

Developing an equality measurement framework: A list of substantive freedoms for adults and children

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Executive summary

The Equality and Human Rights Commission has a legal duty to monitor and evaluate progress towards equality and the protection and promotion of human rights. Previous research carried out for The Equalities Review¹ resulted in the development of a detailed list of central and valuable freedoms or capabilities for adults grouped under 10 headings or domains. These are: life; physical security; health; education; standard of living; productive and valued activities; individual, family and social life; decision-making, influence and voice; identity, expression and self-respect, and legal security. These domains form the backbone of the equality measurement framework (EMF) which is being developed by the Commission and others, including the Government Equalities Office, to monitor equality.

In order to refine the capabilities list and aid the development of the EMF, the principal aims of this project were:

- To develop a list of central and valuable capabilities for children.
- To consolidate and revise the existing adults' list by consulting with other groups that were not specifically targeted in the deliberative consultation carried out for The Equalities Review.

A provisional children's list was compiled based on the adults' list, examination of the Every Child Matters framework and the UN Convention on the Rights of the Child. A full-day deliberative workshop was then held with nine children aged 9–12 and 18 parents, including parents of children aged 0–8. (Teenagers aged 13–16 were included in the first round of deliberative consultation.)

To refine the adults' list, deliberative consultation events and depth interviews were carried out with the general public in Wales, with young people, older people and carers, Pakistani women, Bangladeshi men, and transgender people. A total of 103 people took part in the second round of consultation (in addition to the 99 who took part in the first round carried out for The Equalities Review).

A proposed children's list and a revised adults' list are presented in Appendices 2 and 3 respectively. We recommend that the children's list be subjected to scrutiny by experts from children's organisations and other stakeholders, including our suggestion that the children's list apply to 0–17 year olds. Consideration should also

¹ See reports by Tania Burchardt, Centre for Analysis of Social Exclusion, and by Ipsos MORI at <http://archive.cabinetoffice.gov.uk/equalitiesreview/publications.html>

be given to appointing a specialist to adapt the children's list into more accessible language and illustrations.

The adults' list can be used as the basis for further development of the EMF (and indeed has been used for the consultation on selection of indicators). A timetable for periodic revision should be established (for example every three years), and people with mental health problems, people with cognitive impairment, and Gypsies and Travellers should be given high priority in any future deliberative exercise.

1. Background

In February 2007, the final report of The Equalities Review was published.² This independent review was commissioned by the then Prime Minister to explore the causes of persistent discrimination and inequality in Britain. The Review examined different interpretations of equality asking, 'equality between whom?' and 'equality of what?', and aimed to inform the development of the Equality and Human Rights Commission (the Commission).

A new single equality concept was developed for the Review which directly focused on the central and valuable things in life that people can actually *do* and *be* – taking account of the equality characteristics of age, disability, ethnicity, gender, religion or belief, and sexual orientation, and the perspective of human rights. It moved away from old-style approaches towards equality based on opportunities and outcomes.

The Commission has a legal duty to monitor and evaluate progress towards equality and the protection and promotion of human rights. Taking the single equality concept as the starting point it has been developing (with others such as the Government Equalities Office) the equality measurement framework (EMF), as recommended by The Equalities Review. The development of the EMF has drawn on three key inputs:

- the theoretical underpinning of the capability approach developed by Amartya Sen
- the international human rights framework
- and extensive consultation with the general public, individuals and groups at risk of discrimination and disadvantage

Before the equality concept could be applied in practice, agreement was needed on a list of the critical areas of life in terms of which the position of individuals and groups would be evaluated. Arriving at a list of central and valuable freedoms and opportunities was a two-stage process. First, the international human rights framework was used to draw up a core list of what those central and valuable freedoms might be. Second, this list was supplemented and refined through a process of deliberative consultation – a programme of workshops and interviews with the general public and with individuals and groups at high risk of discrimination and disadvantage.

This process resulted in the development of a detailed list of central and valuable freedoms or capabilities grouped under 10 headings or domains. These are: life; physical security; health; education; standard of living; productive and valued

² See <http://archive.cabinetoffice.gov.uk/equalitiesreview/publications.html> for The Equalities Review and accompanying research.

activities; individual, family and social life; decision-making, influence and voice; identity, expression and self-respect, and legal security.

Before using the single equality concept and the EMF in its work, the Commission was keen to consult both internally and externally to ensure the language used and ideas contained were readily understandable and relevant to the Commission. Staff workshops were held to explore the concepts and implications for communications. It was also recognised that although the deliberative consultation for The Equalities Review covered many different types of people, other groups, including children, were not consulted; nor was an equivalent capabilities list for children drawn up. Before further development of the EMF, therefore, it was decided that additional consultation events should be held with individuals and groups whose voices had not yet been heard in the research in order to inform revision of the existing capabilities list and develop a list specifically for children. Thus the aims of this project were to:

- Develop a list of substantive freedoms and opportunities for children.
- Consolidate the existing adults' list by consulting with other groups that were not specifically targeted in the initial deliberative consultation.
- Consider the implications of the parallel project, carrying out internal consultation with Commission staff, for language and communications issues.
- Set out final lists of substantive freedoms and opportunities for adults and children.

