



Future
Governance
Forum



The Baring
Foundation

VITAL INSTITUTIONS 01

Reform and renewal of the Equality
and Human Rights Commission

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About The Future Governance Forum

The Future Governance Forum (FGF) is a progressive, non-partisan think tank focused on reforming the state with the ultimate goal of renewing the nation. We make politically credible recommendations for reforms that can be delivered nationally and locally, build strong networks to test new ideas, and collaborate and use our relationships with public, private and social sector leaders to innovate.

Our current programmes of work explore:

- **Vital Institutions:** How can we reform existing state institutions and establish new ones so they are fit for purpose and built to last?
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- **Rethinking Migration:** How we might deliver a more effective asylum system that sustains greater public confidence, while remaining consistent with the principles of international law and progressive values?

By prioritising these questions we are thinking about new progressive models of governance for the long-term. Our working model is to convene experts and find ways in which we can bring perspectives from very different organisations together to suggest ways in which the 'how' of government could be more effective at every level.

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About The Baring Foundation

The Baring Foundation is an independent foundation which protects and advances human rights and promotes inclusion. The Foundation believes in the role of a strong, independent civil society nationally and internationally, and uses its resources to enable civil society to work with people experiencing discrimination and disadvantage and to act strategically to tackle the root causes of injustice and inequality.

About University College London

Founded in 1826 in the heart of London, UCL is London's leading multidisciplinary university, with more than 18,000 staff and 51,000 students from over 150 different countries. It is consistently ranked among the world's leading universities and is internationally recognised for its research, teaching and public engagement.

About the authors

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Executive summary

This report summarises the most pressing insights, observations and recommendations to emerge from a closed policy workshop on the reform and renewal of the Equality and Human Rights Commission (EHRC), held on 10 March 2025 at Goodenough College in London. Convened by The Baring Foundation, The Future Governance Forum (FGF) and University College London (UCL), the workshop brought together a diverse group of experts from government, civil society, academia and the legal profession to reflect critically and constructively on the future of the EHRC.

Our workshop took place at a pivotal moment. The previous year had seen the first change of governing party in the UK in 14 years, with the incoming administration having signalled a shift in the country's approach to equality and human rights policy. This Labour government made several commitments on entering office that will have direct implications for the EHRC, including enacting the socioeconomic duty under Section 1 of the Equality Act 2010, introducing a new Equality (Race and Disability) Bill, and reforming gender recognition laws. The publication of the Commission's 2025-28 strategic plan at the end of the month in which we held our workshop¹, and the appointment of a new EHRC Chair in Dr Mary-Ann Stephenson, who took up her post in December 2025², will both shape the organisation's institutional direction. Taken together, these developments mark a critical juncture for assessing the EHRC's future role and institutional framework.

The purpose of the workshop was to explore - in a constructive and forward-looking manner - what institutional reforms are required to strengthen the EHRC's capacity to act as an effective and independent body in defence of equality and human rights. Discussion was structured around three key themes:

1. The EHRC's role as a strategic regulator and driver of systemic change;
2. The challenge of securing the EHRC's independence and sustainable resourcing; and
3. The tensions and opportunities embedded in the EHRC's dual mandate.

Our report is intended to serve as useful context and advice to the new EHRC Chair as she takes up post, to EHRC Commissioners and staff, and to the government of the day as they collectively consider the future of the regulator and the equality and human rights landscape in which it operates. It is written, and the original workshop was conducted, in the spirit of willing the organisation to fulfil its role to the best of its abilities, and be fit for purpose in the coming decade(s). It does not prescribe specific institutional solutions but identifies key challenges and reform priorities, grounded in comparative evidence, legal frameworks and practical experience.

¹ Equality and Human Rights Commission (EHRC), '[Strategic plan 2025 to 2028](#)', March 2025.

² EHRC, '[Dr Mary-Ann Stephenson begins role as EHRC chair](#)', December 2025.

The workshop was held under the Chatham House Rule, meaning that we are able to summarise what was said in the discussion but not to attribute comments to individual speakers. A list of those attendees who were content to be named is provided in Annex A; others preferred to remain anonymous. Additional interviews were conducted following the workshop with two former EHRC Commissioners, also on the basis of anonymity. Representatives of the EHRC were invited to attend, but declined to participate. The views expressed in this document reflect those of the report authors - who acted as convenors for the workshop itself - and not necessarily those of the participants.

