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The Equality and Human Rights Commission: Developing The Ties That Bind Fairness For All

It's a pleasure to be here today. It's always good to speak to an audience of experts and practitioners: if you have your feet on the front line, you tend not to get carried away by grand vision statements unless they actually ring true. So I'll try to stay grounded.

That's more important than ever in today's grim economic climate. This time last year, few of us could predict quite how serious the economic downturn would become. But if we know anything about how it will continue to unfold, we know that things are going to get worse before they get better. And as all of us in the equalities family know, when the hard times bite, it is minorities and the worst off who feel it first, and hardest. We need to make sure that the modest gains we have made for equality over recent years are not reversed. And that means concrete action not just lofty aspiration.

One of the huge advantages the Equality and Human Rights Commission has is that we are grounded in the work done by the 3 former Commissions. We start from where we do because of what the EOC, CRE and DRC achieved. I know that there have been other conferences in this series about the legacies those Commissions bequeathed us: Sagir Alam spoke about how the EHRC would safeguard the legacy of the DRC, and Sally Greengross and Jeannie

Drake talked about how we'd take forward the legacies of the CRE and EOC. Keeping on board many of the people who guard those legacies has proved one of the best assurance policies.

Today's conference title is "Developing the ties that bind fairness for all". So I thought I'd talk first about those ties, then switch to the language and the story we in the Commission are starting to develop. We're more about 'freedom' than 'ties' but fairness is definitely in there. We're in the process of creating our story - making sure it isn't a fairy tale. And we're binding the first chapter prosaically in our first full year Business Plan. I'll start with the visionary introduction and end up with the footnotes - known to our staff as our 12 key delivery targets for 2008/09.

People are one of the most important of the ties that bind us together - both specific individuals, like those who are helping the Commission safeguard its inheritance, and the people who don't yet realise that equality and human rights are For Everyone. Not just minorities or vulnerable groups - though they need them badly.

Values and convictions are another of the ties which bind us together. If you've fought for the rights of disabled people, you understand the experience of difference. If you're a woman from an ethnic minority who has caring responsibilities but also wants or needs to work, you understand the significance of multiple identities. If you're a white working class boy struggling in a low performing school, you know what it feels like to have no prospects.

A burning desire for **fairness and justice** - or just a general sense of **unfairness** - unites quite a lot of us. The sense that we don't understand why someone is eligible for something while their neighbour isn't. A lack of transparency, which gets in the way of good relations. Fairness is a

social good, based on the human rights of everyone. But it is also an economic necessity - otherwise we waste talent, ability and good will.

History is another tie that binds. But it can also set us free to travel new paths. Here's what Jane Campbell, the Chair of our Disability Committee until very recently said in an article:

I think we've gone as far as we can with the single identity group. We need to bring others along with us. If we create a bigger voice, the government is going to respond to it.'

Freedom from discrimination or disadvantage is something we in the Commission will continue to fight for, with all the tools - persuasion, collaboration, empowerment, regulation, enforcement - at our disposal. We plan to strike the right balance between enforcement and persuasion. And we want to move from compensation after the event, to prevention before discrimination occurs. We want to add freedom to do things - for people to be able to exercise their talents, develop their potential, realise their dreams - as well as freedom from bad things.

Let me come down to earth with a bump. We've recently celebrated our first birthday. We've taken on huge responsibilities from the CRE, DRC and EOC. We have new grounds we are responsible for protecting - age, sexual orientation, trans status and religion or belief. We have to protect human rights too, and to promote them, which is possibly even harder. Ten years after the Human Rights Act but better late than never.

The third part of our mandate is to promote good relations. In a globalised world and a new social and political climate in Britain, we want to create a society built on fairness and respect, people confident in all aspects of their diversity. Just as well "ambitious" is one of the

things we want to be. We have to be if we are going to deliver on a vision of social change. To speak to new audiences. To make the 60+million people in Britain think equality and human rights matter to all of them.

As well as having new powers and increased resources, we have a statutory guarantee of independence. So the Commission is the independent advocate for equality, human rights and good relations.

So what are the new challenges on which we'll be exercising those independent powers? Trevor Philips and I share a list of the kinds of questions the Commission is asked to offer its views, clarify the law or give guidance on:

- How to tackle gang culture amongst young people;
- How better to ensure dignity and respect for people in care, both old and young – in private and public institutions;
- What constitutes discrimination against women, pregnant or otherwise;
- Whether a black man who was stopped outside his own flat by police who believed him to be a burglar was a victim of discrimination;
- What legal rights should be afforded to carers;
- Should a public authority prioritise English translations or more English classes;
- What human rights should be afforded to prisoners either foreign or domestic;

- Looking ahead – if insurance companies should be allowed to read your DNA and see whether you have a predisposition to some disabling condition, and if so, whether they should be permitted to load your premiums for the risk that you might one day develop the condition that you currently don't have.

These are just a sample of the new issues that we are thinking about. Those questions don't include the big policy issues currently at the top of the equality & human rights agenda; and right at the top is the new Equality Bill, which is both an end in itself - a new legislative framework for equality - and a means to an end - containing the levers and the powers to increase equality. The list I've just run through shows why we have to find new, more creative approaches, sometimes legislative, to addressing the structural and systemic challenges of inequality.

Those challenges are thrown into sharp relief against the backdrop of the current economic downturn.

In addition, there are three longer -term trends that we as a society are having to respond to:

- the effect of changing demography (on the workforce);
- the impact of globalisation; and
- the rise of identity politics.

Or maybe we can reduce them to two big questions: how to live with and on our fragile planet; and how to live with each other. If we can do the second, it would be so much easier to do the first. Most probably, we can't save the planet unless we can live and work together.

