

*These notes refer to the Race Relations (Amendment) Act 2000
(c.34) which received Royal Assent on 30 November 2000*

RACE RELATIONS (AMENDMENT) ACT 2000

EXPLANATORY NOTES

COMMENTARY

Section 5: Criminal Investigations and Proceedings

Section 57(4A)

51. Section 57(2) of the 1976 Act provides that, when a claim is brought in a designated county court (a sheriff court in Scotland), all remedies are obtainable that would be obtainable in the High Court (the Court of Session in Scotland). New **section 57(4A)** restricts the ability of the court to grant certain remedies to a claimant when the claim is brought under section 19B against a public investigator or public prosecutor. There is no limitation on the court's ability to grant a remedy of damages or a declaration (a declarator in Scotland). But the section limits the power of the court to grant other remedies, for example injunctive relief, unless it is satisfied that such a remedy would not **prejudice a criminal investigation**, a decision to institute criminal proceedings, or any criminal proceedings.