



HOUSES OF PARLIAMENT

Joint Committee on Human Rights and Women and Equalities Committee

Oral evidence: [Pre-Appointment Hearing: Chair
of the Equality and Human Rights Commission](#),
HC 648

Wednesday 23 March 2016

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Joint Committee on Human Rights Members present: Harriet Harman (Chair); Karen Buck, Amanda Solloway; Baroness Buscombe, Baroness Prosser; and Lord Woolf

Women and Equalities Committee Members present: Ruth Cadbury; Maria Caulfield; Jo Churchill; Mims Davies; Mrs Flick Drummond; Ben Howlett; Mrs Maria Miller; and Mr Gavin Shuker

Questions 1-21

Witness: **David Isaac CBE**, the Government's preferred candidate for the post of Chair of the Equality and Human Rights Commission.

Q1 Harriet Harman (Chair): On behalf of Maria, who chairs the Women and Equalities Committee, and me—I chair the Joint Committee on Human Rights—I welcome you to this joint session where we are putting questions to David Isaac. We would like to try, if possible, to take no more than an hour, with the first half-hour being to do with the breadth of experience you bring to this post and the second half-hour being about independence and freedom from conflict of interest, which is important in the post as well. Can we crack on with the first question to David on the first section, which is from Mims?

Q2 Mims Davies: Thank you, Chair. Mr Isaac, good afternoon. What do you feel that your experience brings in positives to this role?

David Isaac: Good afternoon. As regards positives, I bring a number of different skills. I am a lawyer, so I understand the statutory remit of the EHRC. I have considerable chairing experience, so I understand the importance of working as a board, working with the chief executive and promoting the interests of the EHRC. I also bring breadth of experience in relation to equality work. As you probably know, I was formerly chair of Stonewall. On that basis, I have good knowledge of the equality and human rights landscape in the UK. Finally, in addition to being a lawyer, I do a lot of work in the City and in business, and I

think I would bring a business perspective to the role, too. I am quite keen to talk about that if there is an opportunity.

Q3 Baroness Prosser: You probably know, David, that I was deputy chair of the Commission for Equality and Human Rights for six years, so it is within my heart that the organisation continues in a robust fashion. You have set out some of your background and experiences, all of which are impressive. Could you give us a little line on each of the areas for which the commission is responsible—gender, sexuality, religion and belief, et cetera? What would you see as the priority for those areas?

David Isaac: In answer to whether or not there is a priority, the statutory obligation is to pursue and protect all the protected characteristics. My job, as an independent chair, is to ensure that there is no hierarchy of rights. It is important that a proper balance is struck between all those characteristics, and, working with the executive, I am keen to understand what those priorities are.

As regards personal experience of all those things, I have alluded to the fact that I was chair of Stonewall. In the City, I have been part of various initiatives promoting the position of women, particularly on boards, in law firms in particular, which touches on what I was saying in relation to my work as part of my day job. One of the things I was involved in last year was an initiative called AudaCITY, ensuring that in relation to all the protected characteristics the best talent in business was able to emerge. On the basis of the work I have done, particularly with those young people, I have an understanding of all the protected characteristics. I clearly need to talk to the executive to understand more about what they are doing. My commitment to you all is that, even if I do not have personal experience of all those areas, I am keen to listen and to learn. My big lesson from the work that I did in Stonewall is to work in collaboration and to be in dialogue. Some of the commissioners can more authentically represent particular areas better than I, but together as a team, hopefully, we will not let you down in how we move the commission to the next stage.

Q4 Ms Karen Buck: Do you have any thoughts on the breadth of the board, in particular in being able to cover all the different themes? One thing that strikes me in the area of religious and race discrimination is that there is, for example, no Muslim representation on the board. Do you have a thought about how we might make sure that the board and your work cover some of the areas that may not be as fully reflected as they might be?

David Isaac: It is an important point. The way in which the board is reappointed or succession is dealt with is something I would like to understand better, because at the moment I am inheriting, as I understand it, even new members. Authentically representing views with a wide variety of commissioners is going to be important. Religion is important and it needs to be properly represented. The position of Muslim women, for example, is something that we need to shine more light on.