This report sets out the findings from that second wave of deliberative consultation and resulting development of the capabilities lists for adults and children. The next chapter details the methodology used, while Chapter 3 discusses the findings from the study. The final chapter draws together implications arising from the study for the work of the Commission and future development of the EMF.

2. Methodology

2.1 Identification of participants

The groups for this project were designed to cover some of the characteristics of individuals who were not well represented in the deliberative consultation for The Equalities Review, and were agreed after discussion between the Equality and Human Rights Commission, Ipsos MORI (who conducted the original deliberative consultation for the Equalities Review, see reference) and the Centre for Analysis of Social Exclusion (CASE). Naturally there are other groups it would have been good to include, if time and financial resources had allowed. However, we believe this second round of consultation has added significantly to the robustness of the evidence base for the adults' and children's lists. A total of 202 individuals participated in the deliberative consultation (99 in the first round and 103 in the second round).

During the course of internal consultation with Commission staff, a strong demand for a deliberative event to be held in Wales became apparent. This was arranged as an extension to this project (an event held in Scotland was included in the first round). Other recommendations from Commission staff included consultation with mental health service users, people with cognitive impairments, Gypsies and Travellers (including women, a high priority for future revisions to the list), and further consultation with minority groups within Scotland.

As far as the list itself was concerned, staff suggested that the value of social interactions between people of diverse identities, backgrounds and cultures should be made more explicit within the 'individual, family and social life' domain, and that a subheading in the 'education' domain should reflect learning to live in a diverse society, not just a multicultural society. These suggestions have been taken into account in the revised adults' list given in Appendix 3.

Ipsos MORI was appointed to carry out the external deliberative consultation because of their previous experience with The Equalities Review consultation. The events held for this project, and for the previous Equalities Review work, are summarised in Table 2.1.

For this project, all participants, with the exception of the transgender respondents, were recruited using Ipsos MORI's usual methods, on the street and by telephone. Quotas were set for certain characteristics for some groups. For example, in the elderly and carers workshop, we wanted to ensure a balance between elderly participants aged 65–75 and those over 75, and between men and women. We also wanted to include among the carers people with a range of different relationships to

the person for whom they were caring. Although the samples are too small to be statistically representative, the respondents were recruited from the ‘general public’ rather than being contacted through existing networks and organisations, which might have resulted in a biased sample.

Table 2.1 Deliberative consultation events

(a) for this project

Group	Location and format	No. participants
General public, including urban and rural residents	Cardiff, 3 hours	10
General public, including Welsh speakers	Wrexham, 3 hours	10
Parents and children	Stockport, half day	9 children 18 parents
Elderly people and carers	Newcastle, half day	32
Pakistani women	Leicester, 3 hours	10
Bangladeshi men	London, 3 hours	6
Transgender people	various; paired depth interviews	4
Young adults	East Anglia, paired depth interviews	4
TOTAL		103

(b) for The Equalities Review

General public	London and Edinburgh, 2 x full day	60
Lesbian, gay and bisexual people	London, 2 hours	8
People with mobility impairments	Bristol, 1.5 hours	8
People with sensory impairments	depth interviews, 1 hour	2
Person with dyslexia	depth interview, 1 hour	1
People from ethnic minority groups	Birmingham, 2 hours	8
Sikh, Muslim and Jewish people	depth interviews, 1 hour	4
Teenagers (13–16)	Bristol, 1.5 hours	8
TOTAL		99
GRAND TOTAL		202

It was not practical to recruit transgender respondents in this way, and these participants were recruited through existing Commission contacts. Additional assurances were given about confidentiality and anonymity.

Some specific considerations arose for particular groups:

Parents and children: The event Ipsos MORI held for The Equalities Review was for teenagers (age 13–16). We therefore wanted to consult with younger children. Nine children aged 9–12 were recruited as participants in their own right and were invited to attend with a parent, who also became participants. A further nine parents, including some with younger children (aged 0–8), were also recruited. The workshop focused on the central and valuable freedoms of children; parents were asked to consider what they felt was important for their children rather than necessarily for themselves. Parts of the workshop were conducted with mixed groups of parents and children, other parts were conducted separately. Although different techniques and language were used to ensure the exercises were engaging for the children, the basic format was the same.

Ethnic minority women and men: We wanted to include ethnic minority women who did not speak English fluently, especially Muslim women. After considering various options, it was decided that a consultation event would be conducted in Urdu. The recruitment criteria for this group were therefore: woman, speaks Urdu, does not speak English sufficiently well to get by without help, Pakistani, Muslim.

