

## **Introduction**

As a research team, we are currently researching the impact of cognitive bias on the representation of minoritised groups and associated interests in decision-making at times of crisis. This research finds that urgency and lack of diversity in decision-making bodies amplify cognitive bias, thus leading to the marginalisation of under-represented interests. More details of our early findings can be found here: <https://www.bristol.ac.uk/grc/research/research-projects/equal-futures/>.

Our own research builds on a detailed examination of the obstacles to gender equality in the context of political and economic institutions. We draw on Gender Mainstreaming (GM) as a policy approach as it offers opportunities for more diverse interest representation in the context of legislative processes.

In this evidence we will focus on four key areas:

1. The role of equality actors and focal points in consolidating key achievements and policy initiatives
2. Options for increasing the visibility and traction of impact assessments
3. Audits and Evaluations
4. Relationships with civil society and epistemic communities

## **Scope of the Inquiry**

This inquiry seeks to integrate further some of the recommendations outlined by Prof Childs 2016 Good Parliament's Report. As a result of these recommendations, the UK Parliament carried out an audit aimed at identifying ongoing barriers to women's participation and representation in national politics.

The Good Parliament Report (2016) highlights the unrepresentative nature of the House of Commons, as it is disproportionately white, male and elite. As of March 2021, there are 220 women MPs in the House of Commons (34%) and 223 women who are Peers in the House of Lords (28%) (Uberoi *et al.*, 2021). What is important to note in relation to the 2019 General Election are reports of women MPs withdrawing from politics as a result of an increasingly violent discourse directed at female parliamentarians (Krook and Sanin, 2020; Perraudin and Murphy, 2019).

Women thus remain underrepresented in terms of numbers, but their roles within decision making are also constrained by the masculinised norms, values and cultures of the political institutions that limit the change they can make. This inquiry is recognition of both the potential

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positive impact of recent changes to the way Parliament works, as well as the unfulfilled promise of some measures introduced as a result of the 2010 Equality Act and the 2016 Good Parliament Report. By considering the value and limitations of these developments, we are able to contemplate what conditions and steps are needed for progressive change to be implemented.

It is important to note here the Committee's Chair Caroline Nokes' MP focus on treating Parliament as an equal opportunity employer, thus opening a space for a conversation about expectations of the institution and its members.

This inquiry recognises the importance of representation to the functioning and legitimacy of Parliament. It thus asks for an assessment of the impact of changes introduced since 2016 on the work and culture of the institution.

## **Background Research and Methodology**

The background research to our submission in an ongoing project funded the University of Bristol. The aim of our research project is to examine the impact of the cascading effect of multiple and overlapping crises on under-represented groups. The key findings of our research are that institutional obstacles to diverse representation lead to unequal decision-making outcomes, particularly in times of crisis. These findings point to the lack of diversity and representation as a key determinant for reproducing cognitive bias.

## **Evidence**

The inquiry asks a number of important questions that include issues of leadership, process and approach. We will focus our evidence on the questions set out below.

- 1. How successfully have changes proposed in the past been implemented to make the House of Commons more gender-sensitive?**

### *Expertise and Networks*

- 1.1 There are three sources of gender expertise operating within Parliament:
  - Workplace Equality Networks (WENs): ParliAble (Supporting individuals with disabilities), ParliGENDER (Gender Equality), ParliREACH (Race, Ethnicity and

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Cultural Heritage), ParliOUT (LGBTQi+) and ParliON (Socio-Economic Inclusion). These networks ‘provide an opportunity for groups of people to discuss and consider issues relevant to their situation or of interest to them’ (UK Parliament, 2021).

- The All-Party Parliamentary Groups (such as the AAPG on Women in Parliament)
- Gender Research Specialists.

1.2 However, whilst the above actors seek to advance equality and diversity in the institution, the 2018 Gender-Sensitive Parliament Audit (Inter-Parliamentary Union, 2018: 22) claims that ‘these sources are disparate, and it is not always clear to people working in parliament how to access them’.

1.3 These networks and groups signify a growing culture and support of inclusion and diversity. The next step is to remove obstacles to access information, support and participation in the everyday work of the institution.

*Impact Assessments and Legislative Processes*

1.5 The 2010 Equality Act establishes in law the “Equality Duty”. Underpinning this principle is a commitment to eliminate discrimination and advance equality of opportunities. More specifically, it mandates public authorities to have due regards for equality matters. Equality impact assessments are a tool for assessing the impact of a policy or legislative proposal on individuals or groups sharing protected characteristics (<https://www.gov.uk/government/publications/public-sector-equality-duty>).

1.6 The 2018 Gender-Sensitive Parliament Audit outlined that ‘government departments typically consider equality considerations, including gender impacts, as part of a wider impact assessment when developing primary and secondary legislation’ (Inter-Parliamentary Union, 2018: 20), which is linked to the Government’s statutory requirements of the 2010 Equality Act.

1.7 Impact assessment can be a very effective tool for identifying the potential unintended consequences of policies. However, they require detailed knowledge of equality and inclusion matters, as well as a willingness to act on the recommendations and analysis.

1.8 Although impact assessments are available to MPs, the 2018 Audit finds that ‘it is not possible to determine the extent to which they are used’ (Inter-Parliamentary Union, 2018: 20).

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- 1.9 **We, therefore, recommend that summary statements are included in the introduction of legislative proposals thus removing increasing accessibility and signaling the importance of equality and inclusion.** This would also ensure that potential unintended consequences of proposals are considered at the start of every legislative process.
- 1.10 **We also recommend that a full audit of parliamentary activity is conducted to establish how often impact assessments have been acted on.** Such an audit would reveal whether impact assessments, as a tool to ensure gender equality, are:
- Being considered during the legislative process
  - Being effectively institutionalised into the workings of parliament
- 1.11 This audit will therefore provide a detailed assessment of the extent to which they are affecting change. It would establish a baseline, identifying any critical gaps and challenges to the use of impact assessments (European Institute for Gender Equality, 2021).

