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The Lord Avebury
House of Lords
LONDON
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CMS 234929/DC
21 August 2013

Dear Lord Avebury,

CASTE

I am replying to your letter of 22 July on this issue.

You enclosed a letter you had written to the Prime Minister, alleging a breach of the Ministerial Code by the Minister for Women and Equalities in the Ministry of Justice. The Prime Minister has now responded to your letter, and I have nothing to add on this.

You also asked a number of questions about the Government's intentions on the preparations for introducing caste legislation.

You asked about the logic for delaying the consultation until after the EHRC's research. The public consultation to be carried out by the Government in relation to caste will go wider than simply the definition of caste – as agreed during the recent Parliamentary debates, it needs to be a full and thorough consultation on how legal protections may be implemented in practice, what exceptions may be required and how caste should be introduced into equality law without the risk of embedding it permanently as a concept in British society. The complexity of caste means that it is important that preparatory work for the public consultation is able to draw on the Equality and Human Rights Commission's research as a key, independent source.

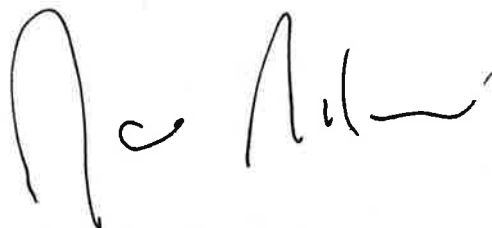
You asked, on the definition of caste, whether you could assume that the preferred outcome could only be embodied in guidance, and not in the legislation. That is not necessarily the case. The provision in section 9(5) of the Equality Act 2010 is broad enough to enable a definition of caste both in providing for caste to be an aspect of race and in providing exceptions to it. Given that, we will certainly want to assess whether the EHRC's work on the definition of caste indicates the need for the consultation to propose a more detailed definition.



On your related point about stakeholders, the EHRC's research is indeed intended to include stakeholder involvement and events. However, I should make clear that one advantage of the EHRC's involvement in the preparatory work towards legislation is precisely because it may be able to make an independent, impartial contribution to the consultation proposals compared, for example, to lobby groups specifically set up to propose, or oppose, caste legislation.

Finally, I imagine you will by now be aware that the Government has published an outline timetable of the stages leading up to the introduction of caste legislation; however I attach the text of the announcement for completeness.

Best wishes

A handwritten signature in black ink, appearing to read 'M. Miller', written in a cursive style.

Rt Hon Maria Miller MP
Secretary of State for Culture, Media and Sport
and Minister for Women and Equalities