Q5 Baroness Buscombe: Mr Isaac, in your application you emphasised the importance of the law—you have just mentioned it in your opening words, too—as a tool to protect and advance equality. How much should the EHRC focus on clarifying and enforcing the law, and how much should it work to change wider social attitudes on equality issues, in your view?

David Isaac: It should do both. It is important to remember that the EHRC is a regulator too. In relation to those two areas, as a lawyer, I approach the statutory remit of the commission seriously. My view is that it is not a campaigning body; it has statutory duties to promote and protect equality and human rights. In addition, there are education and public benefit obligations that need to be promulgated. The regulatory aspect, which I am quite keen to explore with the executive, is equally important. I do not know whether that goes into sufficient detail for you.

Baroness Buscombe: Yes; but it is about balance too.

David Isaac: It is about balance, yes.

Q6 Ruth Cadbury: On that last point, do you feel that in the last few years the EHRC has been sufficiently balanced? In your application you emphasised your skills in building consensus, for which clearly there is a role, but do you feel the EHRC has been sufficiently consensual or sufficiently challenging where needed?

David Isaac: I think it has been quite keen to stabilise the position and the reputation of the commission recently, but it has probably done both. My view is that it is important to hold government to account, and we are going to be moving into a period, if there is a draft British Bill of Rights, where the role of the commission will be incredibly important in pursuing its statutory obligations. Collaborating, being in dialogue with stakeholders and having a constructive relationship with government, where that is possible, is equally important. In a sense, the challenge for the commission is that it has to do all those things. It has various levers that it needs to pull, and my view is that it needs to pull the levers at different times to make sure that it discharges its obligations properly; that will vary from time to time depending on whom the commission needs to talk to, what is happening in relation to legislation that is passing through Parliament and working with the executive. That is something that I am keen to look at in great detail.

Q7 Mrs Flick Drummond: Could you tell me what your top three—key—priorities are? When you start, what would your top three be?

David Isaac: These are high-level objectives, which I would seek to achieve over my term. It would be to ensure that the EHRC is much more valued and respected. It is important, secondly, to ensure that it delivers tangible outcomes. The commission is good at putting out lots of best practice, but how is it going to deliver change in society to ensure that we deliver a fairer society? It cannot do that in a very short time, but it needs, in my view, to deliver more tangible outcomes. The third area is using some of the regulatory powers to drive that change. I am keen—I have talked about it a little bit—to focus on how we do that, using a mixture of carrots and sticks.

Q8 The Chair: Before I bring in Ben, can I follow up a point you made in response to Ruth's question? Do you think that consensus can be overrated and that sometimes there is a need to have a row, and will you be prepared to have a row with government when you think, on behalf of your remit, that the Government have got it wrong? Will you be smoothing over and settling everybody down or will you ensure that the commission champions human rights and non-discrimination?

David Isaac: I think having a row when it is appropriate to have a row is incredibly important. My view is that where it is possible to have dialogue and exchange views—this is how I work as a lawyer—it is important to progress initially on that sort of basis. If we reach a stalemate and it is necessary to be not just assertive but perhaps more adversarial, then, yes, absolutely; it is important to do that.

Q9 Ben Howlett: Following up on the response you gave to Flick Drummond’s question, why do you think the Equality and Human Rights Commission is not respected at the moment?

David Isaac: There is quite a lot of history in how it has fulfilled some of its obligations during the short period in which it has existed. It is respected for certain areas, such as research and some of the very significant cases that it has either intervened in or initiated, but it needs to be more confident, more visible, and we need to demonstrate that we are delivering more tangible change. For that reason, I do not think the commission is quite as well understood or regarded as it might be.

Ben Howlett: In the first six or 12 months, what do you want to put in place to ensure that you turn that around quickly?

David Isaac: I need to go in and see what is happening on the ground, but, for example, it would be to make some of the good studies and best practice that have been produced shorter and sharper, and communicate them more widely. It would be talking to some of the communities we seek to represent, because I am not sure that happens enough. I need to understand how the interventions work so that I can better understand how we can deliver change. They need to be shorter, sharper interventions, in my view.

Q10 Mr Gavin Shuker: Your experience as chair of Stonewall obviously focused on your work around orientation, which is very impressive. There is a large range of protected characteristics, and what some people would want to know is your view about the interplay between them, because quite often they play out in tension. As an example of that, could you say a word or two about your assumptions, coming into the role, about freedom of religion and belief?

