

Women and Equalities Committee

Oral evidence: Levelling up and equalities: one-off session, HC 1170

Wednesday 2 March 2022

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Members present: Caroline Nokes (Chair); Theo Clarke; Elliot Colburn; Dame Caroline Dinenage; Jackie Doyle-Price; Kate Osborne.

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Witnesses

[I](#): Kemi Badenoch MP, Minister for Levelling Up Communities, Department for Levelling Up, Housing and Communities; Marcus Bell, Director, Equality Hub; and Christopher Gray, Deputy Director for Levelling Up Strategy, Department for Levelling Up, Housing and Communities.

Written evidence from witnesses:

Examination of witnesses

Witnesses: Kemi Badenoch, Marcus Bell and Christopher Gray.

Q1 Chair: Good afternoon and welcome to this afternoon's session of the Women and Equalities Select Committee. This is a one-off session on levelling up and equalities. I thank Minister Kemi Badenoch; Marcus Bell, the director at the Equality Hub; and Christopher Gray, the deputy director for levelling up strategy, for attending.

Kemi, can I start with you? We have heard that levelling up is the Government's "defining mission". How would you define it?

Kemi Badenoch: That is a great question; thank you. This is something that we spent quite a lot of time trying to focus because so many people took levelling up to mean what they wanted it to mean. It is a term that can be defined by so many different people. From our perspective, we have four key things that we use to define it.

The first is boosting productivity: looking at pay, living standards, jobs, and growing the private sector, especially in those places where productivity is lagging. The second is spreading opportunity and public services where they are weakest and have been historically neglected. The third is restoring a sense of community, local pride and belonging, so that pride of place that communities all across the country want to have. The fourth is empowering local leaders and communities, especially in those places lacking local agency, which touches on my role as local government Minister in particular.

Q2 Chair: How do you prioritise those? If levelling up means different things to different people, how do you balance that?

Kemi Badenoch: This is how we have balanced it: we feel that those four areas are a specific enough focus for us to be able to target in those areas. In terms of prioritising, there is not one thing that is specifically more important than another; different places will need different things.

Q3 Chair: How much focus is there on spreading opportunity? Is it just about public services or are you spreading it far more widely than that?

Kemi Badenoch: Education in particular is one of the key ways that we can spread opportunity. We had 12 missions for levelling up, but the education and skills missions are the ones that I think will be the key drivers in terms of providing opportunity for people from a very young age and embedding that.

Q4 Chair: You have a responsibility for integrated communities. How is that working?

Kemi Badenoch: Yes—integration and communities. That is a part of the portfolio that looks at community cohesion. It also looks, in terms of the four areas that I mentioned, at how we can make sure that the pride of place element and the local government element, in helping to achieve



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that, work well together. It touches very closely on local government as a driver of keeping communities cohesive and stopping them—what is the best way of describing this? In terms of the work around integration and extremism, there are a lot of levers that local government has to do that.

Q5 **Chair:** Can you expand on which levers in particular you think have been most effective for local government?

Kemi Badenoch: In terms of?

Chair: Building community cohesion.

Kemi Badenoch: Almost every single thing that impacts people's quality of life comes from local government. When you look at the places that they support and the funding that they put towards all sorts of things, such as parks, the support they provide to schools and education, the housing component, so much of what local government does is crucial for cohesion. It has almost all the levers.

Q6 **Chair:** I think we can all appreciate that what local government does is help build communities, and you pointed to housing, education, parks and so on. What in that is specifically helping build "integrated communities", which I think is the specific term that the website uses?

Kemi Badenoch: Which website?

Chair: The Department for Levelling Up—gov.uk.

Kemi Badenoch: Oh, I see. My portfolio is described as "integration and communities". I think "integrated communities" is probably just a loose shorthand for communities that are cohesive and work well together, where people are not segregated, where you do not have people living side by side who do not understand what each other's lives are about.

Q7 **Chair:** So what are you doing to build integrated communities? I have heard what local government is doing, but I want to know specifically what you are doing to drive that as the Minister, and what practical policies are being implemented by local councils, with or without your direction, that you think are helping most.

Kemi Badenoch: A lot of what I am looking to do will come with the work that we have done on the Commission on Race and Ethnic Disparities in particular, and I cannot speak too much on the detail of that because we will be responding shortly. We are also reviewing some of the strategies that have come out over the last few years, the Casey review, and working with the Home Office on things like hate crime, for example. A lot of high-level policy work is taking place in the Department, but not much that I can speak on today because that was not within the specifics of what I was told we were discussing.

Chair: I think you can expect to be asked a lot of questions about how your role is helping—



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Kemi Badenoch: That is true.

Chair: You have told us a lot about what you are looking at; I want to know what you are doing.

Kemi Badenoch: Well, that is what I am doing as well.

Q8 **Chair:** What policies are particularly being driven—it does not necessarily have to be as a result of the CRED work—to drive more cohesive communities in parts of the UK? Come on, give me a policy that is actually being implemented that you think is helping most.

Kemi Badenoch: The work that we are doing on Hong Kong nationals, Afghan refugees and what is happening in Ukraine—refugee policy. That is quite an important thing that the Department is looking at at the moment. That will be essential in terms of making sure that communities continue to be cohesive. That is one example.

Q9 **Chair:** I think it is a really good example. What work is the Department for Levelling Up doing to make sure that those Afghan nationals living in bridging hotels in constituencies up and down the country are being assisted to integrate into local communities?

Kemi Badenoch: I know the Department is doing work on that. That is something that Minister Atkins is looking at. She is the Minister responsible specifically for that policy, so I would not want to give an answer that was incorrect. If the Committee would like more detail, I am sure the Department can provide something in written form.

Chair: It was the example that you just gave us.

Kemi Badenoch: You asked what the Department was doing, and I gave you an example. I am not the only Minister in that Department, and I do not do everything in it.

Q10 **Chair:** We heard yesterday that your Department is going to be given the lead for the refugees that may come here under a humanitarian pathway from Ukraine. What have you learned from the Afghan scheme that will help them to integrate better into communities here?

Kemi Badenoch: Again, that is something on which you would get a better answer from my other Ministers. This was not something that I was expecting. It is not within my particular portfolio; it is work that we do generally.

Chair: So you are the Minister for integration and communities but you don't—

Kemi Badenoch: Yes, but I am not the Minister for settling Afghan refugees or Hong Kong and BNO nationals or Ukrainian refugees. But where there is an element within local government that requires support, certainly officials in those teams do assist with that.



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Q11 Chair: If you were going to give a recommendation to local councils that were looking to community sponsorship of Ukrainian refugees, what advice would you give them about how best to make sure that they integrate into local communities?

