

RACE RELATIONS (AMENDMENT) ACT 2000

EXPLANATORY NOTES

BACKGROUND

3. When originally enacted the Race Relations Act 1976 ("the 1976 Act") made it unlawful to discriminate on racial grounds in relation to employment, training and education, the provision of goods, facilities and services, and certain other specified activities only.
4. The 1976 Act applied to race discrimination by public authorities in these areas but not all functions of public authorities were covered.
5. The 1976 Act makes employers vicariously liable for acts of race discrimination committed by their employees in the course of their employment, subject to a defence that the employer took such steps as were reasonably practicable to prevent the employee discriminating. However, police officers are office-holders, not employees. Chief officers of police were, therefore, not vicariously liable under the 1976 Act for acts of race discrimination by police officers.
6. The Commission for Racial Equality (CRE) in its Third Review of the 1976 Act proposed that the Act should be extended to all public services and that vicarious liability should be extended to the police.
7. The Report of the Inquiry into the death of Stephen Lawrence recommended, among other things, *"that the full force of the Race Relations legislation should apply to all police officers, and that Chief Officers of Police should be made vicariously liable for the acts and omissions of their officers relevant to that legislation."*