The three parts of this report mirror the structure of the workshop, and in each part that follows we summarise the main points of the discussion before making recommendations - some to the EHRC; some to government - for further action. These recommendations are highlighted below.

1. Strategic regulator or systemic reformer? Revisiting the role and purpose of the EHRC

Regulation and reform are not mutually exclusive and the EHRC must be able to do both. First of all, though we believe on the basis of what we heard that the EHRC needs to rebuild its credibility in the eyes of many of its stakeholders. This is a challenge that is both administrative and highly political. We make the following recommendations in this area:

For the EHRC

- Based on what we heard, we believe that a major rebuilding effort is now required - one that is not only technical but political. For the EHRC to be seen as a credible institution, it must demonstrate expertise, moral clarity and the ability to stand independently in defence of equality and human rights.
- The EHRC needs to develop and articulate a much clearer and more robust organisational strategy, which is confident in its ability to act as both strategic regulator and systemic reformer. This should mean strengthening strategic leadership and clarifying how organisational capacity is deployed.
- The EHRC should remain politically neutral but not passive: it should be a values-led organisation, leading public debates - and public education - in sensitive areas within its remit.
- The EHRC should return to being more outward-facing and collaborative, with much clearer and more accessible communications to the outside world. It should map its ecosystem of civil society partners, and commit to a period of relationship-building and co-design. This would help repair trust and improve system-level coordination.

- This more outward-facing EHRC should make greater use of its power to collaborate with other regulators in areas such as housing, health and welfare, where equality and human rights concerns often arise but go unaddressed.
- The EHRC should shift from reactive enforcement to proactive norm-setting and legal development, grounded in a clear understanding of what works. This should include improved use of evidence and enhanced strategic litigation.

2. Independence and funding - strengthening the EHRC's operational autonomy

The EHRC's legitimacy has been weakened by perceptions of political bias, declining stakeholder confidence and a failure to act visibly in defence of rights. Independence is not simply a legal status, but a matter of institutional culture, public confidence and robust leadership.

If political consensus can be secured, legislative change to align the EHRC's status with international best practice may become feasible. Until then, practical steps to insulate the Commission from political interference remain both urgent and achievable. This began with the appointment of the new Chair, and beyond that we make the following recommendations in this area:

For the EHRC

- The new Chair and leadership team of the EHRC should seek to instil a values-based governance ethos grounded in transparency, institutional integrity and public credibility. This should mean a clear commitment from the Chair and senior leadership, the Commissioners and staff that they will uphold human rights and equality for all, and will avoid (the perception of) politically motivated bias towards or away from particular groups or issues. This governance ethos should also promote accountability both internally and to external stakeholders, and provide protection for whistleblowers.
- Over the longer-term, the new Chair - with support but not interference from government - should consider initiating a lessons-learned review to examine past failings, inform future reform and build consensus around the EHRC's constitutional role.

For the government

- The government should move to providing the EHRC with multi-year budget agreements, aligned with its statutory review cycles. As part of that process, the definition of 'sufficient' resources for the EHRC should be made clearer, with greater transparency in the process of resource negotiation (for example, through parliamentary scrutiny or formalised consultation with statutory committees).
- The Framework Agreement between the EHRC and the government should be strengthened to codify expectations around budget setting, performance assessment and operational independence. This may provide an actionable reform pathway without requiring legislative amendment.
- In future, the government should consider empowering parliamentary committees to take more of a lead role in the appointment of the Chair of the EHRC, including through a binding or advisory veto (as has been proposed for other constitutional bodies) - on the basis that any increase in responsibility is treated with the seriousness it demands.

3. Balancing equality and human rights - the dual mandate challenge

In an increasingly polarised and fragile democratic context, the EHRC has an essential role to play in defending a rights-based constitutional order. To do so credibly, it must fully embrace the dual mandate not as a burden, but as a generative source of institutional strength. The EHRC's current structure does not preclude the effective integration of its mandates. But without reform, the dual mandate will continue to function in practice as a set of parallel silos rather than a unified institutional identity.