David Isaac: I know there has been some comment about my role as the previous chair of Stonewall. My view is that, if I take on the role at the EHRC, I have to help it, as chair, fulfil its statutory obligations; I alluded to that earlier on. Having said that, my view is that lots of gay people are people of faith, and I am keen to engage with the faith and religious community to understand better what they want the EHRC to do. There are tensions, clearly, but, looking at the interventions that have happened, there are religious protection cases as well as ones that advance the rights of lesbian, gay and bisexual people.

Mr Gavin Shuker: Do you think the courts are the best place to resolve it when protected characteristics come into tension?

David Isaac: Not always. I am keen to understand what the current priorities of the executive are, but if necessary, and in accordance with our priorities, if the courts are required to determine the matter finally, then, yes.

Mr Gavin Shuker: Can I ask one very specific question? The organisation is doing some work on freedom of religion and belief at the moment—a major research project. Is it your view that that should go ahead and be published regardless of your chairship? You are not expecting to change the work plan.

David Isaac: Not at all. Clearly, I do not know the work plan or its detail—that has not been shared with me—but my view would not be to be executive; my view is to be the chair and be strategic.

Q11 Amanda Solloway: You mentioned a high level—it is quite powerful when you say “valued” and “respected”—and that you want to demonstrate tangible change. What would success look like to you?

David Isaac: It is hard to measure value and respect. I accept that. I would like to be in a position where, when talking to stakeholders—that can include government—in the course of, say, three to five years, there are very clear outcomes that we can point to that are not just about changing best practice but that are actually delivering results. Let us try to make some meaningful KPIs.

Amanda Solloway: Do you have a couple of examples?

David Isaac: We have just published a report on women on boards, for example. It makes for really depressing reading, and it would be very good to set out some clear and measurable targets that we seek to deliver over whatever period of time. Measuring these things is quite difficult, but I am keen that we are bolder and more ambitious in trying to deliver more outcomes for people whose lives are impacted by inequality and lack of human rights.

Q12 Mrs Maria Miller: Mr Isaac, you mentioned earlier the opportunities for the organisation to be able to make a real difference at a time when we are going to be considering a lot of issues around human rights; we have a new Women and Equalities Select Committee and we are doing our best to challenge a lot of these issues. You said you are willing to have a row on things that matter. That is good to hear. How credible is it to have a senior partner of a law firm having a row with government when government business is given to your company?

David Isaac: We need to define what having a row actually is. I would be very clear that it would be a row that was focused—a professional and respectful intervention in relation to the way the commission holds government to account, just to be absolutely clear about that. In relation to my own position as a continuing partner in a law firm that does work for government, I declared my continuing interest as a partner in that firm as part of the recruitment process. I was very clear about that. The Office of the Commissioner for Public Appointments was involved in the process. I have spoken to Sue Gray, who is the director-general for probity at the Cabinet Office, and declared all my interests to her. To enable the commission to be completely independent, I have said that I will not do any work for the Department for Education or for any central government department. The position at the moment is that I do very little work for government. I do more managerial and strategic work. I am very happy to formalise my relationship as regards my ongoing professional interests in a way that means I comply with the EHRC’s governance framework.

Mrs Maria Miller: The standards are very clear: not only actual conflicts but perceived conflicts need to be taken into account. What advice have you been given from either Sue Gray or indeed any other parts of government about that issue?

David Isaac: I have declared my interests and have been told that the way in which I have declared them permits me to continue to appear before you today, and that that is an adequate means by which the independence of the commission can be continued. As to challenging government, we need to look at the ways in which that is done. A lot of it will be done through lobbying and constructive challenge and probably will not involve the chair, but in relation to the perception of my duty while I am in my chairing role, it is to promote the best interests of the commission and its statutory obligations, and I fully intend to do that.

Mrs Maria Miller: There is no conflict of interest in your professional regulatory obligations as a solicitor.

David Isaac: No.

Q13 The Chair: That moves us to the second area that we all want to look at, which is the question of independence from government and the question of financial interests and freedom from potential conflict of interests. There are a number of things that are clear and on the public record on which we all agree, and which we could get out of the way. We all agree that independence from government is important, because sometimes the Equality and Human Rights Commission will have to challenge government, including taking them to court sometimes, or criticise them. We all agree on that. We agree that there has to be avoidance of conflict of interest; that is about the reality but also about the perception. We have to agree to avoid perceived conflicts of interests.