An alternative would have been to conduct the group in Sylheti and recruit Bangladeshi women; however, the fact that Ipsos MORI had an in-house member of research staff who was fluent in Urdu tipped the balance in favour of that language, avoiding the need to brief an external facilitator who might have been less research-oriented and would certainly have been less familiar with the concepts.

To complement the ethnic minority women group, the men's group was recruited from among the Bangladeshi community. Since proficiency in English is higher among Bangladeshi men, it was not considered necessary to conduct this group in another language.

Older people and carers: Some, but not all, of the elderly participants were accompanied by a carer, who was also a member of the group. Some of the carers were caring for people not in the group, including a parent, a child or a spouse. The carers were supporting people with a range of conditions and impairments, including illness, physical disability and learning difficulties.

General public events in Wales: The events were conducted in English but the recruitment criteria for the Wrexham event included the stipulation that at least five participants should be Welsh speakers. For both the Wrexham and Cardiff events, a mix of urban and rural participants was obtained; travel expenses of participants were covered.

2.2 Deliberative exercises

All the events followed broadly the same pattern. The first main exercise was spontaneous; using a large sheet of paper with a small person drawn in the middle, participants were invited to describe (with pictures, words on Post-Its, etc) what things a person would need to be or do to live a really good life in Britain in the 21st century. The second main exercise was responsive; participants were invited to review a selection from the list of domains of central and valuable freedoms prepared by CASE (including sub-headings), comparing it with their own spontaneously generated list and making any comments or revisions.

For adults, the list recommended by The Equalities Review was used as the basis for the responsive exercise. This means that the second round of consultation built on the first, incorporating suggestions from previous deliberative exercises, rather than going back to the original stimulus material.

For children, preparation for fieldwork included re-examining the provisional list for children produced by The Equalities Review, and comparing it to the Every Child Matters (ECM) framework and the UN Convention on the Rights of the Child (CRC). A number of changes were made to the provisional children's list as a result of the process (mostly additions), and the revised list was then taken forward as the basis for the responsive exercise in the deliberative consultation. A comparison of the ECM framework, the CRC, and the list of central and valuable freedoms for children is included in Chapter 3.

In the responsive exercise, the selection of domains was balanced across sub-groups as far as possible. For example, all domains were discussed during the session by at least some elderly people and carers, by some parents and children, and by some young people. However, in the smaller workshops there was not the scope to discuss all 10 domains in depth. Therefore in order to allow everyone a chance to comment, participants were given a copy of the list of any domains which they had not had a chance to discuss and invited to return it to Ipsos MORI with any comments they wished to make. A small incentive was offered for completion of the 'post-task', but despite this, the response rate was very low (only three returns).

During the responsive exercise in the workshops, the Pakistani women were invited to focus on the following domains: productive and valued activities; individual, family and social life; decision-making, influence and voice; identity, expression and self-respect, and legal security (although the discussion ranged over all 10 domains). The Bangladeshi men were invited to respond specifically to the following domains: life; physical security; health; education, and standard of living (although again the discussion ranged more broadly).

2.3 Outputs and method of analysis

Ipsos MORI provided observation notes, transcripts and the original materials produced by the participants from all the events (translated into English from the Pakistani women's group).

The CASE team read the outputs for each workshop, and entered them into a spreadsheet, categorising the suggestions from the spontaneous exercises into broad headings, and linking the comments from the responsive exercises to the pre-existing list of domains. At this stage, all suggestions were included, even those which appeared irrelevant or trivial (such as the demand for chocolate cake from one of the children's workshops!).

Finally, the suggestions from the spontaneous and responsive exercise were synthesised with the pre-existing lists to generate final recommended lists for adults and for children.

3. Findings

CHILDREN

The table in Appendix 1 shows the stages of development of the children's list.

3.1 Provisional Equalities Review children's list

Column 1 lists the items included on the provisional Equalities Review children's list, grouped into 10 domains. It also includes a comparison with the adults' list: items in **red** are in the children's list but not in the adults' list (that is, they are additions), items in **grey** are in the adults' list but not in the children's list (that is, they are omissions).

The provisional additions included the capabilities to:

- be protected from emotional abuse or neglect
- grow and develop
- learn about how to remain healthy and safe
- access compulsory and free primary and secondary education that meets individual needs
- have safe, enjoyable and developmental play
- be protected from exploitation through paid or unpaid work
- be nurtured, loved and protected
- be encouraged and supported to participate in decision-making, especially decisions which directly affect your own life
- be listened to with respect
- be protected from bullying and intolerant behaviour

An adequate standard of living was further specified to be one which:

- enhances physical, mental, spiritual, moral and social development

A number of other capabilities were qualified by adding 'at a level appropriate to the child's stage of development'.