Kemi Badenoch: It is one of the things that local councils, in the forums I have with them—the Local Government Association and so on—ask for support on. Most of the time it is financial. They say that the capacity to absorb lots of people in a very short space of time is not always there, so funding is often the big thing that they ask for. My job is assisting other Ministers in helping councils to see where they can find capacity and what they can do in order to be more willing to accept people. The difficulty that they tend to have is a lot of local resistance. We often get a lot of verbal support from communities saying that they want this, but when it is actually time to take in large numbers of very desperate, very vulnerable people, there is often a lot of resistance on the ground. We do give advice and support to local councils in terms of easing the transition for people coming in and also in allowing communities to absorb new populations and be more welcoming.

Q12 Chair: What does that consist of? What does it look like?

Kemi Badenoch: What does what look like?

Chair: The advice that you give.

Kemi Badenoch: I do not have that to hand. That is something that happens at official level. I do not have the conversations with the local councils; officials let me know what they are doing. But in terms of the detailed advice, that is something that I think we can provide to you specifically.

Q13 Chair: How often do you meet with local councils?

Kemi Badenoch: With local council representatives almost every day, but in different formats. Sometimes it is with a body like the LGA; sometimes it is with their executive. Quite often it is with specific chief execs and local leadership, depending on the issues that they have. Just to remind you, my role primarily is local government. Eighty per cent. of that is local government finance—the local government finance settlement and reform of the local government finance sector. That is what takes up a lot of my time. It is very technical. It is not often the sorts of things that you are talking about. If it is specifically on refugees, a different Minister would be doing that, and quite a lot of the day-to-day work is done by officials.

Q14 Chair: How much more money have you advocated for local councils to get to help integrate refugees?

Kemi Badenoch: Again, I am not the Minister for refugees.

Q15 Chair: No, but you told us that councils were asking you for the money, so what are you doing to get that for them?



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Kemi Badenoch: Yes, they do, and my role is to provide the overall package in terms of the local government finance settlement, and we have provided them with a significant increase this financial year.

Q16 **Chair:** Does it cover the additional costs of taking in Afghan refugees?

Kemi Badenoch: I believe that it does, and when they do have additional requirements—we have done quite a lot with things like covid, for example—we have been able to find additional funding for that.

Q17 **Chair:** What do you think has been your biggest achievement as Minister for Equalities?

Kemi Badenoch: What I am most proud of is the work we did on covid disparities. There was a lot of original research. The work we did was praised; I think it won an award from the ONS. That was a very contentious issue at the time, and it had the potential to turn into a real catastrophe for the Government back in June 2020, when it started. Being able to take ownership of that piece of work from the DHSC Secretary of State—the Prime Minister asking me to look at it—and the way that we were able to complete it and hand down recommendations, not just to DHSC but to NHS England and other stakeholders, is the thing I am most proud of.

Q18 **Chair:** Were covid disparities more of a catastrophe to the Government—or they had the potential to be, as you just said—or for the communities that were disproportionately affected?

Kemi Badenoch: For both, but my role is to make sure that the Government does its job properly, and I am very pleased that we are able to do that.

Q19 **Chair:** How much time are you currently dedicating to your role as Minister of State for Equalities?

Kemi Badenoch: About 50% of my time.

Chair: Thank you for that. I am now going to turn to Elliot for the next set of questions.

Q20 **Elliot Colburn:** Thank you, Chair. Minister Badenoch, I will address my questions to you, but Marcus and Christopher, please do come in if you feel you can add anything. I would like to go back to “The New Fight for Fairness” speech in 2020 that the Minister for Women and Equalities gave, where she announced that the GEO’s focus would go beyond the protected characteristics within the Equality Act to tackle levelling up. Where does that leave those protected characteristics? We heard a lot about wanting to bring in geographical and other inequalities. Does that mean that protected characteristics take a back seat? Does it mean that they are no longer the focus, or that they get absorbed into some kind of multi-approach with these new characteristics that the Government is looking at?



Kemi Badenoch: They are definitely not taking a back seat, but in order to really deliver for people we cannot just look at protected characteristics, of which there are nine. There are certain ones that tend to get more airtime in the media that people discuss and are the focus of campaigns. In terms of the Government's levelling-up agenda and the Foreign Secretary's fight for fairness speech, the real drivers of inequality are not necessarily located within protected characteristics, especially on an individual basis. What we need to look at is geography in particular—place, income; those sorts of issues—and that is what the data programme that we are working on looks at.

Q21 **Elliot Colburn:** I appreciate that geographical inequality and place account for quite a lot of what the Government is looking at, but does that mean that the Government is still committed to looking at equalities that do exist among those nine protected characteristics and tackling those?

Kemi Badenoch: Of course. Is there something specific that has happened that you are referring to?

Elliot Colburn: No, not at all. I just want to clarify that those protected characteristics have not been abandoned.

Kemi Badenoch: They definitely have not been abandoned. We have just launched a disability strategy, and I talked about the work that we are doing on race and ethnic disparities. There is a lot of work that is going on in the LGBT space. Those are all protected characteristics. I think it would be very, very wrong to say that we are deprioritising all those things when we are actively working and have been launching strategies on them.

Marcus Bell: Can I just add a point about the equality data programme that the Minister mentioned, which I think exemplifies the approach and where I hope you will be able to see the first results in terms of data very soon? That programme looks at geographical and socioeconomic inequalities, so how different metrics vary around the country and by income. It also looks at various protected characteristics in addition around ethnicity, disability, gender and so on, but most importantly at how all those things interact. That is bringing a new lens to some of that. Just one illustration of that is that the prevalence of disability is twice as high in the most deprived areas as the least deprived areas. That is exactly the kind of issue that we are trying to get into to get a better granular understanding of how protected characteristics, including that one, interact with some of the socioeconomic and geographical issues.

Q22 **Elliot Colburn:** I was going to ask for an update on the equality data programme, but just before I expand on that, was there anything that you wanted to add about the equality data programme or is that the update?

Marcus Bell: I am happy to say more in answer to your questions.



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Q23 **Elliot Colburn:** Sure. On 25 January we were told that the first tranche of data, on pay and employment, would be published “in the coming weeks”. Is there any update on the findings of that? Most importantly, what is intended to be done as a result of that data?

Marcus Bell: Partly, it was held up by the need to go after the levelling-up White Paper; that is obviously a key statement of policy that the data relates to. I hope that that data around employment and pay—that is first instalment of data from the EDP—will be available very soon, but I obviously cannot share any details until it is.

Q24 **Elliot Colburn:** Would it be possible to follow up with the Committee once a firmer date is—

Marcus Bell: I am happy to write to the Committee at the point at which it is published, sharing the report and highlighting some key issues arising from it.

Q25 **Elliot Colburn:** Thank you very much. In terms of the levelling-up agenda, what role, if any, does the Social Mobility Commission play in that?

