

Caroline Waters OBE
Interim Chair
Equality and Human Rights Commission
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX

26th November 2020

Dear Caroline Waters OBE,

I am writing on behalf of the Equally Ours network about the appointment of David Goodall as an EHRC Commissioner.

We believe that the Government has made a fundamental error with this appointment. Mr Goodhart has made public statements that directly contradict the values and legal duties of the EHRC.¹ The Commission is about to enter into vital discussions with the Home Office on how to ensure that the serious effects of the hostile environment policies on the Windrush generation and their descendants never happen again, effects that Mr Goodhart has denied exist². In the same report he advocates removing asylum seekers before they can lodge a judicial review. Such views inevitably cast doubt on any individual's ability to act independently and impartially when appointed to the Board of the body whose overarching duty is the development of a society in which there is respect for equality and human rights.³

We recognise that appointments are made by the Minister for Women and Equalities. We understand the significant pressures the Commission is under to deliver its remit with a budget and staff complement that have been significantly and successively cut since it was set up. We recognise the progress made by the Commission in recent years in establishing its role. At a time where the pandemic has exposed and deepened inequality, we need a strong and effective Commission more than ever.

¹ See, for example: <https://policyexchange.org.uk/wp-content/uploads/2018/07/The-Border-Audit.pdf>, in which Mr Goodhart argues for asylum seekers to be deported before they can exercise their legal rights (page 7) and <https://policyexchange.org.uk/facts-vs-feelings-in-the-blm-debate/>, in which Mr Goodhart characterises disadvantage faced by black people as "inner city problems" of knife crime, "fatherless families" and an "anti-educational" culture with a "victim culture" that uses racism "as an excuse for any setback."

² <https://policyexchange.org.uk/wp-content/uploads/2018/07/The-Border-Audit.pdf> in which Mr Goodhart characterises the unequal impact of the hostile environment as "anomalies" caused by "over-zealous application" and not the policy itself.

³ The EHRC's general duty under s. 3 of the Equality Act 2006

Equality and human rights for us all

Equally Ours brings together people and organisations working across equality, human rights and social justice to make a reality of these in everyone's lives. Equally Ours is a registered charity (number 1135357) and registered as a company (number 06464749).

Nonetheless, much work remains to be done to rebuild the fragile trust and confidence of many equality and human rights organisations in the ability of the Commission to take robust action against inequality, including systemic and structural racism, as seen in the recent report by the Joint Committee on Human Rights⁴.

The appointment poses serious challenges to the EHRC's ability to deliver its statutory duties and further undermines trust.

We ask that you make a public statement explaining:

- how the Commission will ensure that it is, and is seen to be, fully committed to taking action on race equality including work to retain and re-build trust with race equality organisations;
- how it will ensure that all Commissioners are held to their duties and obligations as set out in the EHRC Governance manual, including acting at all times within the values of the Commission, with impartiality and integrity, and to uphold and promote the work of the Commission even when it conflicts with their personal views;
- how it will ensure that decisions are taken on the basis of appropriate, accurate and timely evidence and advice and that the personal views of individual Commissioners do not undermine the ability of the Commission to deliver on its statutory duties.

We also ask that you redouble your efforts to engage and build trust with race equality organisations and ethnic minority communities.

Yours sincerely
Ali
Ali Harris
Chief Executive Officer

Cc: Rebecca Hilsenrath, Chief Executive Officer, Equality and Human Rights Commission

⁴ <https://committees.parliament.uk/publications/3376/documents/32359/default/>



Signed by:

Members

brap
British Institute of Human Rights
Children's Rights Alliance for England (CRAE)
Citizens Advice
Disability Rights UK
Discrimination Law Association
End Violence Against Women Campaign
Equality Trust
Fair Play South West
Fawcett Society
Friends, Families and Travellers
Gender Identity Research and Education Society (GIRES)
Humanists UK
Law Centres Network
Maternity Action
Mind
National AIDS Trust
National Alliance of Women's Organisations (NAWO)
Race on the Agenda (ROTA)
Royal National Institute of Blind People
RNID
Runnymede Trust
Security Women
Scope
SignHealth
Stonewall
Trades Union Congress (TUC)
Traveller Movement
UKREN (UK Race in Europe Network)
UNISON
Women's Budget Group
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