



Government Equalities Office

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Sanjay Jagatia
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Dear Mr Jagatia

Thank you for your emails of 14 April 2013 to the Secretary of State for Culture, Media and Sport and of 15 April to the Minister for Women and Equalities regarding caste discrimination. Your letter has been passed to the Government Equalities Office and I am writing on their behalf. I apologise for the delay in replying.

You may already be aware that Parliament has decided that specific legal protection because of caste should be introduced into domestic legislation, by making caste an aspect of race for the purposes of the Equality Act 2010.

The Government has always said that prejudice and discrimination in any form is unacceptable in modern society – this is as true for caste as it is for race, sex or disability for example. What had been at issue was how best to tackle the extent and severity of the domestic problem in relation to caste. We were – and remain – of the opinion that there is insufficient evidence of caste based discrimination to require specific legislation. That is one of the reasons why we had already put in place an education initiative as we believe that cultural change is best effected through education.

We are concerned that legislating on this sort of issue – on the basis of limited evidence, in a controversial and sensitive area and where even key points are disputed by different groups – carries a serious risk of unintended consequences if we do not get the legislation right.

Caste is a complex issue. A full and comprehensive process of public consultation is required on some key issues - including the definition of caste itself and, once we are clear on that definition, whether there should be any exceptions in the Act that should or should not apply to caste - before we would be in a position to prepare and introduce these regulations. That is why the new legislation does not take effect immediately, but following a thorough consultation after which the Government will lay regulations to be debated and approved by parliament.

Recent debates in Parliament also emphasised the need for employers, organisations and others to get some familiarity with the concept of caste before the law is changed, and also to deal with concerns about increased bureaucracy and to avoid the need for people to register their caste because of the legislation. As discussed during the Parliamentary debates, thorough and proper consultation on such issues could take up to two years

In addition - because we do not believe or accept that caste and caste divisions should have any long-term future in Britain - we have introduced an additional safeguard into the Act. This is the ability to carry out reviews of caste legislation to see whether it remains appropriate. If it does not, we have the option of removing it from the statute book. This power can be first used five years after the Enterprise and Regulatory Reform Act is passed and at any time after that.

I hope that this information has been helpful to you.

Yours sincerely,

Philip Walker
Government Equalities Office