These provisional additions reflect the particular needs of children and the special protection required to ensure their full and flourishing development.

The provisional omissions (compared to the adults' list) included the capabilities to:

- access education, training and life-long learning that meets individual needs [this is replaced by primary and secondary education for children, as above]

- undertake paid work / choose a balance between paid work, care and leisure on an equal basis with others / work in just and favourable conditions, including health and safety, fair treatment during pregnancy and maternity, and fair remuneration / not be forced to work in a particular occupation or without pay / not be prevented from working in a particular occupation without good reason / care for others / have rest, leisure and respite, including holidays [these are replaced by a general protection from exploitation through paid or unpaid work, as above]
- be free in matters of reproduction
- enjoy special support during pregnancy and maternity
- form and join trade unions
- participate in the formulation of government policy, locally and nationally
- participate in non-governmental organisations concerned with public and political life
- participate in democratic free and fair elections
- participate in the local community
- own property and financial products including insurance, social security and pensions in your own right

These provisional omissions relate mainly to the fact that children in 21st century Britain have fewer responsibilities (not being expected to care for others or to undertake paid work, for example), are legally not permitted to marry, or to consent to sex, and have not reached age of majority for democratic participation or legal title. However, as described later, many of these provisional omissions were overturned or revised by subsequent stages in the development of the children's list.

3.2 Every Child Matters and UN Convention on the Rights of the Child

Column 2 in Appendix 1 maps the UK government's Every Child Matters (ECM) framework to the items in the provisional Equalities Review list in Column 1. Although ECM has only five major headings (stay safe; enjoy and achieve; be healthy; make a positive contribution; achieve economic wellbeing), while The Equalities Review measurement framework has 10, most of the sub-headings map onto each other. Additional items in ECM which were considered for inclusion in a revised children's list are:

- be ready for school (that is, early years provision)
- engage in further education, training or employment on leaving school
- have security and stability

In addition, ECM includes a number of items which would be considered instrumental freedoms in the capability approach. In other words, they are background conditions which enable the child, or other children, to live well and to:

- engage in law-abiding and positive behaviour in and out of school
- choose not to bully or discriminate
- live in sustainable communities

Column 3 turns to the UN Convention on the Rights of the Child (CRC). This was already taken into account in drafting the provisional Equalities Review children's list, but a more thorough examination was carried out for this project. Most of the CRC articles map onto sub-headings in the provisional Equalities Review list, with some important refinements in some cases, such as protection from pornography. There are also many potential additions from the CRC. Here a balance has to be struck between explicitly including all the legally specified rights, and maintaining a list of manageable length and with application to the general experience of children in the UK. For example, although protection from being used as a child soldier or protection from being trafficked are undoubtedly important, these may be taken as implicit in other protections included in the list without needing to be separately identified.

3.3 Deliberative consultation with children and parents

Column 4 reports the findings from the deliberative consultation with children aged 9–12, teenagers aged 13–16, and parents, including parents of children aged 0–8. Items in **red** were spontaneously suggested by participants in the first part of the deliberative consultation. These all fell within the 10 broad domains previously identified, so it was not necessary to add any additional domains. However, a number of specific items (sub-headings) were additional or were expressed with different emphasis, and these are discussed below.

Items in **blue** in Column 4 arose in response to the provisional Equalities Review list (the second part of the deliberative exercise). Participants did not feel any items on the provisional Equalities Review list should be discluded, but examining the list prompted further discussion and some suggestions for changes in wording or emphasis. These are also reported below by domain.

Life and Physical security: All the sub-headings in these domains of the provisional Equalities Review list were matched by spontaneous suggestions in the deliberative consultation, with the exception of 'freedom from cruel, inhuman or degrading treatment or punishment'. (This item met with support in the responsive exercise.) Some interesting nuances were introduced spontaneously by participants, such as

specifying protection from traffic hazards as part of a more general requirement for safety in public places.

In the responsive exercise, the term ‘arbitrary denial of life’ was not well understood although when it was explained, the concept was welcomed. There was disagreement between parents and children about smacking. Children spontaneously mentioned not being smacked and not being hurt by adults as important, but in the responsive exercise, some parents considered that smacking – provided it was not so hard as to leave a mark – was acceptable.

Health: Teenage participants wanted to include ‘sleep’ – the capability to get as much sleep as you need. Parents and older children also mentioned protection from alcohol, smoking and drugs. These were additional to the items included in the provisional Equalities Review list, although the latter is included in ECM and the CRC.

Equivalents to most of the items in this domain in the provisional Equalities Review list were suggested spontaneously by parents and children, with the exception of treatment or experimentation only with consent, and the general capability to grow and develop. The latter was, however, implied by spontaneous suggestions included under the ‘Individual, family and social life’ domain.