David Isaac: I accept that, yes.

The Chair: We know that we need the Equality and Human Rights Commission to comply with what are called the Paris principles, as a human rights organisation, reaching a certain standard of independence from government. We also know, because you have just said it and because it is on the public record, that you are an equity partner at Pinsent Masons and that you plan, albeit not handling the work yourself, to continue to be an equity partner at Pinsent Masons, which—again this is in the public domain—has contracts with and does work on behalf of the Government, which it will continue to do and that will contribute to its income. You will then share in that income as an equity partner. How do you feel that you can be seen to be independent and not have a financial conflict of interest if you are personally benefiting financially by your relationship with a firm—being part of a firm—that is benefiting from government contracts?

David Isaac: Can I address the work that my firm does for government? We used to do a lot of work and I was personally very involved in it, but, as you know, the Government currently do not use the private sector a great deal. The amount of work that is referred to in my CV is historic, and it has significantly diminished. That is the first thing.

Having said that, I take the point that you are making, which is that, if there is any income generated from government, you could argue that I indirectly benefit from that as an equity partner. My view is that the perception is unfair and that I will prioritise the work

that I do for the commission. To the extent that there are significant areas where that perception might impact on my involvement, I would invoke the conflict procedures and recuse myself from any decision. Broadly, I do not think that indirectly sharing a small percentage should invalidate me from being independent and continuing to be considered for the role.

Q14 The Chair: But as you say—I think it is a matter of public record—last year about 10 contracts with government, to the tune of about £5 million, came to your firm. As to the small share, do you think it is a problem that the amount of your income that will be dependent on being the chair of the Equality and Human Rights Commission is dwarfed by the amount of income you will get from being an equity partner for a firm that does work for government? The order of magnitude is an issue. If it is £500 per day for 100 days, which is about £50,000, for the Equality and Human Rights Commission, what is the balance between that—your income from the Equality and Human Rights Commission—and the amount you are going to get by being an equity partner in the firm? Is it double? Is it five times the amount?

David Isaac: I think it is probably less, because the percentage that the firm generates from government work is de minimis, I have to say.

The Chair: I do not mean the amount that is generated from government work, I mean the amount that you benefit from the firm—how much you get from the firm on an annual basis.

David Isaac: It would dwarf it; yes, that is correct.

The Chair: Last year, the average for equity partners was £500,000. My concern is that if you have a very big financial vested interest and most of your income comes from a firm, which you are going to continue your relationship with, that acts on behalf of government, how can it be perceived that you are independent of government such that you would be prepared to challenge them where necessary, or that you do not have a financial conflict of interest?

David Isaac: The point you make about the amount of income that my firm generates from the work we do for government is disproportionate to the amount we receive from non-government income.

The Chair: It is not about the amount your firm gets from government compared with non-government: it is the amount you get from the firm that does work for the Government.

David Isaac: All I am trying to point out is that the money I receive from my firm does not all come from government.

The Chair: We appreciate that.

David Isaac: It is a very small amount, so I am very keen that you see it in proportionate terms. That is my point. Clearly, it is larger than—

Mrs Maria Miller: Can I ask a point of information?

The Chair: Let me finish this line of thought. The point I am trying to get you to address is not the amount of money your firm gets from government—we know it is £5 million and that

might be peanuts as far as your overall firm is concerned—but that your income of £500,000-plus per year, as an equity partner, dwarfs your income from the Equality and Human Rights Commission, and that firm does work for the Government even though you yourself will not be doing that work. That is the issue I want you to address.

David Isaac: I understand your logic in taking me to that particular place. I come back to the fact that, yes, I have a small indirect benefit from government work that my firm does. The fact that I will continue to do no government work while I am chair of the EHRC I think should satisfy the Committee and the Secretary of State that that perceived interest is something that should not disbar me from proceeding in this role and would not prejudice the Paris principles.

