and consultation. ***We recommend that the CEHR supports further consultation such as this to provide an opportunity to hear the voices of the VCS in other regions.***

ACKNOWLEDGEMENTS

This report was written in collaboration with:

Alexia Coke, British Institute of Human Rights (BIHR)
Tim Brogden, London Voluntary Service Council (LVSC)
Alison Blackwood, London Voluntary Service Council (LVSC)
Ceri Goddard, British Institute of Human Rights (BIHR)
Dinah Cox, Race on the Agenda (ROTA)
Lorraine Dongo, London Civic Forum (LCF).

Much gratitude and many thanks for their contributions throughout the project go to: Rachel Carter (LVSC), Lucy Matthews (BIHR), Rafiu Williams (MiNet), Katie Ghose (BIHR), Elizabeth Balgobin (LVSC), Kate Monkhouse (LCF) and Eira Kedward (EDF).

I am particularly thankful to Prof. Francesca Klug (LSE) for her continuous support and advice.

I am grateful to all the respondents who gave thoughtful answers to our questionnaire as well as to the speakers, workshop facilitators and note takers.

APPENDIX I: THE PARTNERS

ROTA is a social policy think tank devoted to issues that affect Black, Asian and minority ethnic (BAME) communities in London. We are committed to working towards achieving social justice and the elimination of discrimination and promoting diversity, human rights, equality of opportunity and best practice. We achieve these aims by informing London's strategic decision-makers about issues affecting the BAME voluntary sector and the communities it serves and by making government policy more accessible to London's BAME organisations. ROTA is also the home of MiNet (Minority Network), a government funded network for networks. MiNet serves London's BAME organisations by providing a voice in the development of regional policy. (www.rota.org.uk)

LVSC brings London voluntary and community sector organisations together to learn and share best practice and to create a co-ordinated voice to influence policy makers. We provide up-to-date information on management and funding, advice and support for voluntary and community groups, a library and information service, practical publications and short courses for those working in the sector. LVSC also hosts and services networks including Third Sector Alliance, Voluntary Sector Forum, CVS Network, Second Tier Advisors Network and CASCADE (www.lvsc.org.uk)

BIHR is an NGO that is committed to challenging inequality, injustice and disadvantage in everyday life by supporting the use of human rights principles in UK policy and practice. We want a society that has become stronger because all human beings are equally valued, can participate fully and are treated with fairness, dignity and respect. We take forward this vision by raising awareness of the value and relevance of human rights standards in tackling inequality and social exclusion, making these standards meaningful by providing practical supports to both the voluntary and community sector (working across and beyond the 6 strands that will be covered by the CEHR) in developing and applying human rights based approaches in their work and lobbying for policy change. Our core activities include: training and other development supports – including information resources, pilot and demonstration projects, research and policy advice, influencing, lobbying and campaigns. (www.bih.org.uk)

LCF engages the capital's civil society in the regional governance of London through democratic debate and effective consultation. Through cross-sectoral working groups set up to look at specific policy issues, the Civic Forum informs the Greater London Authority, the London Assembly, and other pan-London organisations, about the issues that affect the lives and opportunities of those who live and work in London. This is led through our projects which include London 2012 (Olympic and Paralympic Games), Promoting Community Cohesion, Combating Discrimination and Prompting Equality, Community Safety and Policing, Active Learning For Active Citizenship and How London Works. We have a membership which has over 1300 organisations in our network drawing on a cross section of organisations from the voluntary and community, private and public sectors which include specialist equalities organisations covering the various equality strands. (www.londoncivicforum.org.uk/)

SUPPORTERS:

Equality and Diversity Forum (EDF) <http://www.edf.org.uk/>

National Council for Voluntary Organisations NCVO (<http://www.ncvo-vol.org.uk/>)