Education: There was once again strong spontaneous support for most of the items in the provisional Equalities Review list. Perhaps not surprisingly, children placed less emphasis on preparation for adult life (expressed as ‘developing the skills for participation in productive and valued activities, including parenting’ in the provisional Equalities Review list). Parents also did not mention this spontaneously (except when it was discussed that learning to look after a pet was good preparation for adult responsibilities), but parents strongly endorsed the inclusion of this item in the second exercise when they were invited to comment on the Equalities Review list.

Spontaneous suggestions under the education domain not reflected in the provisional Equalities Review list included the importance of being able to try things out, experiment and explore, access to good advice, for example about career options, and protection from harmful aspects of information and communication technologies, such as violence on TV. These last two items are included in the CRC.

Standard of living: Children and parents specified a number of components of an adequate standard of living that were not included explicitly in the provisional Equalities Review list, such as: having enough space within the house, having a garden to play in and having entertainment (toys and activities). There was

spontaneous support for many of the other aspects of standard of living, and the idea that having some financial independence (for example, pocket money) was important. Interestingly, the latter had been omitted from the provisional Equalities Review list.

Productive and valued activities: A number of items which were omitted from the provisional Equalities Review list were mentioned spontaneously by children and parents, including holidays and, for teenagers, being able to undertake paid work. Having fun (play) and not having to work (protection from exploitation) were also mentioned, and these matched items on the provisional list.

Individual, family and social life: Children and parents mentioned a large number of items which can be grouped under this domain. This was regarded as central to a child's wellbeing. Most matched items included on the provisional Equalities Review list, but some were expanded. For example, while the provisional list included the capability to be 'nurtured, loved and protected', children and parents also mentioned 'being treated with care, understanding, attention; being reassured and encouraged'. Security, routine and stability were also mentioned spontaneously – this was included in the ECM framework but not the provisional Equalities Review list. Interesting examples were given, again spontaneously, of the application of 'having a private life' for children, such as having your own space and being able to do your own thing without being organised by someone else all the time. In terms of family, the importance of relationships with siblings and grandparents (not just with parents) were mentioned, and being able to have a boy/girlfriend or a 'special person in your life' was important for older children.

Decision-making, influence and voice: Participating in the local community was omitted from this domain in the provisional Equalities Review list for children, but knowing people in your local area was mentioned spontaneously by parents and children. On the other hand, 'assembling peacefully with others' and 'forming and joining civil organisations' were included in the provisional Equalities Review list, and were not mentioned by parents and children. In the responsive exercise, parents queried the terminology used for these items, but welcomed the underlying concepts. For the other items in this domain, there was a close match between the spontaneous suggestions of parents and children and the provisional Equalities Review list.

Identity, expression and self-respect: There was again spontaneous support for the majority of items included in this domain in the provisional Equalities Review list. Some of these were refined; for example, freedom of cultural identity was specified to include the freedom to reject parental and/or peer group culture. Parents thought that

children began to make their own minds up about such matters around the age of 11. The importance of being treated with dignity and respect was felt particularly keenly by children and teenagers, especially in relation to being treated equally by teachers with respect to other pupils, and by parents with respect to siblings.

The small number of items which were not mentioned spontaneously (being able to use your own language, having self-respect and being able to use public spaces) were broadly welcomed in the response exercise, with the proviso that everyone should learn English, as well as their first language if different.

Legal security: The items in this domain were not generally mentioned spontaneously by children and parents (police presence to limit abuse being the only one). There was also relatively little discussion of this domain in the responsive exercise. Parents felt the emphasis should be on protecting victims of crime rather than perpetrators, but had no specific objections to the items listed.

Age range

The age range to which the provisional Equalities Review children's list was to apply was not specified. In the Every Child Matters framework, different indicators apply to different age groups. The UN Convention on the Rights of the Child applies to children and young people under the age of 18, unless a country specifies otherwise (which the UK has not done). The deliberative consultation was conducted with parents of children aged 0–8 (and parents of older children), children aged 9–12 and teenagers aged 13–16. Young people aged 16–21 were included in a separate exercise based on the adults' list.

Specifying the appropriate age range for the children's list is a delicate matter. On the one hand, compared to the adults' list, the children's list includes some additional protections, which one might wish to extend to as broad a group of children and young people as possible. On the other hand, again compared to the adults' list, the children's list excludes some freedoms (for example in relation to democratic participation and sexual freedom), which one would not wish to deny to older teenagers. In real life, of course, there is no one point at which a child becomes an adult; it varies between different aspects of life and between individuals. A single age threshold is therefore inevitably somewhat arbitrary.

We recommend the children's list should apply to people aged 0–17. This is in line with the CRC, with the current minimum age for voting and with the recently proposed minimum age for leaving compulsory education. The age of consent remains at 16, and for this reason we have re-introduced a specific item for 16 and 17 year olds in the children's list on freedom in matters of sexual relations and

reproduction, together with corresponding protections during pregnancy and so on (in line with the adults' list).