Marcus Bell: The Social Mobility Commission has a new chair and vice-chair, who were appointed quite recently, and they have been asked to think about the most effective approaches for the SMC in the new context. I am sure that once they have decided what path they want to take, they will certainly have things to say about how they fit with levelling up. Obviously, levelling up is a key Government policy, and I am sure they will want to take account of it in how they set out their thinking about social mobility, but they are doing that at the moment.

Q26 **Elliot Colburn:** That is the Social Mobility Commission itself deciding on whether or not to engage with the levelling-up agenda or what form that takes, not necessarily the GEO or the Department for Levelling Up approaching them in the first instance?

Marcus Bell: The Social Mobility Commission is an independent statutory commission that decides its own way. It is supported by staff from my unit. The civil servants who work for it are part of the Equality Hub, but the Social Mobility Commission sets its own course. The Secretary of State can refer questions to it and ask it about issues, but it is really for the commission to decide its approach.

Q27 **Elliot Colburn:** In terms of the future of the equality data programme—we spoke obviously about the first tranche of data, on pay and employment—what is the next focus for the equality data programme, and what are the expected timeframes to report those findings?

Marcus Bell: The next focus will be on education, health and policing. I think we are hoping to cover all of those in the course of the year. With a new programme like this, getting over the first hurdle is always the hardest thing because you need to collect the data and set up systems for processing it and so on. Getting over the first hurdle is the biggest



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step. I am not promising immediate follow-up after the employment and pay stuff comes out, but I hope that, in the course of the year, you will see significant progress with that.

Q28 **Chair:** Minister, can I just come back on the Social Mobility Commission? What would your aspiration be for its joint work with you on levelling up? What do you want to see from it?

Kemi Badenoch: When I met the chair and deputy chair, one of the things that I asked was for them to do more rather than tell us what needs to be done. One of the things that I find really interesting is that everybody writes reports about all the things that Government should do, and we fund them, but it almost feels like we are funding them to tell us things that we could research in house. I would like to see a lot more independent organisations—EHRC is a great example of how to do this—actually doing some of the driving of the work rather than just report writing. I know that they are very keen to look at education outcomes and courses and almost evaluate how well things are being done in terms of social mobility for lots of young people. That is one example of something that I spoke to them about. I think it would make a huge difference in terms of outcomes for those people who often do not have the social capital to navigate the education system, especially at the tertiary level.

Chair: Thank you. This Committee certainly had a pre-appointment hearing with the new chair, which was very impressive. I guess, like you, we are waiting to see what actually emanates out of them, so thank you for that.

Q29 **Theo Clarke:** Minister, can I ask how much input the GEO had in developing the levelling-up White Paper?

Kemi Badenoch: The Equality Hub—not GEO; GEO is a team within the Equality Hub—did have input into the levelling-up White Paper. I was not part of the levelling-up White Paper team. I do not know if you know more about that, Chris. Marcus will definitely know what specifically they did.

Marcus Bell: We had very extensive involvement on both the policy and particularly the analytical side given the links between the EDP—obviously, we have all the data for the EDP, even if others do not. I was a member of the main Whitehall director-level steering group on the White Paper. We were very closely involved.

Christopher Gray: I would like to add to that. On our missions, one of the things we have committed to over the next few months is to refine and finalise the metrics for how we measure those, both with external stakeholders and with colleagues across Government. Again, the Equality Hub has a big role to play there in how we are measuring progress and which groups we are looking at within that.

Q30 **Theo Clarke:** When we spoke to the Minister for Women and Equalities



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back in 2021, she said that levelling up was not just about addressing geographical issues but about making sure that different groups with protected characteristics were treated fairly. Is there a reason why that was not reflected in the White Paper?

Christopher Gray: We have touched on this already in the previous answers. First, the approach of the Government in general is to tackle all the different challenges and barriers that people face, and levelling up is one part of that. It recognises that place is a massive part of those challenges and if we address some of the barriers that exist in a particular place in the country, we help everyone access opportunity, live long and healthy lives, and be proud of where they live.

Secondly, on the analytical side, as we developed the White Paper and looked at the missions, we did look very carefully at how they would impact different groups and what the distributional impacts would be. It is quite clear—Marcus has touched on this already in one particular case—that there is a lot of overlap and interaction between these different disadvantages or barriers that people face, so by tackling place we will also disproportionately benefit those groups that you have mentioned, but also other groups that face their own challenges.

The final thing I would say is that we have committed in the missions to look, as we develop those metrics, at where it is appropriate to disaggregate the data so that we are considering the specific impacts on different groups as we drive policy forward and develop new policy to deliver. We know already that for a number of those missions we can only deliver the progress we have committed to by closing those wider disparities. Ultimately, if you need to lift up those people who are facing the biggest challenges and are already getting the worst outcomes, the only way we can hit our overall goals is to support those groups specifically. As the Minister has already said, this work is not competing with the wider work across Government; it sits alongside it and complements it.

Q31 Theo Clarke: Minister, it has been argued that the enactment of the Equality Act's socioeconomic duty is an "oven-ready" solution to the Government's focus on geographic inequality. Have the Department for Levelling up and the GEO considered implementing this?

Kemi Badenoch: I am pretty sure the Committee has asked this question four or five times, and we regularly get this in PQs. It has been a very consistent line from the Government for at least 12 years. The socioeconomic duty would end up being a tick-box exercise. People say that it would be an oven-ready way of doing it, but in reality it would not, so we have deliberately not enacted it. Equalities policy is devolved to Scotland now, so that will be a really good test case to see what difference it makes. I would be quite concerned about it being used as a tool for social engineering. Socioeconomic background is not as easily definable as sex or race, and it is something that interlinks with so many other things. It is much better for us to just focus on developing policies



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that will reduce inequality rather than creating an impact assessment that would make it easy to look as if you were delivering but actually would not create the outcomes that you wanted.

Q32 Dame Caroline Dinenage: It is lovely to see you all; thank you so much for coming in. I am going to address my questions to Minister Badenoch—and I have just realised I have been pronouncing her name wrong for the last 20 years.

Kemi Badenoch: Everybody has.

Dame Caroline Dinenage: Apologies for that. Gentlemen, if either of you have anything to add, please do feel free to chip in. In our Committee's recent report on the ethnicity pay gap we recommended that mandatory ethnicity pay gap reporting should be introduced. Is that something that the Government can commit to do to help try to address some of these disparities in the workplace?

Kemi Badenoch: I cannot declare anything in this meeting, but we will be talking about ethnicity pay reporting and what the Government's approach to it will be. I know that the Committee did talk about mandatory reporting. The Commission on Race and Ethnic Disparities recommended voluntary reporting. One of the reasons why is that, unlike gender pay gap reporting, which is binary—it is either male or female—ethnicity pay gap reporting can be cut in so many different ways. We are very worried about a lack of consistency in terms of not just how people will apply it but what is relevant in different parts of the country. We have men and women roughly in equal distribution all over the country; that is not the case for ethnicity, so there is still some work to be done in terms of outlining how such a policy should be enacted. You may remember that there was a consultation by BEIS, which that Department will be publishing in due course. One of the things that we want to do is to get out the Government response to CRED as soon as we can and then, following that, a lot of the policies that you are referring to will be fleshed out in more detail.