ChangeUp LRC Equalities and Human Rights Sub-group www.changeup.org.uk

APPENDIX II: THE CONSULTATION PARTICIPANTS

1. 1990 Trust (x2)
2. Age Concern Enterprises
3. Age Concern London (x2)
4. Age Concern Waltham Forest
5. Barnet Voluntary Service Council
6. bassac
7. Battersea Arts Centre
8. Black Londoners Forum
9. BNRRN (x2)
10. Breast Cancer Care
11. British Institute of Human Rights (x4)
12. Carers UK
13. CEHR Commissioner
14. CEHR consultant
15. Changing Lives Project
16. Church of Scientology (x3)
17. Citizens Advice London Region
18. Citizens Commission on Human Rights
19. Citizenship Foundation
20. Community Matters
21. Community Media Association
22. Consortium of LGBT VCOs (x2)
23. Croydon and Sutton Law Centre
24. Croydon Council - Reintegration Pilot
25. Department for Communities and Local Government
26. Department for Constitutional Affairs (x2)
27. Disability Law Service
28. Disabled Living Foundation
29. Eaves Housing for Women
30. Education Action International (x2)
31. Equality and Diversity Forum (x2)
32. FaithAction
33. Faithworks
34. Family Welfare Association
35. Felix Solutions
36. Follini Fundraising
37. Friends of Grenada Hospitals Association
38. Government Office for London (x2)
39. Greater London Authority (x3)
40. Hackney Council
41. Hammersmith and Fulham BME Network (x2)
42. Havering CAB
43. Hayes Citizens Advice Bureau
44. Homelesslink
45. Institute for Global Ethics UK Trust
46. Kairos in Soho (x2)
47. Lesbian and Gay Christian Movement
48. Libraries for Life for Londoners
49. London Borough of Camden
50. London Civic Forum (x9)
51. London Civic Forum Council member
52. London Refugee Voice
53. London Voluntary Service Council (x8)
54. Mental Health Media
55. Middlesex University
56. Mind
57. MiNet

58. MLA London
59. National AIDS Trust
60. National Mencap
61. National Secular Society
62. NHS and MIND
63. People First (x2)
64. Polari
65. Positively Women
66. PPRE / NKM
67. Q:alliance (x 2)
68. Race on the Agenda (x3)
69. Refugee Council
70. Rich Learning Opportunities
71. Schools Out
72. Scope
73. South West London and St George's NHS Trust
74. Stonewall Housing (x2)
75. The Creative Collective
76. The Daycare Trust
77. Third Sector Alliance
78. Thursday's Child
79. Timebank
80. Transcend (x2)
81. Treasury Solicitor
82. Union Dance
83. Voluntary Action Camden
84. Voluntary Action Westminster
85. Volunteer Centre Islington
86. Warner Consultants
87. West Indian Standing Conference
88. Westminster BME Network
89. Westminster City Council
90. Westminster Senior Citizen's Forum
91. Women In London
92. Women's Resource Centre
93. WWF
94. Individuals/ independent consultants (x12)

BIBLIOGRAPHY

- Age Concern (2004) *Public Involvement and the Commission for Equality and Human Rights*
- Audit Commission (2002) *Equality and Diversity: learning from audit, inspection and research* AC: London
- Audit Commission (2003) *Human Rights: Improving Public Service Delivery*, London
- Council of Europe (2005) *Report by Mr. Alvaro Gil-Robles, Commissioner for Human Rights on his visit to the United Kingdom 4th-12th November 2004*, Council of Europe: Strasbourg
- DTI (2004) *Fairness for all: A new commission for equality and human rights*.
- DTI (2004) *Fairness for all: The government's response to consultation*
- House of Lords debate on the Human Rights Bill, 24 November 1997.
- Race on the Agenda (2006) *The Commission for Equality and Human Rights*, Policy Briefing 16.
- Greater London Authority (2006) *Equality in our lifetime*, London: GLA
- Joint Committee of Human Rights (2002-3) *The Case for a Human Rights Commission*, 6th Report, session 2002-03 HL Paper 67-I HC, Vol pp 11-12
- Lakey R, J Modood, T., Berthoud, Nazroo, J., Smith, P., Virdee, P. and Beishon, S (1997) *Ethnic Minorities in Britain: diversity and disadvantage, The Fourth National Survey of Ethnic Minorities* PSI: London.
- Lord Falconer (2004) "Using Human Rights in the Voluntary Sector" *Speech at the Institute of Public Policy Research*, London
- Macpherson, Sir William (1999) *The Stephen Lawrence inquiry*, presented to Parliament by the Secretary of state for the Home Department by Command of her Majesty.
- Standing, J (2005) *LGBT Infrastructure Development Project Phase I* December 2005 to June 2006 Paper I – Background, Kairos in Soho.
- Standing, J (2006), *Phase I Lesbian, Gay, Bisexual and Transgender Infrastructure Development Project*, Final Report, Kairos in Soho.
- Straw, Jack (1999) *Building a Human Rights Culture*, Address to Civil Service College Seminar, London
- The 1990 Trust (2004) *Delivering Equality and Human Rights for Black and Minority Ethnic Communities*, London: The 1990 Trust.