Mrs Maria Miller: Could I ask for clarification—I am sorry to interrupt—on whether you discussed this issue with the Office of the Commissioner for Public Appointments and Sue Gray? Were you given advice on this issue? It is right to explore these things. Obviously, this is a matter that is open to everybody to know about. Is it an issue that you discussed with those two groups and what advice were you given?

David Isaac: I explored the point that the Chair is raising with Sue Gray and she was comfortable with it.

Q15 Ben Howlett: Going back to some more of the specifics, you mentioned conflict procedures. Could you expand a little more on what sort of processes you would go through within Pinsent Masons to avoid some of those conflicts?

David Isaac: I alluded to the fact that I was happy to enter a formal agreement with either the DfE or the EHRC, which would set out parameters whereby I had no continuing involvement, either in strategy or negotiations, with government clients. As part of that, it would be incorporated into the framework of the governance of the EHRC. It would set out very clear guidelines and parameters, which I would be very happy to abide by, and it would mean that, in certain circumstances, either I would not be involved personally or I would recuse myself from particular meetings or decisions. I am confident that that would deal with the issues.

Ben Howlett: Would that be in line with the Paris principles as well?

David Isaac: It would.

Ben Howlett: Perfect. How do you feel that you would be able, personally, to deal with some of those issues of conflict of interest?

David Isaac: I am keen to put the interests of the commission first and foremost. The other point I have not raised is that I am beginning a process of moving towards a portfolio career; I am going to reduce my commitment as a lawyer working for PM, and this is a first step in that direction. The process by which I would recuse myself from certain decisions would not, I think, invalidate my role as chair, because it is a standard procedure and government are very keen to get either practising lawyers or business people into positions to assist, whether they are NDPBs or government departments. It is a very standard process, I would suggest.

Ben Howlett: On the specific point about addressing conflicts of interest and the Paris principles, et cetera, when you are negotiating this with government prior to your official start date, what would you like to see that would really satisfy some of the particular points in the Paris principles?

David Isaac: One would have to go through the detail in dealing with those particular requirements, but, having been through the Paris principles, I would say that they require generic principles of independence. My view would be that one needs to particularise and do some brainstorming in relation to particular scenarios to avoid surprises.

Ben Howlett: In relation to information barriers, or Chinese walls being put in place from Pinsent Masons' point of view—obviously there is a very different contractual arrangement that you are trying to arrange with the EHRC—what sort of discussions have you had with Pinsent Masons to ensure that you are protected from the business end rather than the EHRC end?

David Isaac: As a solicitor, we have professional obligations in our own regulatory regime to put necessary barriers in place. I have had various discussions about how that would work in practice in relation to particular assignments that the firm might undertake and the extent to which I would then not be involved in future.

Q16 Lord Woolf: These questions of perceived conflicts are difficult to deal with. Have you given any thought with your partners as to what should be done?

David Isaac: I have. We discussed the approach that I set out for perhaps some sort of memorandum of understanding, and obviously the application of our professional regulatory requirements.

Lord Woolf: Yes. You acknowledge the difficulty that is involved. What do you see that difficulty as being?

David Isaac: You have rightly suggested that perceived conflicts of interest are difficult to either identify or address, but we know in practice that perception does not necessarily mean that there is an actual conflict of interest, and with the necessary safeguards—transparency is one of those safeguards—and using the mechanisms that exist, such as conflict of interest protocols and the agreements that I am referring to, that should go all the way, I believe, to addressing any perceived conflicts.

Lord Woolf: Could I ask you to envisage this situation? Someone is seeking the help of the commission. They come to the commission, make an application and are disappointed by the extent to which the commission is prepared to help them. Do you think there is any risk that that person, knowing that you are a partner of the sort you are, would say, “I know why I have not been helped by the commission: it is because the chairman is actually in a firm of solicitors, and, directly or indirectly, his earnings from that firm are going to be affected by the amount of work the firm gets from the very department of government that he wants the commission to bring an action against”? That is what I am putting to you. How would you feel about that?

David Isaac: That would be a very unfair accusation in relation to me, the commission or my firm, and, by the means I have just referred to, one could easily address the accusation and reject or rebut it.

Lord Woolf: It is very difficult to redress, is it not? The fact is that your firm could continue to benefit from the government department that that person would want proceedings brought against.

David Isaac: As a matter of logic, that is correct, yes.