We make the following recommendations in this area:

For the EHRC

- The new Chair and EHRC leadership should focus on setting revised and clear expectations, strengthening internal capacity, and institutionalising cross-functional working. This includes investment in staff training, cross-mandate projects and integrated communications strategies.
- The EHRC should make greater use of international networks - such as the European Network of Equality

Bodies (EQUINET) and the Global Alliance of National Human Rights Institutions (GANHRI) - to benchmark performance, access peer learning, and rebuild its legitimacy as a credible national human rights institution (NHRI).

- The EHRC should establish a participatory strategy-setting forum - including civil society, parliament and international partners - which could support the development of an integrated institutional strategy. This would help the Commission move beyond its legacy constraints and articulate a future-facing role, grounded in both equality and human rights.

For the government

- Longer-term reform may require changes to the Commission's governance model, including clearer lines of accountability for mandate delivery, strengthened parliamentary oversight and a more inclusive approach to strategic planning.

Introduction

The EHRC occupies a complex and often contested position within the UK's governance landscape. Established in 2007 under the Equality Act 2006, it was intended as a consolidated national human rights institution (NHRI), integrating the functions of its predecessor bodies while serving as the UK's primary equality and human rights watchdog. Its creation reflected broader international trends towards the establishment of independent institutions tasked with safeguarding human rights and ensuring compliance with domestic and international legal frameworks. Notably, this trend accelerated in Europe from the late 1990s. Since its establishment, the EHRC's role has been shaped by common tensions faced by NHRIs worldwide: how to maintain independence while being state-funded, how to balance legal enforcement with broader systemic reform, and how to navigate shifting political and economic conditions.

While the EHRC's experience shares certain similarities with those of other NHRIs worldwide, it also presents distinct institutional features. One of the EHRC's defining structural features is its dual mandate, which combines equality and human rights functions within a single institutional framework. This model is most common to European jurisdictions, where a tradition of integrating equality and human rights within a single institutional framework has developed. While integration was envisioned as a means to build upon the legacy of anti-discrimination legislation and broaden the scope of human rights protections, it has introduced both operational and conceptual challenges. The two major pieces of legislation which underpin the EHRC's work – the Equality Act 2010 and the Human Rights Act 1998 – reflect distinct legal traditions and policy rationales, requiring the EHRC to balance competing priorities. The extent to which the Commission can effectively fulfil both roles remains debated. Comparisons with NHRIs in other jurisdictions, such as the Scottish Human Rights Commission (SHRC), which has a more narrowly defined mandate, highlight the distinctive pressures faced by the EHRC.³

Operating within the Westminster model presents additional complexities, particularly in relation to institutional independence, as the EHRC must navigate ministerial oversight and the broader framework of executive control over non-departmental public bodies (NDPBs). In recent years Brexit has reshaped the UK's legal landscape, removing direct access to the Charter of Fundamental Rights of the European Union and contributing to a broader political scepticism towards supranational human rights frameworks. Simultaneously, a decade of austerity measures has constrained the EHRC's operational capacity, with significant budget reductions limiting its ability to undertake proactive investigations and enforcement actions. The rise of 'culture war' rhetoric in political discourse has also heightened the EHRC's exposure to partisan pressures, particularly as debates around race, gender identity and free speech have intensified.

Ensuring the EHRC's independence remains a central concern. The UN's 'Paris Principles' – the international benchmark for NHRI design safeguards

³ The SHRC differs from the EHRC in that it has a more focused human rights mandate and does not carry responsibility for equality law, which remains under the EHRC's jurisdiction in Scotland.

- emphasise the importance of institutional autonomy, particularly in appointment processes and funding arrangements.⁴ The EHRC's status as an NDPB raises questions about its ability to operate without undue government influence, a concern that has drawn the attention of the UN Sub-Committee on Accreditation.⁵ Comparative insights from other regulatory bodies such as the National Audit Office (NAO) suggest that while complete insulation from political dynamics is unrealistic, structural safeguards can enhance institutional integrity.

However, challenges to the EHRC's effectiveness have not solely arisen from external pressures. Internal mismanagement, financial controversies, and governance failures have also contributed to its difficulties. The aftermath of the 2009 crisis, when half of its commissioners resigned in response to internal mismanagement, had lasting repercussions, as did the 2011 NAO report, which accused the EHRC of mismanaging over £2 million of taxpayers' money.⁶

Notwithstanding these challenges, the EHRC has produced notable achievements in advancing equality and human rights protections in the UK. However, as the Commission now faces a pivotal moment – under a new government, with a new Chair and a new strategy – it has the opportunity to reassess its role, priorities, and institutional structure in light of a changing political and policy landscape. The challenge is thus twofold: while reform must address external constraints, it must also confront internal governance failures that have at times hampered the EHRC's ability to fulfil its mandate.