3.4 Consolidated (proposed) children's list

The consolidated (proposed) children's list is given in full in Appendix 2. All the suggestions from the deliberative consultation and Every Child Matters have been incorporated, and as many of the potential additions from the UN Convention on the Rights of the Child as was consistent with keeping the list to a manageable length and with maximum relevance to contemporary Britain.

Interestingly, nearly all of the items from the adults' list which were omitted from the provisional Equalities Review children's list have been re-entered as a result of the deliberative consultation and comparison with other frameworks (albeit in some cases with an age qualification). The only significant omission which remains is voting in elections.

Although suggestions for changes to the terms in which items on the list are expressed have been incorporated, the list is not currently in sufficiently simple language for younger children to understand. Consideration should be given to adapting the list, possibly with the aid of illustrations, into a format which is more directly comprehensible by younger children.

We recommend that the list is taken to external stakeholders for consideration (for example, children's organisations) before being finalised.

ADULTS

3.5 Deliberative consultation with adults

Pakistani women

The deliberative consultation with a group of non-English-speaking Muslim Pakistani women from low social class backgrounds was particularly interesting and important because this group is likely to be considered by most people as being at high risk of social exclusion, disadvantage and discrimination. It is also a group that might be expected to have a distinctive cultural perspective.

In practice, the aspects of life mentioned spontaneously by the women in the first part of the deliberative workshop were very similar to those mentioned by other groups. They included, among others things:

- living in an area free from crime and drugs
- living in a good environment, without pollution
- good health and access to health care

- good education, including learning English and job skills
- a decent job (but not having to work out of sheer necessity)
- ability to look after parents
- social activities for Muslim women and across communities
- a government that listens to us and meets our needs
- police who come when called

In particular, it was interesting to note that paid employment was regarded as an important capability, despite the very low employment rates among women in this socio-demographic group in general. The key seemed to be the quality of the job (offering job satisfaction, with a good manager), being free from discrimination (for example in recruitment, and being able to keep head covered), and being protected from harassment in the workplace. Moreover, the women felt that they should not be forced to work, through economic necessity or by law, given that some already had onerous domestic responsibilities.

In the second part of the exercise, the women were invited to respond to the adults' list recommended by the Equalities Review. Perhaps because the list emphasises the importance of each individual's freedom, it prompted a discussion among the participants about problems in the domestic sphere. Among other things, the women wanted:

- greater control over personal spending
- not to have to ask husband's or in-laws' permission for everything; to do things and make decisions independently
- a peaceful (non-violent) atmosphere at home
- to have domestic work appreciated and valued
- to share domestic work

In response to the legal security domain, the women mentioned the importance of stability in the legal framework, for example with respect to the laws governing citizenship. While they felt learning English was an important capability (this was mentioned spontaneously in the first exercise), they did not feel it should be a requirement of citizenship.

Bangladeshi men

Many of the items which the Bangladeshi men proposed in the spontaneous exercise were in common with those proposed by previous groups. Suggestions which were not replicated elsewhere included:

- freedom from anti-social behaviour

- being able to do whatever job they want to do (doctor, journalist, etc)
- sex
- human rights, justice and the rule of law

There was some dispute within the group about the value of diversity and opportunities for multicultural integration. Some felt that this was important and that barriers between ethnic groups, and between people of different religions and cultures should be brought down, but others felt that life could be just as good remaining within your own culture or faith, without necessarily having that much to do with others.

In the responsive exercise, the Bangladeshi men considered the domains: life; health; education; standard of living, and decision-making, influence and voice. The items on the list recommended by the Equalities Review were broadly endorsed.

With respect to health, participants emphasised the importance of mental health and freedom from stigma. They also felt that access to sexual health services was important, and that all health services needed to be culturally sensitive and available in different languages.

With respect to education, this group felt that being able to be creative was less valuable than other items in the domain. Understanding and reasoning were highly regarded.

With respect to decision-making, there was agreement about the importance of being involved, but hesitation over who should have the final say over major decisions. Some participants felt they did not understand enough about technical subjects, or about politics, and that people who knew more – professionals – should decide on their behalf.