Lord Woolf: If your firm paid you money that was derived from what it earned doing work for that department, could not the person, if they were of that sort of mind—where they see dangers of people not acting wholeheartedly for them—say, “He has an interest”, as long as you are being paid out of the profits of the whole firm?

David Isaac: If you take a very academic view, there is an interest, I agree. We live in a world where, if we are putting the interests of public money and the discharge of statutory obligations into account, this is *de minimis*, and we should focus on the important things that the commission needs to do to discharge its obligations to deliver a fairer society. That is what I really think.

The Chair: As a solicitor, David, you would not be able to receive both income that comes from acting for the Government and income from acting against the Government. As a solicitor, you would have to choose, would you not? But you are saying you can still be part of the partnership and receive the income, but you would then be acting potentially against the Government with your other hat, which is chair of the Equality and Human Rights Commission. As a solicitor, you would not be able to do that. You would have to choose to be either on the side of the Government or on the other side. If that conflict of interest is made very clear in relation to acting as a solicitor, why do you think that you do not have to keep to that standard when it is a question of a public appointment as chair of the Equality and Human Rights Commission?

David Isaac: I take the point that you make, and I am not seeking to diminish the importance of the role of chair. It is hard for me to say that I would not apply a lesser standard, but one needs to be pragmatic and realistic about this. Having had discussions with the Cabinet Office, I still take the robust view that it would not prejudice my independence and would not directly or materially impact on the ability of the commission to discharge its statutory duties.

Lord Woolf: People who know you would undoubtedly think that is the situation, but I am trying to think of the person who is very sensitive and frustrated about his claim. One way the position could perhaps be improved would be if, instead of you having a share of the profits, you had a fixed sum from the firm that is independent of the work it does for the Government. What you are proposing is to say, “I won’t do the work”. I am suggesting to you that that is not providing the protection. The protection is that your income will not be influenced by what your firm does—not what you do—for the Government.

David Isaac: Yes. It is helpful for you to put that forward, as I was not sure whether to volunteer it in this context. While we were talking, I have been wondering whether or not

there is a way in which the government income for my firm could be ring-fenced such that I do not directly receive any benefit.

The Chair: You have divested yourself of doing the work but you have not divested yourself of receiving the income. I would like to do that myself personally sometimes—divest myself of the work while continuing the income stream. I think that is Harry's point: it is not just about doing the work; it is about benefiting from it. Can I bring Ruth in at this point?

Q17 Ruth Cadbury: Thank you very much. David, I have a local government background, so I am immersed in that culture. It is not just about what you or I think or what the Government or either of the Chairs think; it is what the person on the Clapham omnibus thinks. Whether we like it or not, this country has become very hair shirt about conflict of interest and takes a very literal view of what is and is not a conflict of interest. In my mind, what you are describing about your relationship—even what Harry suggested, the proposed semi-disconnection—still feels like something that will come back to hit not you or I but the EHRC. I want the EHRC to be as strong and as robust an organisation as it can be, and you are a very good candidate to be the chair, given what you bring with your skills, experience and so on. Even with that other solution, to the outsider—the Twitterati, who tend to define the debate—you are proposing that you are still going to be a partner of PM; you are still going to be part of that gang, that team, which is proposing to continue working for the Government. How far would you be prepared to go to make that disconnection so that no one could perceive that there might be a conflict of interest, rather than just not you or me?

David Isaac: Certainly, I can feel and hear the points that are being made, so I take that very seriously. I have been led to believe that my continuing role with PM would not be an issue in my eligibility for this post, hence my continuing the process and getting to this stage. The reason for me talking to Sue Gray was some of the discussions I had with your clerk. Having said all that, I am mindful of these points. I will go away and consider them and seek to address the points that you have made. Clearly, I need to do that in consultation with my partners but also in further discussion with Sue Gray.

Q18 Mims Davies: In terms of your peers—perhaps other people who might apply for this role with the kind of experience you have—and bearing in mind that perceived conflict of interest, is there a danger that anyone as qualified and experienced could find the same issue?

David Isaac: Absolutely, which is why I was referring earlier to the point about government seeking to involve other solicitors and other business people in non-exec roles, because it does present difficulties. There is a generic issue as well as a very particular issue in relation to the EHRC. The discussions that I have had are on the basis that the Government are trying to encourage business and legal input into the way government is run, and there is obviously a programme that the Cabinet Office has developed, which is one of the reasons that I applied for the job.