The political and economic context in which the EHRC operates is a challenging one, shaping both the pressures it faces and the prospects for meaningful reform. Not everyone agrees on the role of equality and human rights protections in the UK, with Reform UK having pledged to replace the Equality Act and to scrap diversity, equality, and inclusion rules.⁷ Recent developments in the United States, where the Trump administration has issued executive orders scaling back diversity, equality, and inclusion efforts, may signal a broader shift that is already influencing debate on equalities policy in the UK. As Professor of International Relations Stephen Hopgood has observed, 'human rights are about the *rules of the game* that all political competitors agree to abide by. Without agreement on these rules, human rights become part of what is being contested. This is politicisation.'⁸

The premise of this paper is that the EHRC has an important role to play in the UK – one that is arguably more important than ever. However, without meaningful reform and renewal, its ability to fulfil that role risks being weakened. The question is not only how best to activate and operationalise its mission under prevailing conditions, but also how to ensure that it does not become so constrained that it strengthens arguments for its abolition altogether.

⁴ United Nations General Assembly resolution, '[Principles Relating to the Status of National Institutions \(The Paris Principles\)](#)', December 1993.

⁵ [Report and Recommendations of the Session of the Sub-Committee of Accreditation \(SCA\)](#), Global Alliance of National Human Rights Institutions (GANHRI), October 2022

⁶ National Audit Office, '[Report of the Comptroller and Auditor General on the 2010-11 accounts of the Equality and Human Rights Commission](#)', November 2011.

⁷ Reform UK, '[Our Contract With You: 2024 General Election Manifesto](#)', June 2024, p.22.

⁸ Stephen Hopgood, 'Human Rights after the West: Goodbye to All That', in T.G. Weiss and R. Wilkinson, *Global Governance Futures*, London: Routledge Press, 2021, p.122.

Part One: Strategic regulator or systemic reformer? Revisiting the role and purpose of the EHRC

The EHRC was established with a unique statutory mandate that combines the promotion and enforcement of equality and human rights. From its inception, this was not intended to mirror a conventional regulatory model, but to embed the EHRC as a constitutional actor with responsibility for safeguarding the UK's human rights and equalities architecture. As well as its dual equality and human rights mandate, therefore, the EHRC was also envisaged to have two functional roles: both as a regulator and enforcer of human rights and equalities frameworks, and as a champion for their causes in the first place.

We captured a sense that over time, however, the EHRC's strategic direction has become fragmented and its institutional identity blurred. At our workshop, there was broad agreement that the EHRC was seen to have fallen short of the ambition articulated in its General Duty, and that its current trajectory was felt to reflect a period of deep institutional drift. While views differed on the relative weight of structural, political and leadership factors, there was shared recognition that the EHRC now faces a significant legitimacy challenge and must undertake a fundamental process of institutional renewal. Without decisive leadership, clarity of purpose and credible engagement with the wider equality and human rights ecosystem, we fear that the EHRC risks becoming functionally irrelevant to the communities and causes it was established to serve.

Clarifying institutional purpose and strategic posture

The original vision for the EHRC was ambitious: a unified institution that would champion the universal application of human rights while advancing equality across all protected characteristics. This ambition was reflected in the framing of the General Duty, which remains legally binding and conceptually generative.⁹

We heard how successive governments have pressured the EHRC to narrow its remit, prioritising its enforcement function while marginalising its promotional, educational and civic roles. This was seen to have produced, and then in turn been compounded by, a constrained institutional culture, marked by caution and retreat from public leadership.

The distinction between regulator and reformer is ultimately a false dichotomy. The EHRC has to act strategically across both roles to be effective. Litigation, policy engagement and norm-shaping are not ancillary to enforcement but integral to realising systemic change.