Q33 Dame Caroline Dinenage: Do you think this is the sort of area where the Government might be inclined to roll out voluntary reporting with a view to making it compulsory in the fullness of time once people have got their head around it?

Kemi Badenoch: There are many people who are calling for that, but I cannot make policy.

Q34 Dame Caroline Dinenage: I am sure that is not true. I have every faith in your ability to do it. Can I move on to the levelling-up missions? There are a lot of missions, are there not? Are there 12 missions?

Christopher Gray: Twelve, yes.

Dame Caroline Dinenage: There are a lot of them and some of them are super-ambitious. The one I wanted to talk to you about specifically at



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the moment is education. The mission looks to ensure that “the number of primary school children achieving the expected standard in reading, writing and maths will have significantly increased” by 2030. In some cases, it aims to have 90% of children achieving the expected standard. How are you going to do that?

Kemi Badenoch: I am going to defer this question to Chris because he has done a lot more work on the levelling-up White Paper and he has the detail.

Christopher Gray: The first thing I would say is that we did a lot of analytical work to make sure that all the missions were very ambitious and stretching, but also credible. I think the ambitious and stretching point is really key to their purpose because otherwise they will not be driving the Government over the next eight years to push itself and think differently and deliver services in a different way.

On this particular mission, we set out a number of policies in the White Paper itself. We have the education improvement areas in the 55 worst performing areas of the country, focusing on things like teacher retention payments and the expansion of MATs in those areas. We are also looking at how we can bring even more intensive support to those areas within that that really see the worst outcomes. The Department for Education is committed to bringing forward a schools White Paper in the coming months, which will essentially set out its initial plan for delivering on this mission. That is where they will set out the detail of that, but also further interventions. I think that will be the place where the Government has the opportunity to really set out the answer to that question.

The final thing I would say is that this is an eight-year goal and the White Paper was quite explicit that it is the first step on quite a long journey. What we have put in the White Paper is the beginning of that journey and will get us some of the way, but obviously we recognise there is more work for both Government and other stakeholders to do together.

Q35 **Dame Caroline Dinenage:** It just feels wildly ambitious to me, Christopher. In my constituency of Gosport, 59% of key stage 2 children achieve the required standard. We are not on the list of education improvement areas. That underlines the thrust of the problem here. We need to try to get to 90%, but even at 59%, we are not earmarked for any kind of special help or assistance. Does that not feel wildly ambitious to you?

Christopher Gray: I am not sure I would say it is wildly ambitious. I think it is ambitious and it is a mission that we know, and the DfE know, will take a lot to deliver and will be a challenge, but as I said, we looked at it very carefully and made a judgment, and the Department for Education made a judgment that it was something they could deliver and that they would stretch themselves to deliver. We can obviously ask the Department for Education to write to you with more detail about both our analysis on the trajectories and what we think it will take. As I say, the



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forthcoming schools White Paper will also contain more detail, but we are confident that it is both ambitious and stretching, and credible.

- Q36 **Dame Caroline Dinenage:** Is there a plan to set out the trajectory for areas like mine—there will be many others like it across the country—that do not fall into the category of the worst performing in the country and do not get all this special assistance but are nowhere near the 90% aspirational level? Is there a planned trajectory for areas like that? What do we do? Are we just left to our own devices? How does it work?

Christopher Gray: I think the trajectories point is an important one. One of the things that we have committed to in the White Paper and put into statute is annual reporting on all of these missions. I do not yet know the precise design of that or the different ways the data will be presented, but in terms of trajectories, the whole point of that exercise is every year to show how far we have come, how far we have to go, and what the Government is doing to deliver that. That is hardwired into the system. We have built those opportunities for you and for other Members of Parliament to ask those questions and to see what progress has been achieved and come to your own view, along with stakeholders, of whether it is adequate and whether there are policies in place that will deliver what needs to be delivered and then put that challenge to the Government and be part of the conversation about how we deliver going forward.

- Q37 **Chair:** Just a question on the annual reporting. Is there a danger that in areas like Gosport, which we have just heard gets no additional funding, there will be an annual report on a growing deficit?

Christopher Gray: Obviously, our ambition is no. The purpose of the annual report, I guess, is to hold the Government to account on those things and make sure that that does not happen in the system and we are not aware of it and not addressing it. The whole design of the system is to avoid that eventuality.

- Q38 **Chair:** We have just heard that in Gosport 59% of key stage 2 children are not reaching the required levels. What is the threshold at which intervention might be taken? How bad does it have to be before you are identified as being a special case? Gosport has a lot going for it in terms of seaside, and we know that geographically, seaside towns are looked at as being a special case. How bad does it have to be?

Christopher Gray: We are straying firmly into the Department for Education's policy area. As I say, we can ask the Department to write to you on specific areas of the country. I do not think there is a hard cut-off. I am not the ultimate owner of education policy—

Chair: No, I appreciate that.

Christopher Gray: —but I do not think there is a hard cut-off in the system where we say we do or do not care about a school. I think the Department is focused on both the worst performing and those areas of



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the country where children have consistently and persistently struggled to achieve our required or expected outcomes. I think it is very clear in DfE's wider agenda that they care about all schools and are investing across the country. As I say, we can ask DfE to write specifically on Gosport or—

Q39 Chair: It would be interesting to know, if those annual reports show a persistent flatline at 59%, what on earth is going to be done to get them to 90%, and—it may not be a hard and fast cut-off; I absolutely accept that—what parameters we are looking at for those areas that might get special investment so that the children go from, I don't know, 40% or 30% up to 90%.

Kemi Badenoch: Just following on from what Chris said, this is something that is very much a DfE competency, but—

Chair: Yes, but you did say that one of your priorities was education.

Kemi Badenoch: I haven't finished. Having been a DfE Minister, I do know that Ofsted is the regulator for schools overall, so levelling-up metrics are not the only metrics that are used to judge what is happening with schools. I would expect that if there was something serious, an Ofsted report, and all the other inspection regimes that are used to determine when things are going wrong, would come into place. The levelling-up agenda is the Government's flagship policy. It is not the only thing we are doing, and it is not the only way to deliver on many of the questions that you are asking.

Q40 Chair: It was the mission. You said that education was one of your priorities. Of course, we appreciate that Ofsted is the regulator and will, indeed, be carrying out inspections. I am just trying to ascertain, if that is your mission and you are producing annual reports on that mission, how those trajectories are going to be measured and compared and at what point a red flag goes up that we are getting some areas with good progress and others we are happy to let flatline.