**2. What additional procedures and working arrangements should be changed?**

*Impact Assessment as a tool for managing bias during decision-making processes*

- 2.1 Cognitive and implicit bias have a significant impact on decision-making and by extension on legislative processes. The lack of inclusion and representation skews discussions, proposals and options. Bias thus becomes a manifestation of the institutionalisation of power structures in organisations. Being aware of these basic dynamics also helps to understand why descriptive representation (i.e. increasing the number of people from an under-represented group) may only have a limited impact on addressing bias in decision-making.
- 2.2 As a tool for equality and inclusion, impact assessments are a process-based strategy for addressing cognitive bias in decision-making. This approach to inclusion shifts responsibility for tackling cognitive bias from the individual to the institution. **We recommend the inclusion of equality and inclusion impact assessments during decision-making processes.** These can be streamlined mechanisms revolving around sensitising questions. Such an approach will raise awareness of the impact of cognitive bias, e.g. confirmation bias, on group dynamics and decision-making processes.

*Resource Allocations*

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- 2.3 Budgets need to be allocated to scrutinise the work of Parliament in mainstreaming equality and inclusion throughout legislative processes. This work needs to be institutionalised, rather than conducted in piecemeal and inconsistent ways.
- 2.4 The 2018 Gender-Sensitive Parliament Audit states that the Women and Equalities Committee ‘does not routinely or systematically undertake pre or post legislative scrutiny, although it is able to do so’ (Inter-Parliamentary Union, 2018: 20). There is a clear gap in the processes for systematic and thorough scrutiny of legislation in regards to the gender impact. Therefore, **we recommend that a budget is allocated to create a sufficient resource base to scrutinise decision-making and legislative processes.**

*Gender and Inclusion Focal Points*

- 2.5 As outlined earlier in this evidence there needs to be a mechanism to streamline the work of Parliament. Gender focal points can promote awareness of a gender-sensitive work environment and gender issues, develop targets and monitor progress to their realisation, advise and support gender-sensitive policy-making. Similarly, focal points are equality and inclusion practitioners with detailed expertise in at least two protected characteristics would ensure diversity.
- 2.6 **We therefore recommend the establishment of equality and inclusion focal points** to lead on this issue. Additionally, in order to make effective change, equality and inclusion focal points should be a fully integrated part of the legislative process, rather than an add on. The focal points would support Parliament in addressing cognitive and institutional bias. Their role is more extensive and specialised than ‘equality champions’ who attempt to shape organisational values to create a more inclusive environment. The focal points will provide an expertise base with a detailed knowledge of the structural barriers to the effective implementation of gender equality measures and outcomes.
- 2.7 However, focal points can only be as effective as the resources made available to them. **We recommend that a budget should be allocated to ensure that information be better collated and coordinated through equality focal points.** This would enhance the ability for consistent, substantial and meaningful scrutiny of the work of Parliament. This position/function will provide focus for the wide-ranging expertise already available within Parliament. This will help to address the concerns of the Inter-Parliamentary Union outlined above.
- 2.8 A budget should also be allocated to enabling equality and inclusion focal points to coordinate training for parliamentarians on equality, diversity and inclusion. The

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Gender-Sensitive Audit (Inter-Parliamentary Union, 2018: 22) recognised that the existing Continuous Professional Development options ‘should be publicised or expanded as appropriate’, which implies they are limited in reach. **We recommend that the equality focal points facilitate the systematic coordination of CPD training, thus ensuring all members of the Westminster community have access to training by equality and inclusion experts.** Enhanced individualised training would supplement the proposed institutional approaches in tackling cognitive bias through impact assessments.

**3. How can a more inclusive culture be adopted in the House of Commons? Which individuals or bodies are responsible for taking action?**

3.1 There is growing evidence about the link between diversity and inclusion, especially in relations to accounting for the importance of different interests in decision-making processes (Lees, 2020; Child, 2008; Mackay, 2006).

3.2 An inclusive Parliament provides spaces for substantive claims by under-represented groups to be made and recognises those claims as integral to the legitimacy of the institution (Lombardo and Meier, 2019: 240). Visually, they enable those claims to be made more easily. Increased representation can help avoid the unintended consequences of policy that disproportionately affect under-represented groups.

3.3 The Gender-Sensitive Parliament Audit (2018: 21) revealed that select committees ‘should make every possible effort to ensure that female witnesses and those from other diverse groups are not prevented from contributing to their inquiries’. This was linked to the problems of diverse voices being ‘overlooked in favour of the “usual suspects”’. The Audit acknowledges structural and psychological barriers to diversifying the range of witnesses called to provide evidence. And, it calls for monitoring in both houses.

3.4 The inclusion of a diverse set of voices is an essential feature of the ‘feedback loop’, accountability and legitimacy of Parliament. **We recommend an audit of all the witnesses and evidence included in the work of ALL select committees.** An inclusive Parliament is one that treats gender, equality and inclusion as cross-sectional issues. Inclusion of diverse voices should thus not be limited to specialised committees, e.g. the Women’s and Equalities Committees. Issues of gender, race and intersectionality should thus be integrated into all work of Parliament, and not be siloed in the equalities’ committees.

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- 3.5 An inclusive Parliament thus needs to be open to considering alternative evidence that is gathered from impact assessments, civil society and epistemic communities in order to understand how legislation and legislative processes impact different groups, this a key determinant of the success of a more equal parliament. **We recommend the creation of a space for a diverse body of civil society organisations to be able to engage with the legislative process and enable them to provide feedback on the impact assessments.**

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