



UK Race and Europe Network

## **Review of UK and EU balance of competences: call for evidence on fundamental rights - Evidence from members of UKREN**

The UK Race and Europe Network (UKREN) is a network of 160 local and national organisations across Great Britain and Northern Ireland that work to combat race discrimination within a European context. They were consulted on the impact of the EU's fundamental rights on their work. A few organisations gave examples, which are incorporated in this submission of evidence under five questions that UKREN believes are the key areas from the longer list of questions in the Balance of Competences review itself.

### **How has the UK's Equality Act or the EU's framework of fundamental rights been advantageous (or not) to individuals and families you work with?**

UKREN's view is that the Equality Act and the EU fundamental rights sets an essential framework that NGOs can use in their race equality work. Members of UKREN commented:

Although we have the UK Equality Act 2010 and Public Sector Equality Duty but to hold the local authorities to account is difficult. Black Minority and Ethnic voluntary organisations and communities do not have the capacity to challenge institutional discrimination. Public sector organisations are no longer obliged to conduct Equality Impact Analysis therefore they do not engage effectively with marginalised or under-represented groups in their decision making processes. The Government has limited the powers of the Equality and Human Rights Commission and ordinary people left in cold to continue to suffer in silence.

20/12/2013

The Act has been a useful tool to use to remind employers about their duty. From a policy development point of view it has allowed me to bring race matters to the table.

18/12/2013

The Equality Act, Human Rights Act (and the EU Framework of Fundamental Rights) provide the legal framework that can be referred to when trying to resolve individual's and families' difficulties in access to education, employment, healthcare, housing and social benefits.

10/1/2014

### **How, if at all, have you used any judgments made by the European Court of Human Rights in your work?**

UKREN's view is that relevant judgments made by the European Court of Human Rights can be very useful in influencing a race equality issue at a local level. Members of UKREN commented:

The right for self expression and hence dress code has been useful

18/12/2013

N/A

20/12/2013

D.H. and others v. the Czech Republic, in which the ECtHR found indirect discrimination in the education of Roma children, has been pivotal in helping teachers in the UK understand the education needs of Roma children who moved to the UK with their parents.

10/1/2014

**How have you used the right to not be discriminated against because of ethnicity, race, religion or belief in your work?**

UKREN believes that non-discrimination law is essential. Members of UKREN commented:

Yes in obtaining prayer space for muslim students and staff

12/18/2013

Yes

12/20/2013

Used to highlight the legal framework in support of claims by individual's or families who have been discriminated against.

10/1/2014

**How have you used the right to equal pay and treatment in employment because of ethnicity, race, religion or belief in your work?**

UKREN believes that the right to equal pay and treatment in employment law is essential. Members of UKREN commented:

Yes, but it is enormously difficult for a migrant worker to seek equal pay and rights.

12/20/2013

Yes, an equal pay audit has been carried out and action plan created

12/18/2013

**How, if at all, have you used the research by the EU Fundamental Rights Agency ([//fra.europa.eu](http://fra.europa.eu)) in your work?**

UKREN's view is that the EU Fundamental Rights Agency provide high quality research in areas where data is often not collected or published by governments. Members of UKREN commented:

We use EU Fundamental Rights Agency research and country reports to back up our argument in our public policy advocacy work to challenge local government institutional racism and discriminatory practices as well as their lack of engagement with minority ethnic communities.

12/20/2013

I have not used this

12/18/2013

I read and publicise on my organisation's website, all FRA research and reports on Roma issues

10/1/2014

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