Kemi Badenoch: I do not think that that is the case; we are not happy to let anywhere flatline. The annual reporting mechanism is specifically for what has been outlined in the levelling-up White Paper; it is not a universal tool to fix all problems.

Christopher Gray: Can I just add one point? The way that particular mission is designed is that the 90% is unachievable if areas of the country are still delivering 59%. In that particular case, we cannot succeed on the top line national target without, I think, lifting a whole number of areas. As you said, that goes to the challenge and ambition of it. Within it there is then a set of more targeted goals focused on the worst-performing areas, but the mission was quite carefully set up so that even areas like Gosport would have to see improvements.

Q41 Dame Caroline Dinenage: It slightly worries me that it says that "90% of children will achieve the expected standard, and the...worst performing



areas will have increased by over a third.” My area does not fall into the worst-performing areas, so you can see my fear—I will not be alone in this—that actually we could be falling through the gaps at a time when there is all this focus on those that are the worst performing as a way of bringing up the overall level. Anyway, I am going leave that there because I have caused enough trouble.

Can I move on very briefly to early years education and also, specifically, childcare? It is kind of part of the same mission, but some of the evidence that we have heard is that this levelling-up focus really fails to address that. We know that early years education is utterly crucial for educational attainment, but we also know that having good-quality childcare provision in place is fundamental for a whole range of other levelling-up aspirations—getting women, particularly, back into the workplace, into higher paid jobs and so on. How, if at all, is this mission going to address the issues of childcare and early years education?

Kemi Badenoch: We are investing in family hubs and transforming Start for Life services—that is one of the key things that we are doing. I think the figure is £300 million to help build that network, and it is building on top of all the things that we have been doing on childcare over the last 10 or 12 years. It is something the Government does take very seriously. We have spent over £3.5 billion in each of the past three years, I think, on early education entitlements. The Government is going to continue to support families with their childcare costs, but it is one of many elements that we are looking at in terms of supporting families. There was a review by Andrea Leadsom into early years, which I know DfE took up. I do not know the full details of that, but there are many elements in their recommendations that have been built into wider Government policy, and DfE could speak on that. From my communities portfolio, there is work that we are doing on supporting families. The supporting families programme had quite a significant increase in the spending review. That cuts across lots of different Government strategies, and we think it is a programme that will help to deliver. There is work being done on childcare and money being invested.

Christopher Gray: Can I add one thing on the mission specifically? The mission approach is partly about recognising that there is no one intervention that will deliver the outcomes you want to achieve, and keeping flexibility over time to adapt and bring in as many different elements of the system to drive outcomes. As you have said—we agree—the focus in the mission on children achieving the expected standard in school will require some effort in early years and in childcare to ensure that by the time they reach school age, those children are ready and able to succeed. Even though the mission might be drafted in that way, as we try and deliver that mission, we definitely recognise that childcare and early years will be part of that. That is why it was part of the White Paper and we included some of the policies that the Minister has mentioned.

Q42 **Dame Caroline Dinanage:** With that in mind, there may need to be a renewed focus on ensuring that the early years commitment, for



example, is properly funded. A lot of settings are really struggling to deliver the 30 hours commitment within the allocated budget at the moment.

Finally from me, there are some really ambitious missions here, and some of them are obviously very laudable and important, but are they all realistic? Obviously, a lot of them have measurables built into them—the ambition of the 90% education levels and what have you—but what does success really look like? Will there be incremental publications of how each year is being measured, and the progress towards them all?

Kemi Badenoch: I will let Chris talk about the incremental measures and how we are looking at outcomes, but it is credible? I think it is. It is certainly aspirational—it is a stretch—but if we had picked targets that were easily achievable, this would not have been a well-received paper. We are trying to really fix some structural issues that have been around a long time. If we had picked an earlier date it would have looked even more ambitious and unachievable; if we had picked a later date it would have seemed as if we were kicking the issues into the long grass. In terms of the timing and what we are trying to achieve, I think 2030 is actually probably the best time to achieve on both counts. On measuring outcomes, I will hand over to Chris.

Christopher Gray: We have already talked a little about this. We recognise some of these things take time to change, and that you cannot necessarily wait to see the change in that top line metric. As we have mentioned, we need to start delivering change now. The purpose of the annual reporting that we have committed to is to allow us to look at those sub-metrics that will show us things are starting to move in the right direction, but also that people have a chance to look at what the Government is doing in terms of policy and delivery, to start moving the system in the right direction now. That is the key—it gives everyone a chance to look at this on an incremental basis. We cannot wait eight years to see where we are; we need to constantly look at whether things are moving in the right direction and whether we need to do more or do things differently.

Q43 **Dame Caroline Dinanage:** When we get to 2030 and we have ticked some of the mission boxes, and potentially we know we are there or thereabouts on some of them, what will the country look like that will be so much different from now, in your mind?

Kemi Badenoch: Certainly a more equal country, especially in terms of equality of opportunity. A phrase the Prime Minister and the Secretary of State use all the time is that we know talent is spread all over but opportunity is not. It is changing that to make sure that it does not matter where you were born or where you live, the opportunities that you have in London are the same opportunities that you have in Hull or in Cornwall, and the place that a person is born is not determining their life outcomes. By 2030 we should certainly be able to see a difference if we meet these targets.



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Another point on the annual reporting: the purpose is also to show us if what we are doing is working or not. This is still all to play for. We might want to tweak one thing or another, and annual reporting gives you as up to date a mechanism of knowing whether what we are trying to do is delivering or not, so that we do not wait until 2030 and then realise that it did not work but we have a chance to adjust things as required.

Q44 **Chair:** Annual reporting gives you an up-to-date mechanism of whether things are working. Would the same apply for the ethnicity pay gap?

Kemi Badenoch: No, actually, it would not.

Q45 **Chair:** Okay. Does it not work for the gender pay gap?

Kemi Badenoch: It does to some extent, but annual reporting on a specific policy with specific metrics that we are owning and in complete control of is completely different from measuring what the private sector is doing. A cohort of people—if we took in, for instance, a large number of refugees from a different country—could completely change your ethnicity pay gap reporting without being to do with anything that you had done. So no, they are not the same thing at all.

Q46 **Chair:** Can I take you back to your comments about mandatory versus voluntary ethnicity pay gap reporting? You were absolutely right to point out that, although not necessarily, gender can be very binary and give you very clear results, but for ethnicity it is very different, which in itself makes it much more complex. While I do not want to dwell on mandatory versus voluntary, do you think it would help the private sector if there were frameworks set out by Government to make it clear that the same things were being measured by different companies?

Kemi Badenoch: Yes.

Q47 **Chair:** That might help lead us to a position where, even if reporting were voluntary, the Government had given some sort of indicator of what they thought would be a helpful way of doing it.

Kemi Badenoch: I think that is right; otherwise, everybody would be doing their own thing and there would be no consistency.