Mims Davies: Ironically, we are talking about a fairer society, giving opportunity, and one wonders if one could also talk oneself out of doing this when looking at it that way. Looking at the £50,000 versus the £500,000, clearly you would be doing this more for love than money, and one would guess that if you are looking for a career or gear change this is part of the process. I suppose taking a public appointment is difficult to do without experience of it.

David Isaac: Exactly.

Mims Davies: This is part of the gear change where perhaps your financial reimbursement would become more divergent as a whole, if I understand what you are saying.

David Isaac: Absolutely. Yes, I think it is important to contribute, because I believe in the overall objective of the EHRC, as I set out right at the very start, and this results in me taking a significant diminution in remuneration.

Mims Davies: To make the point—if I may, Chair—because in the round it is not particularly well paid by comparison, you do not feel that would mean that you would not work as hard as anyone else who felt that £50,000 was good remuneration for 100 days a year.

David Isaac: No, I certainly would not work as hard; in fact, I would probably work harder in relation to discharging my duties as chair, because, as I said right at the start, I am passionate about this. It is incredibly important, and the independence of the chair is something I will work hard to deliver on.

Q19 Amanda Solloway: I have a couple of clarification points on what I think I am hearing. First, it seems as though the other partners are very satisfied with your ability to work independently for the EHRC. Is that right?

David Isaac: Correct.

Amanda Solloway: My question is twofold. First, do you believe you can operate from an unbiased perspective—in other words, that no influence from PM will have any impact on you? Then, do you perceive that there might be overlaps?

David Isaac: In relation to your first question, my firm is enthusiastic about me doing this role. I do not perceive that there would be any difficulties, and I do not think there are any overlaps. That is why I was suggesting that the protocol is something that we set out in great detail, anticipating various scenarios so that we get as much clarity as possible, and that, as I said, we avoid surprises. Clearly, what is most important is the ability of the commission to discharge its obligations and to deliver a fairer society. That is what I believe.

Amanda Solloway: At no point would there ever be a communication between you and any other members of PM around the EHRC.

David Isaac: None whatsoever.

Q20 Maria Caulfield: Mr Isaac, I want to go over some old ground in relation to the nine protected characteristics, because, as members of the Women and Equalities Select Committee, that is what we are particularly concerned about. You obviously have substantial experience in that, and, as Mims said, you are someone with experience who is willing to do the job for a lot less than you are currently earning. How do you feel that having someone with legal experience—this relates to our evidence sessions in a number of inquiries that we are conducting at the moment—would benefit that role?

The Chair: Could I stop you answering there, David, because there is a Division? Colleagues will have to go and vote. You can answer the question from Maria when she and the others come back.

The Committee suspended for Divisions in the House of Commons.

The Chair: We can restart. We will move on from the discussion about independence from government and conflict of interest. We welcome your suggestion that you will go back to your partners and consider how you can put a complete firewall between the income that comes to you and the income that goes from the Government to your firm. That is a very helpful suggestion that you have made in response to the points that have been raised here. Moving on from that, we go to Ben, who has some further points.

Q21 Ben Howlett: I have a specific question in relation to disability. Given that the Disability Committee will lose its statutory status next year, what do you envisage that the work of the Equality and Human Rights Commission will be in order to pick up that area of work?

David Isaac: I am not close to the detail, but from my reading I think there is a possibility of an extension of the Disability Committee along the lines that you have just discussed; but, assuming that does not happen, one needs to be extra vigilant to ensure that the disability agenda is advanced in exactly the same way as currently. I would need to understand what operational differences that might represent. Clearly, there is a separate committee at present that looks at those issues, but, given the importance of disability, my view is that this is an area where there is a lot to be done and at present insufficient regard is probably given to it more generally in the equality landscape.

Ben Howlett: To put that into context, we have not reported anything in the Women and Equalities Select Committee yet, because the Lords are publishing their own report.

David Isaac: I understand, yes.

The Chair: That concludes the questioning session, David. Thank you very much for coming before us and answering in such a forthright manner. I apologise for the interference of the votes that have punctuated this session. Thank you very much.

David Isaac: Thank you for your time.