



Joint Committee on Human Rights  
Women and Equalities Committee



Committee Office · House of Commons · London · SW1A 0AA

Rt Hon Nicky Morgan MP  
Secretary of State for Education and Minister for Women and Equalities  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT

29 March 2016

Dear Nicky

The Joint Committee on Human Rights and the Women and Equalities Committee last week held a pre-appointment hearing with the Government's preferred candidate for Chair of the Equality and Human Rights Commission (EHRC), David Isaac.

The two committees explored in their questioning whether Mr Isaac had demonstrated his suitability for the post in terms of relevant experience, his views on appropriate strategic direction and priorities for the EHRC, his approach to meeting the challenges of leading the EHRC in a climate of budget constraints, including balancing the competing demands for attention on different equalities and human rights issues, and his approach to developing the EHRC's relationship with Parliament and the committees.

We also considered the question of whether Mr Isaac's intention to continue as a senior equity partner at Pinsent Masons, after his appointment as Chair of the EHRC, involves a potential conflict of interest, or what might be publicly perceived as such – especially as Pinsent Masons has undertaken significant work for the Government. This is of particular importance in relation to the EHRC's "A" status as the UK's National Human Rights Institution (NHRI). As you will know, the Paris Principles which govern the role of NHRIs require those institutions to be independent of government.

The Committees sought information from the panel assessor who will have considered in detail potential conflicts of interest as part of the process that determined Mr Isaac is an 'appointable candidate'. However, we were told that under the terms of the Liaison Committee and Cabinet Office guidance such documents could not be released to the Select Committees either in part or in full. As a result, the committees were unable to undertake one of their purposes as set out by the Liaison Committee terms of reference: "scrutiny of the quality of ministerial decision-making".

Each of our committees has therefore decided not to produce an immediate report following the pre-appointment hearing, but to seek oral evidence from yourself, Sir David Normington (Commissioner for Public Appointments) and Sue Gray (Director-General, Propriety and Ethics Team at the Cabinet Office) to make good this deficit of information about the appointment process.

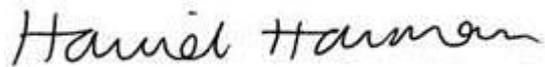
The evidence session will focus on the extent to which the issue of a potential conflict of interest was raised during the appointment process, how the risk of a potential conflict of interest was assessed by the panel assessors who are charged with ensuring a candidate's

impartiality and independence before being put forward as 'appointable' and what proposals might be put forward to ameliorate any real or perceived risk.

We will work with your office to set up this evidence session at the earliest opportunity.

Finally, since the hearing we have received letters on this matter from you and from Sir David Normington. While we find it reassuring to hear from Sir David that he has looked at these issues in detail, transparency on the part of Mr Isaac does not mean that there is no conflict of interest, and the committees need further explanation from the Government as to why it considers there is no conflict of interest.

Yours sincerely



**Rt Hon Harriet Harman MP**  
**Chair**  
**Joint Committee on Human Rights**



**Rt Hon Maria Miller MP**  
**Chair**  
**Women and Equalities Committee**