Elderly people and carers

Many of the spontaneous suggestions made by elderly people and carers were reflected in suggestions made by previous groups. However, there were several nuances and additional elements specific to this group. These included:

Health

- access to newly developed medicines
- doctors who are not dismissive (not saying, 'it's because of your age')
- being able to get a good night's sleep

Education

- keeping an active mind, having mental stimulation
- access to a library

Standard of living

- decent pension (set at the average wage)
- supported housing if you need it
- being able to get around
- being able to heat your house without having to worry about bills
- a home which is physically suitable
- free from pressure to get into debt, not being bombarded with advertising

Productive and valued activities

- being able to do something useful; not being made to feel redundant
- freedom from long hours of work
- trade union membership
- financial and emotional support for carers
- being valued for what you do even if unpaid
- not being required to take paid work

Individual, family and social life

- companionship, freedom from being lonely or isolated
- knowing that somebody cares and will look out for you
- having some personal space
- seeing grandchildren
- being able to talk about the old days with people your own age
- being able to share your problems, having peace of mind

Identity, expression and self-respect

- not being treated like a child or as if you're stupid
- having something to believe in

Elderly people and carers generally endorsed the items included in the list recommended by the Equalities Review, but three items proved controversial. There was dispute within the group about whether avoiding premature death ruled out euthanasia, and whether this was a good or a bad thing. There was also a range of opinion about how far the freedom of self-expression in the form of kissing or holding hands in public should extend. Some participants felt this was fine in all circumstances, others felt that gay couples should not express their affection for each other 'on the bus' or 'in front of children', while yet others felt that it would be better if

everyone avoided public displays of affection. Finally, there was some discussion about the value and viability of 'multiculturalism'. Some participants expressed the view that it would be nice but doesn't really work, while others felt that newcomers should adapt or conform to the existing culture they were joining. However, there was agreement that communication and understanding between religions, cultures and nationalities was important and valuable.

Participants identified some terminology in the list which was difficult to understand. (This has been amended in the revised list in Appendix 3.) They also highlighted some components as particularly important, including:

- avoiding premature death through neglect
- inequalities in life expectancy by social class
- freedom from abuse in care homes
- life-long learning, especially computers and the internet
- respite care for carers
- continuing opportunities for paid work if you want it
- hope for the future, not giving up
- living without fear of harassment
- not being frightened to go to court for fear of reprisals
- freedom from discrimination in the justice system, especially for people with mental health problems
- being able to afford a good lawyer

Young adults

Of the four young adults interviewed for this project, two were studying and two were working. Their spontaneous suggestions for what people needed to flourish were broadly similar, however, and overlapped considerably with suggestions made by other respondents. Items which were more distinctive included:

- sleep
- sex
- access to contraception
- sharing in the evolution of technology
- knowing what's going on in the world
- being able to keep clean and hygienic
- having a job you're happy in
- having role models
- having something to strive for
- being able to stand up for yourself

In response to the list recommended by The Equalities Review, these respondents expressed agreement with most items. In addition they mentioned:

- support for paternity as well as maternity
- being encouraged to work (for example, a disabled person might need more support)

One respondent felt very strongly about immigration and argued that there should be 'something about immigration' included in the list, although she was not able to articulate what exactly should be included.

Transgender people

The depth interviews with transgender people followed the same format as the group workshops; the first part was a spontaneous discussion of what made for a good life, and the second part focused on reactions to the pre-prepared adults' list.

During the course of the discussions, the interviewees shared some personal accounts of discrimination and reported experiences of other transgender people they knew. Many of these experiences were severe and damaging, physically and emotionally, and in some cases had serious financial consequences and/or consequences for participation in family, social, work or public life. The interviewees pointed out that the fact that transgender people may be a small proportion of the population should not mean that the discrimination they encounter should be overlooked; the depth or intensity of discrimination should also be taken into account. This is an important point which needs to be kept in mind for the use and interpretation of the equality measurement framework.

The interviewees spontaneously mentioned items under each of the 10 domains, with the exception of 'life', and none of the suggestions put forward lay entirely outside the range of the domains. A number of points were particularly emphasised:

- being secure from physical attack, in public places (when going out and using transport) and within relationships
- equal access to health care, including gender reassignment
- freedom from being bullied at school (by teachers or other pupils)
- equal access to goods and services (including leisure centres, hotels, restaurants etc)
- protection against unfair dismissal (for example, when going through transition)
- having your relationships recognised by others and by the state, and being treated with respect regardless of your gender and sexual identity

- freedom of religion and belief but also freedom from having others' beliefs imposed on you
- privacy, especially with respect to your gender and gender history
- being confident that your complaints of discrimination or abuse will be taken seriously

The transgender interviewees thought that the description of domains and sub-domains in the adults' list they considered were quite comprehensive but had a number of suggestions for changes to specific wording or aspects they would like to see emphasised, including:

- special protection for adoption (as well as for maternity and paternity, which are already included on the list)
- add the capability to be cared for (in addition to the capability to provide care, which is already included)
- developing a sense of values (preferred to the existing wording of developing a 'moral outlook')
- developing and maintaining self-identity (as well as self-respect, which is already included on this list)
- having freedom of expression of gender (as well as cultural identity, which is already included on the list)
- having the right to name, *gender* and nationality

Wales (general public)

Two events were held in Wales, one in Cardiff and one in Wrexham. Both events included Welsh language speakers and both included a mix of urban and rural participants.

