

## SUBMISSION FROM COALITION FOR RACIAL EQUALITY AND RIGHTS

As you are aware, we gave written and oral evidence on the previous draft regulations, and are pleased that the Government seems to have listened and has now come back with the revised draft.

Whilst we would have preferred to see a greater emphasis on change/action and on enforcement, many of the concerns we expressed on the previous proposals seem to have been addressed, and as we understand that further amendments to the draft are not possible, we are happy for the EOC to endorse the regulations as they currently stand.

We said a year ago that the test of any revised specific duties must be whether they achieve better overall outcomes than the requirements of the (then) existing duties. This is still our position, and we welcome the Government's commitment (as given in their last consultation paper) to 'monitoring how the regulations work in practice' and to 'amend the regulations if particular elements are not having the intended effect'.

We would ask the EOC to seek clarification from the Government on how they intend to conduct this review, what the timeframes for it are, what role equality groups will have in it, etc. It may be beneficial if the review group started its work as soon as possible, so that benchmark data can be collated in 2012, rather than wait a few years and then not know if things changed or not, and whether any change was due to abiding by the duties or other factors.

It would also be useful if we all had an agreed common understanding on what the 'intended effects' are.

For example, from our point of view, one of the key intended effects must be to achieve (over an agreed timeframe) a reasonably representative workforce across the public sector across all protected characteristics. The duties as currently framed require public bodies to gather information on their workforce and to 'use this information to better perform the equality duty. It is unclear if this is sufficiently robust enough to compel a public body to take any specific action to alter its workforce demographics or not.

Finally, notwithstanding the Government's review, we hope that the EOC will keep a close watch on the operation and implementation of the new regulations across Scotland's public sector, including any guidance that is to be produced by the EHRC, and we look forward to working with the committee in delivering more equal outcomes for those who experience discrimination and disadvantage in Scotland.

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