Q48 **Chair:** Thank you for that. Can I ask about the funding of the Equality Hub, and whether it has had any additional funds to assist with the levelling-up agenda?

Marcus Bell: Our budget for the current financial year is about £18 million. Allocations of money for next year have yet to be finalised by the Cabinet Office, so I cannot give you a figure for next year. What we have asked for is what we need to deliver Ministers' priorities, and obviously part of that is about supporting levelling up. As I mentioned, the most obvious thing that we are doing that has a direct relationship with levelling up is the equality data programme, and that was certainly something that we asked for funding for.



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Q49 **Chair:** Is the Equality Hub disappearing off to Scotland along with the Cabinet Office's second HQ?

Marcus Bell: Like the rest of the Cabinet Office, we are increasingly recruiting staff in Glasgow and York, but that is a fairly slow and incremental process. We now have three staff in Glasgow.

Q50 **Chair:** Not a wholesale move to Scotland, then?

Marcus Bell: No. We have three at the moment and I am expecting that to increase, but at a fairly slow pace. We need to see how we get on.

Q51 **Chair:** How do you see the interaction between the Department for Levelling Up and the Equality Hub, if you have the disconnect with some of the staff being in Scotland? Is it easier if they are all in London?

Marcus Bell: I don't think so. We have all got so used to working remotely over the last two years that I am not sure it makes very much difference where people are, from that point of view. Obviously we have very close contacts at official level with DLUHC and levelling-up people. We have a Minister in common now as well, which also helps.

Q52 **Chair:** You will know that the Runnymede Trust argued that the vast proportion of the most deprived local authorities in the UK were getting next to no funding for levelling up. What is your answer to that?

Kemi Badenoch: I disagree with the Runnymede Trust's analysis.

Q53 **Chair:** Can you point to where you think their analysis is wrong?

Kemi Badenoch: No, because I do not have their analysis in front of me and I also do not have my own figures to refer to. But I am aware of the points that they have made, and I know that it is not quite the case.

Q54 **Chair:** I get that you do not have your figures in front of you, but if you were to identify your priorities for where you thought were the most deprived areas, where would you identify?

Kemi Badenoch: Are you asking for a list of deprivation?

Chair: No, I am asking you to reassure me that you know which areas are the most deprived, and therefore the ones receiving the most funding.

Kemi Badenoch: Yes, I can reassure you that the Department looks at deprivation as one of the key priorities in terms of how it looks at the local government funding settlement.

Chair: Thank you.

Q55 **Jackie Doyle-Price:** Turning back to your equalities brief, could you give us an update on how preparations are taking place for the LGBT conference in June?



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Kemi Badenoch: I am not actually working on the LGBT conference; Minister Freer is working on that. I know he is working on it, but Marcus might know more about what is happening.

Marcus Bell: I can confirm that the plan is that it will happen in June and that preparations are pretty far advanced through joint working between us and FCDO.

Q56 **Jackie Doyle-Price:** Could you tell me what the budget is?

Marcus Bell: I cannot tell you what the budget is because, as I said, the final budgets from the Cabinet Office have yet to be confirmed.

Q57 **Jackie Doyle-Price:** Right. Thank you; that answers my question. Gender Recognition Act reform has obviously gone through quite a journey. We have published a report on the deliberations we have had. Can you tell us when we might expect a response to that report?

Kemi Badenoch: I think I have fed in. It is probably just being tidied up, so soon.

Jackie Doyle-Price: I will take that as imminently.

Marcus Bell: Possibly even very soon.

Kemi Badenoch: Yes.

Q58 **Chair:** What is "very soon"? This week? It is already late.

Kemi Badenoch: I think the Foreign Secretary is probably signing off the final bits, and she has been, as I am sure everyone knows—

Jackie Doyle-Price: Quite distracted, yes.

Kemi Badenoch: I do not want to pre-empt anything that she will say, but I have already fed in, and I have seen a lot, so "soon" is what I will say.

Q59 **Jackie Doyle-Price:** Thank you; that's helpful. Between where the Government started that consultation and where it ended up, it went through quite a journey. Correct me if I am unfair to characterise it in this way, but I think what you have tried to do with the reforms is to make the process of securing a GRC more humane and more accessible, while at the same time ensuring that there are checks and balances to prevent any potential abuse. From my perspective, in terms of how the Secretary of State set out the way forward, the only thing that is outstanding in terms of action is moving to a more online process. Could you perhaps give me an update on the timescale for that?

Kemi Badenoch: I have meetings with that team roughly every fortnight, just looking at the progress that it is making, and we expect to be online this summer. I was hoping that it would be online before June. I think we are still on track for that, but we are competing for talent in terms of web development, which is creating some slowdown in terms of



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project delivery. But as far as I can see, we are still on track for delivery this summer.

Q60 Jackie Doyle-Price: I think Minister Freer is also looking at conversion therapy, but you might be able to give an answer on this. What progress has the Government made since the consultation on the plans for conversion therapy closed?

Kemi Badenoch: Marcus, do you know where Mike is on this?

Marcus Bell: I think he is considering the way ahead with colleagues, given all the comments that were made about that.

Kemi Badenoch: Yes—parliamentary engagement. There is a lot of interest in both Houses. There are calls for prelegislative scrutiny, for example, which we are looking at, and he gave a response to a Westminster Hall debate this week. I have not heard it. I think he answered some questions there, but I will get him to write more comprehensively in terms of where we are.

Q61 Jackie Doyle-Price: Yes, I think that would be helpful. The EHRC responded to that consultation paper, and they made the case for prelegislative scrutiny in their feedback—mainly around a poor definition as to what we mean by transgender, and applying the ban in that case. From my perspective I think the ban on LGB is really straightforward, but without a proper definition of what we mean by gender, it becomes more difficult, so there is that decision to be made.

Following that response from the EHRC, some elements of the LGBT lobby have made representations for the UNHCR to look at the EHRC. I just wonder what your reflections are on that—for me, it is very disappointing that they have done so—and what discussions you have had with them about those representations.

Kemi Badenoch: It is extraordinary that they have attacked the EHRC in this way. That is the body that looks after human rights and equality independently, and to undermine it is not going to do the country any favours in terms of protecting human rights and equality rights. What we are seeing is an increased politicisation of this space, where people are no longer able to look at disagreement as a disagreement on approach, but look at anyone who has a different opinion as being part of a particular camp that should be attacked. As I said on the Floor of the House during equalities orals, I think it is disgraceful the way Kishwer Falkner in particular has been attacked. We spend a lot of time and effort trying to encourage women and people from an ethnic minority background to be more visible in public life, and to have someone like that be attacked in such a way is appalling and—I say this as a black woman myself—sends a signal to people from ethnic minority groups that you are treated differently when you are running those bodies. Given that she is a parliamentarian, I think Parliament should be coming out more strongly in her defence.