The EHRC's public-facing identity has become uneven. While it has taken a highly visible and contested stance in recent gender recognition debates, it

⁹ House of Commons Library, '[A short introduction to equality law and policy](#)', December 2024.

has been largely absent from public debate on other contentious areas such as institutional racism, Islamophobia, the rights of disabled people, proposals to amend or repeal the Human Rights Act, the European Convention on Human Rights or other international human rights treaties. Notably, in April 2025, the UK Supreme Court issued a ruling that significantly narrowed the rights of trans individuals with gender recognition certificates to access single-sex services. The EHRC's prior guidance and policy positions were cited during the case, raising concerns about its influence on regressive legal interpretations and its credibility as a defender of trans rights.¹⁰

A 2019 report on the EHRC published by the House of Commons Women and Equalities Committee shows a significant decrease in enforcement activity between 2009 and 2018 from an already low baseline.¹¹ Disclosures following a recent Freedom of Information (FOI) request submitted by Public Law Project and referenced during the discussion, confirm that the Commission did not initiate any proceedings between 2019 and 2024 and further suggests that during the period, the Commission intervened in fewer than 50 cases, raising concerns about the scope and strategic focus of its enforcement activity.¹²

Mandate, neutrality and legal clarity

The EHRC's mandate is frequently mischaracterised as either promotional or enforcement-focused. In law, it encompasses both. The EHRC is neither a tribunal nor an ombudsman; it is a constitutional body designed to defend rights and promote equality through a range of strategic interventions.

The idea that public engagement or policy advice lies outside its remit is legally inaccurate and strategically self-limiting. Public education and the promotion of good practice are statutory functions, not optional extras.

While political neutrality is important, it must not become a justification for institutional silence in the face of human rights violations. A credible human rights body cannot avoid politically sensitive issues; its legitimacy depends on principled engagement. Neutrality should be reflected through impartiality, consistency and a clear commitment to legal and ethical standards – not in disengagement or passivity.

The EHRC's credibility depends – at least in part – on its reputation among those working within the equality and human rights sector. Public recognition is also rooted in trust, consistency and expertise. At present, according to those we spoke to for this report, these qualities are in question.

¹⁰ UK Supreme Court, '[For Women Scotland v. The Scottish Ministers](#)', April 2025, pp.76-79.

¹¹ Women and Equalities Committee, '[Enforcing the Equality Act: the law and the role of the Equality and Human Rights Commission](#)', House of Commons, July 2019, p.13.

¹² We cite these figures from a publicly disclosed FOI outcome.

External engagement

Civil society organisations report - both at our workshop, but also in many public interventions - inconsistent engagement from the EHRC, high staff turnover and delays in decision-making.

At the workshop, concerns were raised about what was perceived as politicisation of the EHRC and its selective engagement with civil society. Attendees felt that the EHRC has at times appeared to align itself with government narratives while sidelining or publicly criticising those advocating for marginalised groups. These actions have contributed to a perception of institutional bias.

There is evidence of a breakdown in relationships with civil society. Former collaborators report having to rewrite EHRC outputs due to lack of usability, as well as the Commission's withdrawal from policy processes and cross-sectoral forums where its presence was once routine.

The view of workshop participants was that the EHRC's communications have become overly legalistic and inaccessible, diminishing their effectiveness. There is a pressing need to invest in clearer, more practical outputs and to rebuild credibility through meaningful collaboration within the wider ecosystem.

Recommendations for reform

For the EHRC

- Based on what we heard, we believe that a major rebuilding effort is now required - one that is not only technical but political. For the EHRC to be seen as a credible institution, it must demonstrate expertise, moral clarity and the ability to stand independently in defence of equality and human rights.
- The EHRC needs to develop and articulate a much clearer and more robust organisational strategy, which is confident in its ability to act as both strategic regulator and systemic reformer. This should mean strengthening strategic leadership and clarifying how organisational capacity is deployed.
- The EHRC should remain politically neutral but not passive: it should be a values-led organisation, leading public debates - and public education - in sensitive areas within its remit.
- The EHRC should return to being more outward-facing and collaborative, with much clearer and more accessible communications to the outside world. It should map its ecosystem of civil society partners, and commit to a period of relationship-building and co-design. This would help repair trust and improve system-level coordination.
- This more outward-facing EHRC should make greater use of its power to collaborate with other regulators in areas such as housing, health and welfare, where equality and human rights concerns often arise but go unaddressed.

- The EHRC should shift from reactive enforcement to proactive norm-setting and legal development, grounded in a clear understanding of what works. This should include improved use of evidence and enhanced strategic litigation.

