ANNEX B

THE CROWN DEPENDENCIES

This section contains reports on the Crown Dependencies of the Isle of Man, Jersey and Guernsey.

ISLE OF MAN

**1. Legislation**

The Race Relations Act 2004, which was referred to in the previous report, was brought into operation on 1 November 2010. This Act imposes a duty on public authorities to exercise their functions in a manner that promotes good race relations; it also make discrimination on the grounds of colour, race, nationality or ethnic or national origin in respect of the provision of goods or services (but not employment) unlawful in the Isle of Man. A copy of this Act can found on the Isle of Man Government’s legislation website at: <http://www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2004/2004-0006/RaceRelationsAct2004_2.pdf>

The previous report referred to a proposed Employment Equality Bill. This Bill was not progressed. However, it has been replaced in the Isle of Man Government’s legislative programme by a much broader Equality Bill. This Bill has been drafted and it is closely based on the United Kingdom’s Equality Act 2010. It is intended that this Bill will consolidate, strengthen and replace the Island’s existing legislation concerning discrimination and equality, including the Race Relations Act 2004. The draft Bill has been subject to public consultation and it is hoped that it will commence its passage of Tynwald (the Isle of Man’s parliament) during the first half of 2015.

The previous report also referred to a proposal to include provisions concerning the creation of new offences relating to acts which are intended to stir up hatred on the grounds of race, religion, etc in the draft Crime (Miscellaneous Provisions) Bill. This proposal did not make it into the final version of that Bill but a standalone Bill to deal with incitement to racial hatred in now included in the Isle of Man Government’s legislative programme.

**2. Other measures**

The Isle of Man Government is in the process of finalising a new “Fairness at Work” policy document which is due to be published and implemented from 1 January 2015. This document will build on existing policies for public servants concerning bullying and harassment and it makes specific reference to discrimination and harassment on the grounds of race (and other characteristics) as being unacceptable behaviour which can result in disciplinary action against the perpetrator.

**3. Data on the ethnicity and place of birth of the population of the Isle of Man**

Information obtained during the Isle of Man’s 2011 Census concerning the ethnicity and the country of birth of the resident population is set out in the tables below.

RESIDENT POPULATION BY ETHNICITY AND SEX 2011

|  |  |  |  |
| --- | --- | --- | --- |
|  | **All** | **Males** | **Females** |
| **Ethnicity** | No. | %  | No. | %  | No. | %  |
| White | 81,572 | 96.5 | 40,621 | 96.8 | 40,951 | 96.3 |
| Mixed | 748 | 0.9 | 375 | 0.9 | 373 | 0.9 |
| Asian/Asian British | 1,624 | 1.9 | 722 | 1.7 | 902 | 2.1 |
| Black/Black British | 199 | 0.2 | 102 | 0.2 | 97 | 0.2 |
| Other | 354 | 0.4 | 151 | 0.4 | 203 | 0.5 |
| **Total** | **84,497** |  | **41,971** |  | **42,526** |  |

RESIDENT POPULATION BY PLACE OF BIRTH 2011

|  |  |  |
| --- | --- | --- |
| **Country of Birth** | **No.** | **%** |
| Isle of Man | 40,655 | 48.1 |
| England | 30,329  | 35.9 |
| Wales  | 962  | 1.1 |
| Scotland | 2,711 | 3.2 |
| Northern Ireland | 1,706  | 2.0 |
| Channel Islands | 202  | 0.2 |
| Republic of Ireland | 1,611  | 1.9 |
| Other Europe (EU) | 2,004  | 2.4 |
| Other Europe (Non-EU) | 414  | 0.5 |
| Middle East | 89  | 0.1 |
| Asia | 1,668  | 2.0 |
| Africa | 1,237  | 1.5 |
| North America | 373  | 0.4 |
| Central America | 21  | 0.0 |
| South America | 78  | 0.1 |
| Caribbean | 126  | 0.1 |
| Australasia | 291  | 0.3 |
| Other/Unidentified | 20  | 0.0 |

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THE BAILIWICK OF GUERNSEY

In September 2010, the States Strategic Plan prioritised work towards drafting further legislation intended to implement the provisions of the UN Convention on the Elimination of All Forms of Racial Discrimination. The highest priority was given to the work required to enable extension of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. A new Equality and Rights Programme has been set up to facilitate extension of these conventions as well as to undertake work to enable extension of the United Nations Convention on the Rights of the Child (“CRC”) and the United Nations Convention on the Rights of Disabled Persons.

In October 2010, a review of employment law and protections in Guernsey was also undertaken and race discrimination was one of a group of several higher priority areas for examination. Further to public consultation, the highest priority however was given to the development of legislation to make unlawful discrimination in employment on the grounds of disability. Work relating to the preparation of relevant legislation started in 2014 following establishment of the Disability Legislation Working Group. In addition, the States of Guernsey is also in the process of developing the right to take maternity and paternity leave following agreement at the 2012 States of Deliberation meeting.

The Criminal Justice Strategy is designed to improve the efficiency of delivery and overall effectiveness of all criminal justice services across the Bailiwick of Guernsey. In 2014, the Criminal Justice Strategy Action Plan created a working group with the aim of ensuring “equality of access to justice, including physical access, and anti-discriminatory practices”, which includes work on the prevention of racial discrimination. Quarterly statistics are provided to the group, including those relating to race, nationality and origin.

It is Guernsey Police Force policy to require the recording of ‘racial incidents’ and where there is evidence of an offence that is racially motivated at the scene. The Guernsey Police also hold statistics for reported incidents of racial offences, which are produced in Table 1.

Table 1: Guernsey Police statistics

Year Number of reported incidents

2010 1

2011 1

2012 1

2013 4

2014 (year to 10 December) 4