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Q62 **Jackie Doyle-Price:** I quite agree. Ultimately, we are dealing with issues where there is a conflict of rights. From my perspective, I think the political establishment has failed to acknowledge that that conflict of rights actually exists. Frankly, I pay tribute to the EHRC for finally grappling with this. The suggestion that this country needs to be referred to the UN for human rights abuses is extraordinary.

Kemi Badenoch: That is also a good point, because many of the countries that would be adjudicating are countries where homosexuality is illegal. How you would report the UK EHRC to countries like that and ask them to adjudicate—I just do not understand it. There are too many people who are making comments in this space who do not actually understand the topic, the legislation, or the strength of protections. That also means that we need to do more on the Government side. I take your point about definitions. The GRA is a 2004 piece of legislation; it is now 2022, and some of the language there—looking at something like “gender reassignment”, it is not really a phrase that people use colloquially any more. There are some difficulties there, but that is something that Parliament—not just Government—needs to take more of a view on.

Q63 **Jackie Doyle-Price:** We do—we collectively do. We wrote you on 1 December regarding the Government’s overdue state report to the Committee on the Elimination of Racial Discrimination. We have not yet received a reply. Can we have some advice on when we might?

Kemi Badenoch: This is not an equalities thing; this is actually DLUHC. If I remember correctly, this is something that I might have paused myself—I think I did pause it—because I was hoping to have got the Government’s response to the Commission on Race and Ethnic Disparities out first so I could then reference it. That is my delay. I am actively working on it, and it will arrive soon.

Q64 **Chair:** That was another “it will arrive soon”. Can you put a timescale on it, please?

Kemi Badenoch: I cannot, but soon, because I know that’s—

Q65 **Chair:** It was due in December; it is March now. What can the Committee do to encourage you to get it out?

Kemi Badenoch: I am doing everything I can already to get it out. There is nothing—

Q66 **Chair:** Which really suggests that you are doing nothing. You have just sat there and said that to your memory, you think you paused it, which suggests that you do not think you are doing very much on it at the moment.

Kemi Badenoch: There are many things that I pause because I think it is important to get them right and not to rush them out. That is not a principle I am going to change.

Q67 **Chair:** Okay, so you paused it in December. What work has happened on



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it since December if it is paused? Is it being actively worked on?

Kemi Badenoch: As I said, I am working on the Government's response to the Commission on Race and Ethnic Disparities report.

Q68 **Chair:** So that takes priority?

Kemi Badenoch: It would be a better letter if it incorporated some of the things that will be in the Government response.

Q69 **Chair:** How long can we be expected to wait?

Kemi Badenoch: Not long.

Q70 **Chair:** Okay. Can I just take you back to what you said about the Government needing to do more around gender? I think you made the point, perfectly fairly, that it is old legislation now—it is from 2004 and we are now in 2022. I think you also said that Parliament needs to do more. What would your priorities be, for both the Government and Parliament, to make sure that the debate and action in the space of gender is more constructive and courteous? I think there is an argument for making that point, but you said, "Do more." What?

Kemi Badenoch: From a Government perspective, I think that there is a balance to be struck in terms of not interfering in people's lives and not over-legislating, while also providing direction and clarity for organisations, for instance on issues like single-sex spaces, where prisons, schools and so on do not feel that there is enough clarity. That is something that we have been looking to do. We have done some work, and the Equality and Human Rights Commission is also looking at that. Sometimes we do not believe that we are the right body to provide guidance or clarity. Getting more out there in the public domain that will give guidance to organisations that feel that they have to balance rights is certainly something we can do more of.

Q71 **Chair:** If you are not the right body, who is?

Kemi Badenoch: That is why I said the EHRC in some respects, because it is an independent regulator whose role is to guarantee the Equality Act. Sometimes, when decisions are made by the Government—by a Conservative Government in particular—people think that they are being taken for political reasons. Even though they are not, optically it might be better for others to do so.

Q72 **Chair:** When it comes to single-sex spaces in schools, is it the EHRC that should be determining that, or is it the Department for Education?

Kemi Badenoch: We work closely across Government and with other bodies to decide. I do not think anything is decided exclusively by one or the other; it is all done in conversation—in tandem.

Q73 **Chair:** I am frantically trying to remember what it was that Minister Quince said on this subject yesterday about trans pupils in single-sex dorms. Do you share his unease?



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Kemi Badenoch: I have not seen his comments yet.

Q74 **Chair:** Okay, well Minister Quince said that he would be uneasy if his children were in dormitories with trans pupils. Would you share that unease?

Kemi Badenoch: How are you defining trans?

Chair: I do not think that is a fair question to ask when it was what was put to Minister Quince yesterday.

Kemi Badenoch: Well, as I said, I have not seen his comments, but if you can tell me how you are defining trans, then I might be able to give you a more comprehensive answer.

Chair: Okay, so if there was a child that self-identified as transgender in a dormitory with your children, would that give you any cause for concern?

Kemi Badenoch: Are you saying if a biological male child was in a dormitory with biological females but said he was a girl, would I be comfortable with that?

Chair: Yes.

Kemi Badenoch: No.

Q75 **Chair:** Thank you for that answer. Do any other members of the Committee have any questions they want to add? If not, can I thank all three of our witnesses for coming and giving evidence this afternoon? As ever, if there is anything that you feel needs clarification, or you wish to add—

Kemi Badenoch: I thought I was going to have more time to answer the question that you have just asked. I do not think that we in Government should be accepting a policy of self-ID just informally when that is not Government policy. What we are striving to do is to make sure that trans children in particular are looked after and have appropriate healthcare. Because of the way the conversation is happening, it is very difficult at the moment for people to work out the right thing to do in this space. I do not believe that anybody should be able to self-declare as a particular sex in order to access a protected single-sex space, whether that is a prison or a healthcare ward in a hospital and so on.

On the issue of children, it is very difficult, and I can understand why Minister Quince would have said what he did. But in terms of the way the question itself has been posed to me, that is the kind of conversation that I do not think is particularly helpful in and of itself, because, as it will be reported, it will sound as if “the Minister has said she doesn’t believe in trans rights”. That is absolutely not the case. I do believe that trans people need to be protected. I think we need to deal with it sensitively at all times. But asking a question like that is exactly the kind of thing that I



do not think is particularly helpful in terms of getting this debate into a better place.

Q76 Chair: Can I please try to be very helpful on that point? You started that longer answer with a comment about trans healthcare. That is a really valid and important area that has caused great concern for this Committee—the phenomenally long waiting lists that trans people have been facing. How much progress do you think is being made with the additional clinics that we were promised and with getting those waiting lists down?