All of the above can be delivered within the existing legal framework for the EHRC. Should the Equality Act be reopened during the course of this parliament then this would allow for more fundamental reform but also introduce greater risk. Workshop participants widely viewed reopening the Act as unnecessary and warned of the risk that it could in fact produce regressive outcomes.

We also note that the EHRC is limited in how much it can implement each of the last three recommendations here within its current budgetary envelope, which is why we make recommendations to government in Part Two below around institutional funding.

Part Two: Independence and funding – strengthening the EHRC’s operational autonomy

The EHRC’s capacity to act independently is foundational to its credibility as both a national human rights institution and a statutory equality body. However, the existing institutional design places the Commission in a structurally ambiguous position: it is tasked with holding the executive to account while dependent on that same executive for appointments, funding and oversight. Participants viewed this tension as increasingly unsustainable. The EHRC’s status as an executive NDPB, subject to ministerial control over resources and senior appointments, was widely viewed at its advent as incompatible with the expectations set by the UN’s Paris Principles for national institutions.

Participants at our workshop identified institutional architecture as a root cause of the Commission’s perceived lack of independence, inconsistent leadership, and erosion of stakeholder trust. While comprehensive legislative reform was seen as politically risky, it was acknowledged that a mix of procedural changes, administrative innovations and cultural shifts could significantly strengthen the Commission’s operational autonomy in the short to medium term.

Institutional architecture and comparative models

Participants argued that the EHRC’s status as an executive NDPB reporting to government rather than parliament presents a structural vulnerability. In contrast, the Scottish Human Rights Commission (SHRC) is a parliamentary commission, with the Chair appointed through a process led entirely by the Scottish Parliament. A selection panel composed of non-ministerial Members of the Scottish Parliament (MSPs) nominates a preferred candidate, who is then confirmed by a vote of the full parliament and formally appointed by the King. The First Minister has no role in the selection process beyond their vote as an MSP.

The EHRC’s founding legislation created a hybrid body, combining NDPB infrastructure with NHRI functions. Participants viewed this unresolved design tension as a contributor to longstanding ambiguity over its identity, operational culture and strategic direction.

International best practice suggests that NHRI accountability should be rooted in parliamentary rather than executive structures. While moving the EHRC onto a fully parliamentary footing would likely require primary legislation, interim reforms – including enhancements to its Framework Agreement, formalised stakeholder engagement and strengthened parliamentary scrutiny – could improve perceived and actual independence.

Examples from the SHRC, the Parliamentary and Health Service Ombudsman and the National Audit Office demonstrate that structural independence is achievable within UK governance traditions, even under constrained funding models.

Funding models and resource guarantees

Austerity has dramatically undermined the EHRC’s institutional capacity. Since 2010, its budget has been reduced by 76% and staff numbers by 62%. The EHRC’s dependence on annual funding settlements negotiated with its sponsoring department has created uncertainty and constrained its ability to plan strategically.

The Equality Act places a duty on the Secretary of State to provide sufficient resources to discharge the EHRC’s statutory functions.¹³ However, the process for determining what is ‘sufficient’ remains opaque.

The Commission’s ability to deliver its mandate is also constrained by internal capability and capacity, not solely by headline budget figures. Investment in staff expertise, stakeholder relationships and strategic partnerships was identified as essential to rebuilding effectiveness.

Leadership appointments and organisational culture

Participants at the workshop argued that the EHRC’s legitimacy has been weakened by perceptions of political bias, declining stakeholder confidence, and a failure to act visibly in defence of rights. Independence is not simply a legal status, but a matter of institutional culture, public confidence and robust leadership.

Reform should be framed not as a technocratic fix but as a political opportunity. A visibly independent, credible and mandate-driven EHRC would strengthen the legitimacy of the wider equalities and human rights framework and provide a buffer against future political pressure.

If political consensus can be secured, legislative change to align the EHRC’s status with international best practice may become feasible. Until then, practical steps to insulate the Commission from political interference remain both urgent and achievable. This has begun with the appointment of a Chair who commands cross-sectoral respect and demonstrates clear alignment with the Commission’s statutory purpose.

