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17th June 2011

Rt Hon Theresa May MP

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Via email to: privateoffice.external@homeoffice.gsi.gov.uk

Copied to: Lynne Featherstone MP: privateoffice.external@homeoffice.gsi.gov.uk;
Edward Timpson MP: timpson@parliament.uk; and Nick Hurd MP:
psnickhurd@cabinet-office.x.gsi.gov.uk

Dear Secretary of State,

Equality legislation is currently under the spotlight on the Red Tape Challenge website. We are writing to you as voluntary and community organisations that support communities, including those covered by the protected characteristics, to express our strong concerns about the inclusion of the Equality Act in the red tape exercise, the questions posed and the nature of the consultation.

Unlike other areas for review on the Red Tape Challenge website, the Equality Act is not a regulation but a piece of primary legislation which aims to support the rights and improve the life outcomes of all individuals, with a focus on the nine protected characteristics. The Act has been subject to intense scrutiny during the three years it passed through Parliament and broadly gained cross party support.

The Equality Act simplifies pre-existing legislation and brings nine major pieces of legislation and around 100 statutory instruments into a single Act. Given the amount of time, including extensive consultation spent on it and the very short time for which it has been implemented it seems extraordinary that it is being reviewed. It is also unclear how or whether the Red Tape Challenge consultation will be linked to the public sector Equality Duty: reducing bureaucracy policy review paper consultation, which closed on 21 April 2011 with the intention of bringing the specific duties into force in July 2011.

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Lynne Featherstone MP has said that 'the Equality Act is here to stay. Fairness and opportunity for all remain at the heart of government.' Yet on all areas of the Equalities section of the Red Tape website Government asks the question 'Should we scrap them altogether?' suggesting that scrapping the Equality Act is under consideration.

There is a lack of clarity on the timescales for commenting on the Equalities sections of the website which appear both as 'general regulations' and 'in the spotlight'. The FAQ suggest that decisions for 'in the spotlight' regulations will be made three months after comments have closed but that the entire process will run from April 2011 until April 2013. It is unclear whether Government will solely be relying on comments via the website to consult with the public and how they will ensure different voices are represented in this process.

The Coalition Programme for Government sets out a commitment to equality and the coalition has published the first ever pan-Government Equality Strategy. However we feel the concerns outlined above are not in line with this commitment. We would like clarity on the Red Tape Challenge consultation process and timescales. But most importantly we would like assurance that this Government remains committed to promoting equality, and that the Equality Act will not be repealed in whole or in part.

We look forward to your timely response to this important and urgent matter.

Yours sincerely,



Vandna Gohil, Director, Voice4Change England



navca

local focus national voice

Kevin Curley, Chief Executive, NAVCA

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David Tyler, Chief Executive, Community Matters



Toby Blume, Chief Executive, Urban Forum



Alison Gelder, Director, Housing Justice



Andy Gregg, Chief Executive, Charities Evaluation Services



Stephen Hammersley, Chief Executive, Community Foundation Network



Sandra Turner, Executive Director, Third Sector European Network

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Vivienne Hayes, Chief Executive, Women's Resource Centre



Susanne Rauprich, Chief Executive, The National Council for Voluntary Youth Services



Phil Jew, Head of Policy & Campaigns, AdviceUK



Dr Justin Davis Smith CBE, Chief Executive, Volunteering England



Sir Stuart Etherington, Chief Executive, NCVO



Peter Holbrook, Chief Executive, Social Enterprise Coalition

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