Kemi Badenoch: There has been so much difficulty across all of health policy because of covid. It has not been an easy time, given that we have been nearly two years in a pandemic, so that has had a significant impact. Is it something the DHSC is working on? Absolutely. I know the Secretary of State there takes it seriously. But as we have seen in terms of wider discussions around social care and healthcare funding—we had the national insurance contributions debate yesterday—it is not something that we can do at a snap of our fingers. What I have been doing specifically is talking to clinicians about the issues that they have had, and what they would like to see in terms of ensuring that we can provide appropriate healthcare. The clinicians have had reservations, for instance about the conversion therapy Bill and how we can ensure that we do not tie their hands because they want to be able to deliver excellent healthcare for trans people.

Q77 Elliot Colburn: If I can go back to the Gender Recognition Act, would you agree that the term “self-ID” is unhelpful? It conjures up images—I speak as someone in favour of reform—of people waking up one day and being able to just declare to the world, or whoever they want to, that they want to change their gender, rather than going through any sort of official process to do so. On the whole, the majority are calling for a reform in the statutory process to a form of declaration—giving a legal declaration to an official, let’s say at a registry office or something like that, which is a legal process and comes with legal consequences of making false declarations. Would you agree, therefore, that the term “self-ID” is unhelpful because of the images that it conjures up?

Kemi Badenoch: We have set out the policy very clearly in terms of self-ID and de-medicalisation, and how the Government is approaching it. I do not think that anyone is worried about trans people self-identifying. The worry is about male predators self-identifying, where we create a system where the definition is so wide that we are unable to distinguish between the two. That is what I am worried about. I am worried about rapists who want to go into women’s refuges and can just say, “Well, I’m a woman, I’ve self-IDed”.

You are right to ask what the term “self-ID” in and of itself means and how it is practised. It means different things to different people. Can we get something a little bit more specific? I am not sure if that would be



helpful. It is not a question that we have an answer to right now. But you have raised an important point.

Who are we trying to help? We are trying to help trans people. We also want to make sure that women are protected. The people we are not trying to help or assist are those who wish to exploit those rules. They are harmful not just to women but also to trans people, because they continue to create a very false view of who they are and make life more difficult. The trans people who I speak to in my role, which I did certainly over 2020-21, before Minister Freer came on board, are very worried about how they are talked about and how they are treated because of certain malign activists who use the badge of trans to carry out other activities, and we need to stop that happening. That is the way that we will get the best for trans people.

Q78 Elliot Colburn: Will the Government commit to undertake any work to review legislation that has been enacted—some of it has been in place for well over a decade—in other countries that have introduced reforms to their gender recognition processes to make it de-medicalised and simpler, to see the effectiveness of that?

Kemi Badenoch: I think we need to devise policy in our own country based on our own needs.

Q79 Jackie Doyle-Price: The starting point on reform of the Gender Recognition Act was to make the process simpler, but the more fundamental question was never really properly considered: do we still need a Gender Recognition Act? The Act was implemented in 2004, pre same-sex marriage, effectively, to deal with issues around the conflict of rights that were happening around marriage. That no longer exists. We are effectively trying to maintain a law that enables people to change their birth certificate from a statement of fact into a legal fiction. We are now in 2022, and the world is rather different from when the Act was conceived. Has the Government given any consideration to properly assessing what the picture of identity and rights and definitions should be?

As you have articulated, there are some areas where sex trumps any gender identification, health being one. You cannot change your biological sex; there are pathologies between males and females that are different, and actually if you change your sex indication on your health record, that can bring with it dangers. Also, within the criminal justice system, sex should trump gender. But frankly, when I drive a car, what is on my driving licence does not really matter one iota; it is just how I want to describe myself. Should we not be thinking more imaginatively? Now that we have these things and we can have multiple identities digitally recorded, instead of looking at a simple reform of the Gender Recognition Act, should we not be thinking about how we identify ourselves and when sex and gender can be important?



Kemi Badenoch: My answer goes back to the point that I made to the Chair: this is something that cannot just be done by the Government but needs a bigger, wider debate in Parliament. Are we at the same place we were when we brought in the previous legislation? Is it the right solution to make sure that we are delivering for trans people, delivering for women and making sure that rights are universal, but that is also appropriately balanced where we see, as the EHRC have said, tensions and conflict?

It is very complex. To use the example that the Chair gave, would I be comfortable with a self-identifying child in a different sexed school? That is a big question depending on if that child is six or if that child is 18. There is a huge difference. That is what I mean by being very careful about how we have these conversations. I do not think we have really had debates around the types of questions that you are asking. We have asked very specific questions, such as, "What should we do around conversion therapy?" and "What should we do around the Gender Recognition Act?" We need to look more widely at what is happening—what is going to be fit for the next 100 years, rather than what should have worked maybe five or 10 years ago—and we are hoping to catch up and make things better for people.

We need to be very careful with the way we have the conversations. We need to be very careful with the way we frame questions. Every question is loaded. If I sounded very robust when I was responding to you, it is because I get so much abuse, so many attacks and very unfair personal slander, which does not just affect me; it affects my family. My father died recently talking to me about the abuse that I was getting. So when I am asked in public forums like this those questions around trans and so on, I am very conscious of how to answer them in a way that people can see what it is we are trying to do, and not end up in one camp or another swinging bats at each other.

Q80 **Chair:** I would just like to reassure the Minister that she is not alone in getting abuse in this place. Can I ask how you think we can have a constructive discussion? I think that would probably be the objective of pretty much everybody in this House.

Kemi Badenoch: Having a constructive conversation starts with asking good questions, and good questions tend to be nuanced questions. For instance, I do not think the way you asked the question about Minister Quince is a very constructive way of approaching that.

Chair: Okay, no, ditch that—

Kemi Badenoch: So that's an example.

Q81 **Chair:** Don't talk over me. I would like to apologise for that; however, on the wider issue, I think we have a very significant problem in this House and in wider society as to how we have a constructive, nuanced, intelligent debate on this issue. As the Minister for Equalities, how would



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you like that to happen?

Kemi Badenoch: I actually think the conversations we have in this House have not been too bad, but I think a lot of people do not speak up. There are many people who have views that they choose not to speak out on, because they do not want to get involved in the debate, so how can we have more healthy conversations? We should make sure that they are cross-party and provide support to people irrespective of which party they are in; there are some people on both sides who do not feel that their party is comfortable with their views. We should be able to have richer conversations in Select Committees like this, for example, where we bring in both sides of the debate and treat their evidence equally.

I often see witnesses whose views are so well known and so loaded giving evidence that seems to carry more weight than that of others. We should treat both sides fairly when we are taking evidence and make sure that where people are being attacked—I do not just mean people like the chair of the EHRC, but people like trans people, detransitioners; people like Keira Bell—those who are going after them and giving them a hard time know that it is unacceptable. It is not enough to not do the attacking; coming out to support those who have a different view, irrespective of which side of the debate they are on—I think all of that will help.

Chair: Thank you. Can I thank the three witnesses for their evidence this afternoon? It has been very much appreciated.