

Chair and Commissioners
Equality and Human Rights Commission

Cc: Mark Hammond, Helen Grant

29th January 2013

Dear Chair and Commissioners,

Looking forward – civil society’s hopes for the Equality and Human Rights Commission

As organisations involved in working towards a more equal society in which individuals are not held back by discrimination or prejudice and a society in which there is respect for human rights, we take a great interest in the work and future of the Equality and Human Rights Commission.

We share the government’s desire for a valued and respected national institution, integrating the functions of both a national equality body and national human rights institution. We believe that such a body has key roles to play in ensuring a healthy democracy, an inclusive society, effective public services and a thriving economy which draws upon everyone’s talents and contributions.

We consider now to be the time, with a new Chair and Board, to look forward, not back and to make a fresh start. We stand ready to work with the EHRC as partners and allies nationally and regionally, using our unique influence to work with the Commission to help bring about a fairer and more equal society. In return we would expect to be engaged, involved and listened to. We would therefore welcome an early opportunity to discuss with the new board and staff the most appropriate ways to achieve this.

The new Board has a challenging task ahead. It will need to build respect for the organisation in a difficult climate and make its mark on equality and human rights with fewer resources and powers at its disposal. In our view, the Commission has an opportunity to become a valued and respected body if it fulfils the following:

1. **It should use the full range of its powers to tackle entrenched inequalities, institutionalised discrimination and risks to human rights.** We believe a core role of the Commission is to be an agent of social change. It should make full use of the powers at its disposal progressively to achieve the society envisaged in the present section 3 of the Equality Act 2006. Resources made available to the Commission to carry out its role must be both sufficient and predictable over reasonable time-frames. We would welcome the scrutiny of a Parliamentary Committee with reference to the adequacy of EHRC’s budget.

2. **An upholder of values across society:** The EHRC is mandated by Parliament to promote respect and understanding regarding the importance of human rights and equality. We would welcome a much more robust approach by the Commission with respect to its responsibilities in this area given current levels of public misunderstanding, media misrepresentation and hostility.

3. **An independent body:** As an 'A' status national human rights institution (NHRI) and national equality body (NEB) we expect the EHRC to hold government to account and to do so credibly it must be both legally and operationally independent from government in law, in its relationship with state bodies and in its actions. The Commission should not have to seek the government's permission to use its own powers or decide its priorities and actions. The EHRC should not agree to accountability arrangements with its sponsor department which allow any government to interfere with this independence, nor should government seek to impose such rules (also see s.42, Equality Act 2006). We would strongly support efforts by the Commission to strengthen its relationship with Parliament and for Parliament to take a keen interest in ensuring the Commission's independence.

4. **An efficient, effective and transparent organisation** We wish to feel confident that the Commission is making sound use of its budget and other resources and managing its finances effectively. To these ends we encourage the Commission to explore ways in which it can voluntarily demonstrate its independence through being more transparent and accountable for its own performance, such as more clearly defined strategic and business plan objectives. Our ultimate preference is for the Commission to be supervised by Parliament rather than Ministers and we would welcome the opportunity to work with the Commission to help move towards this model.

We hope you find this communication helpful and that it may form the basis of a discussion between ourselves and the Board and staff at the Commission in the near future.

We look forward to hearing from you.

Yours sincerely,

TUC
Equality & Diversity Forum
Runnymede Trust
Disability Rights UK

René Cassin
Gender Identity Research and Education Society (GIRES)
British Institute of Human Rights
Unite
GMB
Age UK
Equality South West
Unison
Citizens Advice
Law Centres Federation
Fawcett Society
Friends, Families and Travellers
Discrimination Law Association
End Violence Against Women
Race on the Agenda (ROTA)
Scope
Employability Forum
London Voluntary Services Council
Women's Resource Centre
Chartered Society of Physiotherapy
University and College Union (UCU)
Equanomics UK
National Alliance of Women's Organisations (NAWO)
Black Training & Enterprise Group (BTEG)
National AIDS Trust (NAT)
Communication Workers' Union (CWU)
Accord
Prospect
National Union of Teachers (NUT)
NASUWT
Refugee Council
Aslef
Association of Teachers & Lecturers (ATL)
National Union of Journalists (NUJ)
JUST West Yorkshire
British Muslims for Secular Democracy
BMENational
Cambridge & District Trades Council
Nationwide Group Staff Union
Society of Radiographers
Inclusion London

Coalition for Racial Justice (UK)