Recommendations for reform

For the EHRC

- The new Chair and leadership team of the EHRC should seek to instil a values-based governance ethos grounded in transparency, institutional integrity and public credibility. This should mean a clear commitment from the Chair and senior leadership, the Commissioners and staff, that they will uphold human rights and equality for all, and will avoid (the perception of) politically motivated bias towards or away from particular groups or issues. This governance ethos should also promote accountability both internally and to external stakeholders, and provide protection for whistleblowers.

¹³ [Legislation.gov.uk, Schedule 1, Paragraph 38, Equality Act 2006](https://legislation.gov.uk/ukpga/2010/15/schedule/1/paragraph/38)

- Over the longer term, the new Chair – with support, but not interference from government – should consider initiating a lessons-learned review to examine past failings, inform future reform and build consensus around the EHRC’s constitutional role.

For the government

- The government should move to providing the EHRC with multi-year budget agreements, aligned with its statutory review cycles. As part of that process, the definition of ‘sufficient’ resources for the EHRC should be made clearer, with greater transparency in the process of resource negotiation (for example, through parliamentary scrutiny or formalised consultation with statutory committees).
- The Framework Agreement between the EHRC and the government should be strengthened to codify expectations around budget setting, performance assessment and operational independence. This may provide an actionable reform pathway without requiring legislative amendment.
- In future, the government should consider empowering parliamentary committees to take more of a lead role in the appointment of the Chair of the EHRC, including through a binding or advisory veto (as has been proposed for other constitutional bodies) – on the basis that any increase in responsibility is treated with the seriousness it demands.

Part Three: Balancing equality and human rights – the dual mandate challenge

The EHRC was established as a multi-mandate institution combining responsibilities as both an equality body and a NHRI. This integrated structure was designed to reflect the interdependence of human rights and equality, with the Commission’s General Duty providing a statutory anchor for a unified institutional vision. In the view of our workshop participants, over time the operational coherence and strategic alignment of the dual mandate have broken down. The asymmetry of legal powers, organisational culture and public narrative across the two mandates are seen to have undermined both internal clarity and external credibility.

While the original merger of legacy bodies was widely accepted as a pragmatic compromise, this perceived failure to embed a coherent institutional identity has arguably constrained the EHRC’s capacity to act as an authoritative guardian of rights and equality in the UK. We believe that a reset is now required to clarify purpose, rebalance priorities and revitalise the Commission’s strategic direction.

Clarifying the dual mandate and institutional identity

The EHRC’s founding design accommodated differing conceptions of purpose: an equality body with a human rights mandate, or a human rights body with equality powers. Yet this ambiguity was never resolved in practice. The merger of legacy institutions produced an organisation that lacked a shared culture, unified leadership, or consistent strategic vision.

Rather than fully integrating the two mandates, early institutional practice focused on managing internal constituencies, often at the expense of articulating a coherent normative agenda. Preparatory work on mandate integration, undertaken prior to the Commission’s formal establishment, was not adopted by its first leadership and has since largely been lost.

The General Duty provides a legal basis for convergence, enabling the Commission to pursue a unified mission. However, we heard at our workshop that practical implementation has remained fragmented, with internal divisions and cultural path dependencies reinforcing silos.

Clarifying the EHRC’s identity as a single institution with differentiated powers – rather than a divided body with competing mandates – will, we believe, be essential to restoring strategic coherence. Reframing the EHRC as a human rights institution with robust equality functions, or vice versa, risks repeating past failures. The task now is to embed integration in operational practice.

Operational tensions and legal asymmetries

The EHRC exercises distinct legal powers under the Equality Act 2010 and the Human Rights Act 1998. Participants at the workshop argued that these asymmetries have contributed to unequal institutional focus, with equality functions often prioritised due to their procedural familiarity and clearer enforcement routes. This was seen to have produced a cautious, technocratic culture, in which staff and leadership often default to the complexity of equality legislation, while failing to use the Human Rights Act as a normative or strategic frame.

The Commission's human rights mandate has, we heard, become marginalised – partly due to the perceived political sensitivity of human rights issues (though this is increasingly true of equality issues too), and partly because of what civil society actors described as weak internal capacity and limited engagement in this space.

There is also a broader cultural challenge. Equality is more readily communicable to the public, while human rights are often seen as abstract, adversarial, or externally imposed, which the EHRC has done little to address in recent years through its mandate to promote human rights. This gap has been exacerbated by the debates over Brexit, the consequential loss of the EU Charter, and declining investment in civic education.