The changes we are going to have to get used to are huge by any measure. We now have 9.4m people over the age of 65. There will be 12.4m by 2021. By 2050, the number of people aged 80+ will double. By 2026 the demand for informal care, especially for the elderly, will nearly double.

Families are changing. There are more lone parents, up from 8% in 1972 to 24% in 2005. What experience does that statistic correlate with? There is evidence of greater risk of mental health disorders, linked to risk of poor educational attainment and poverty.

The growth in Britain's ethnic diversity will continue. Ethnic minority groups are expected to grow from 9% to 11% by the end of the next decade. In London today there are more than 300 languages spoken.

More of us will be disabled, and I'm not just thinking of the correlation between age and disability: the fastest growth is among children under the age of 16: by 2029, the numbers could rise significantly from what where they were in 2002 – 770,000 – to 1.25m.

All of those groups I've mentioned tend to experience significant disadvantage in terms of skills, employment and pay.

We can predict that not only will there be more women, older people, ethnic minorities and disabled people who face disadvantage, but with the pressures in the economy, those disadvantages will become deeper and more intense: in shrinking economies, both benefits and disadvantages are to get spread more unequally.

That's the opposite of a society based on fairness and respect.

So what can the Commission do? What have we done in a year? This is where we get back to specifics and to individuals.

We've focused on concrete issues to help change Britain's work culture so that everyone can have the flexibility they need to flourish and achieve their potential and their full economic contribution.

We've won some key court victories to improve rights for carers, speed up equal pay for women and to challenge the use of physical restraint on young people in secure training centres.

We've allocated 11 million pounds in grants to organisations working at grassroots level to promote equality and social cohesion.

We're making clear that the gender equality duty on local authorities means they have to do more to help the three million women who experience domestic violence every year.

We've commissioned 40 new research projects, to help us anticipate the social change that will influence equality and human rights.

We've worked on around 1,000 pieces of casework, both new and taken over from the former commissions.

We're working closely with Permanent Secretaries in Whitehall on the public sector equality duties, and with the Government Equalities Office on that and on the new Equality Bill.

We have influenced international issues, successfully arguing that gender, age and religion should be protected alongside age in the proposed new European Directive on the delivery of goods and services.

We've answered thousands of calls to our Helpline, giving advice to employers and employees, service providers and users, lawyers and advice workers.

We're also on YouTube, Bebo and Facebook, we're briefing Parliamentarians and journalists, and we're holding discussion seminars and public events.

We made clear our intention to use our power to take judicial review if the Bill allowing 42 day pre-charge detention became law. We welcomed the government's decision to drop the relevant clause from the Counter-Terrorism Bill.

We've also established a distinctive and new way of working. All our Commissioners represent the whole Commission, whatever their background or expertise. Our staff work across so-called 'strands', none look solely at gender, disability, ethnicity, sexual orientation, age, religious or non-religious belief. And we don't confine ourselves to thinking about only the obvious demographic characteristics.

People don't define themselves by only one aspect of their lives, and neither do we. Inequality doesn't usually work that way. So we take as our starting place the experience of inequality in Britain's business and workplaces, in our health, social care, housing, education, transport and criminal justice systems. We don't start from the perspective of a particular group.

This is part of making sure the Commission can speak for, and to, everyone – the whole 60 million + people in Britain today.

All of those things fit into our first full year business plan, which is built around the theme of **bringing people together**. That's our way of looking at 'the ties that bind' - because we wanted to find a theme that was both achievable in our first year; but also one which takes us in the right, visionary direction. So it set out an ambitious short-term agenda but also represents a first step towards our long-term objectives.

The four strategic priorities, developed after consultation with our stakeholders are:

- Analyse, define and target key equality and human rights challenges.
- Change policy and organisational practice to provide better public services alongside an efficient and dynamic economy.
- Engage, involve and empower the public, especially people from disadvantaged communities and areas.
- Anticipate social change, develop new narratives and reach new audiences in ways that strengthen equality and human rights.

And this month we launched a full consultation on our first three year strategy, for 2009-2011, which will be an important period of consolidation and growth.

Now for the important footnotes. We have 12 key delivery targets identified in the business plan as the success measures which will show if we are on the way to meeting our strategic priorities. Let me mention some of them.

- They include an independent **inquiry into how widely the Human Rights Act** is being used in public services and public attitudes towards the act. The inquiry was launched this March, headed up by Dame Nuala O'Loan. A report will be published next Spring.
- Research into the **allocation of social housing** and the effect this has on community cohesion and relations between people of different racial backgrounds.

- Influencing government on the future of **social care** provision to promote peoples' independence and enable them to combine the demands of caring and work.

The Commission is hosting its own deliberative debate on the future of social care. A report setting out our proposals will be published early in the New Year.

- Lobbying for and influencing **landmark legislation**, including a new Equality Act. I'll leave David Ruebain, one of our Legal Directors, to tell you more about our work on that in the session on the Bill later today.

As a taster, I'll just say that we see a powerful case for clarifying the existing complexity of anti discrimination law, and for using this as an opportunity not only to simplify and tidy up legislation but also build to a bolder, more ambitious framework for equality.

So those are some of the things we are doing to support the big arguments we are starting to make. Britain needs people like you with the expertise to deal with inequality, who understand the global context of our diversity, and who can advance the cause – the values, the convictions, the practice – that can lead to real social change.

We in the Commission want to make your job easier. We want to make sure that you are equipped with the tools, the flexibility and the resources that allow you to face even the most difficult employer, unable or unwilling to make the business case for diversity; colleagues who are sitting on the fence; managers who don't get it - as well as the many who do or who want to.

You are the people who will change their minds and the experience people have at work. We in the Commission ought to be there to help you. We need to link the personal stories to the big picture; and the footnotes to the vision. We think we are starting to go in the right direction. I know you'll tell us if we are - or not.