Strategic leadership and institutional culture

Efforts to integrate the mandates have been constrained by a leadership model focused more on internal compromise than on the strategic and bureaucratic work required to realise the EHRC's original integrated vision. Former attempts to build cross-mandate capacity – including secondments and staff training – were often blocked or abandoned.

This has led to persistent misunderstandings of the Commission's role, both internally and externally. Stakeholders report that the Commission routinely fails to apply a human rights lens to equality issues, or vice versa.

Structural change is not necessarily the answer. The core challenge lies in building an institutional culture capable of articulating and enacting the dual mandate as mutually reinforcing, rather than conflicting. Restoring coherence will require strategic leadership, stronger external partnerships and investment in institutional literacy around rights-based approaches.

Comparative perspectives and international frameworks

Some jurisdictions maintain separate bodies for equality and human rights, but others – such as Ireland and Australia – have pursued integrated models with varying degrees of success. International standards, including the Paris Principles and EU equal treatment directives¹⁴, provide normative guidance but leave room for institutional variation.

¹⁴ European Council and Parliament, 'Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)', July 2006.

Multi-mandate bodies in the EU context have often struggled to balance their roles. However, experience suggests that alignment is achievable when supported by coherent strategy, credible leadership and formal mechanisms for stakeholder engagement.

Recommendations for reform

In an increasingly polarised and fragile democratic context, the EHRC has an essential role to play in defending a rights-based constitutional order. To do so credibly, it must fully embrace the dual mandate not as a burden, but as a generative source of institutional strength. The EHRC's current structure does not preclude the effective integration of its mandates. But without reform, the dual mandate will continue to function in practice as a set of parallel silos, rather than a unified institutional identity.

For the EHRC

- The new Chair and EHRC leadership should focus on setting revised and clear expectations, strengthening internal capacity, and institutionalising cross-functional working. This includes investment in staff training, cross-mandate projects and integrated communications strategies.
- The EHRC should make greater use of international networks – such as the European Network of Equality Bodies (EQUINET) and the Global Alliance of National Human Rights Institutions (GANHRI) – to benchmark performance, access peer learning, and rebuild its legitimacy as a credible NHRI.
- The EHRC should establish a participatory strategy-setting forum – including civil society, parliament and international partners – which could support the development of an integrated institutional strategy. This would help the Commission move beyond its legacy constraints and articulate a future-facing role grounded in both equality and human rights.

For the government

- Longer-term reform may require changes to the Commission's governance model, including clearer lines of accountability for mandate delivery, strengthened parliamentary oversight, and a more inclusive approach to strategic planning.

Annex A: Workshop attendees

Note that the below is a list of those people who attended the March 2025 workshop and *gave their consent to be named*. Other attendees at the workshop wished to remain anonymous, and we spoke to other individuals in separate interviews following the workshop, again on an anonymous basis.

Name	Role	Organisation
Yasamin Alttahir	Head of Policy and Public Affairs	Stonewall
Natalie Cresswell	Equality and Human Rights Policy Manager	Age UK
Melanie Field	Former Chief Strategy and Policy Officer	EHRC
Jim Fitzgerald	Director	Equal Rights Trust
Helen Fry	Senior Associate	Bates Wells
Arianne Griffith	Research Director	Public Law Project
Sanchita Hosali	Chief Executive Officer	British Institute of Human Rights
Alba Kapoor	Head of Policy	Runnymede Trust
Francesca Klug	Visiting Professor	LSE Human Rights
Muneera Lula	Then Special Adviser to the Prime Minister	10 Downing Street
Stephanie Needleman	Legal Director	JUSTICE
Jenna Norman	Former Interim Head of Policy, Research and Advocacy Fawcett Society	Fawcett Society
Timi Okuwa	Chief Executive Officer	Black Equity Organisation
Femi Otitoju	Co-Founder	EW Group

Judith Robertson	Trustee	Baring Foundation
Heather Rolfe	Director of Research and Relationships	British Future
David Cutler	Director	Baring Foundation
David Sampson	Deputy Director	Baring Foundation
Tom Pegram	Professor in Global Politics	UCL
Nathan Yeowell	Executive Director	The Future Governance Forum
Adam Terry	Deputy Director	The Future Governance Forum
Hamida Ali	Head of Learning and Practice	The Future Governance Forum