As with other groups, the spontaneous suggestions in these workshops covered the full range of domains (with the exception of 'life') and a large number of sub-domains. Aspects relating to the individual in relation to his/her community were particularly prominent in these discussions, including for example:

- getting support
- having a family life and being happy at home
- being part of a community
- being able to be a member of a group or groups – different ones through your life
- being loyal to others and receiving their loyalty
- being able to trust your neighbours
- taking responsibility for others

- having cultural identity and taking pride in your heritage
- being able to speak the language of your choice (though not necessarily to be educated in that language)

Information and communication technologies were a controversial topic. Some participants argued that computers, the internet and mobile phones were not essential and that young people were over-dependent on them or even addicted to them. Other participants saw ICT as bringing increased opportunities for learning and communicating with others. All participants agreed that acquiring skills, including computer skills, was necessary for employment opportunities.

Responses to the pre-prepared adults' list were generally positive although there were some phrases which participants felt could be more clearly worded. These suggestions have been incorporated into the revised list. Other more general comments included:

- With respect to the life domain, there was a discussion as to whether it did, or should, include the right to die (euthanasia).
- Physical security was interpreted as including security of the home as well as security of the person.
- Within the education domain, the importance of learning parenting skills was emphasised.
- The question of positive action to correct previous discrimination was discussed as part of the productive and valued activities domain by one of the groups; on balance, the group rejected the idea.
- Freedom in matters of reproduction (part of the individual, family and social life domain) was specified as including abortion, access to IVF treatment, contraception and freedom from enforced sterilisation, all of which were thought to be important although controversial.
- Local involvement was emphasised as part of the decision-making, influence and voice domain.
- There was some concern that freedom of expression (listed in the identity, expression and self-respect domain) could be abused; some limits might need to be put on it.
- Similarly, in the legal security domain, all the rights were considered important and 'taken for granted' in the UK in contrast to some other countries, but concern was expressed that they could be used inappropriately.

3.6 Revised adults' list

A revised adults' list is included in Appendix 3, with amendments made as a result of this round of deliberative consultation highlighted in **blue**. The suggestions made by

participants have been included wherever possible, although not always in the same terms as originally suggested. The exceptions are where there was disagreement between participants, as, for example, about euthanasia (which is left unspecified in the revised list, as in the original list) and multiculturalism (which is included, but in such a way as to accommodate the concerns expressed by some participants).

We recommend that this revised list is regarded as the final list for this stage of the Equality and Human Rights Commission's work (for example, as the basis for the first triennial report). However, the list is by definition open and revisable, and there are a number of groups who have not been involved in the deliberative consultation to date. Those it would be desirable to involve in the future include: people with mental illness and people with learning difficulties, Gypsies and Travellers (including women), and more intersectional groups. We recommend that a timetable is established for reviewing the list, for example, every three years.

4. Summary of implications

We suggest the Equality and Human Rights Commission consider the following implications arising from this study:

- Adopting the children's list in Appendix 2, subject to consultation with external experts.
- Applying the children's list to people aged 0–17 years.
- Appointing an expert to adapt the children's list into language and illustrations that are more readily comprehensible by a younger child.
- Adopting the adults' list in Appendix 3 as the basis for further developing the equality measurement framework. (In practice, this has been used as the starting point for the consultation on selection of indicators for the framework.)
- Establishing a timetable for revision of both the adults' and children's lists, for example, every three years.
- Consulting further with people with mental health problems, people with cognitive impairment, and Gypsies and Travellers (including women) in any future deliberative exercise.

Appendix 1 The development of a children's list

Equalities Review	Every Child Matters	UN Convention on the Rights of the Child	Deliberative consultation	Proposed children's list
age range not specified	various ages	age under 18	17 children aged 9–16; 18 parents (including of children aged 0–8)	age 0–17
red added to children's list (compared to adults' list) grey omitted from children's list (compared to adults' list)	blue consider adding to children's list	blue consider adding to children's list	red spontaneous blue responsive	

The capability to be alive	Stay safe (2)			The capability to be alive
		Article 6: right to life		
avoid premature mortality through disease, neglect, injury or suicide	safe from accidental injury or death	Article 6: ensure to max extent possible the survival and development of the child Article 24: reduction in infant and child mortality	not committing suicide	avoid premature mortality through disease, neglect, injury or suicide, or through lack of antenatal or maternal health care
be protected from arbitrary denial of life			right to life; 'arbitrary denial' not well understood	be protected from being killed or murdered

The capability to live in physical security	Stay safe (1)			The capability to live in physical security
be free from violence including sexual, domestic and identity-based violence	safe from violence	Article 19: see below Article 34: protection from all forms of sexual exploitation and abuse, including coercion in sexual activity, use in prostitution, or use in pornography	freedom from violence	be free from violence including sexual and domestic violence, and violence based on who you are
be free from cruel, inhuman or degrading treatment or punishment		Article 37: freedom from torture or other cruel, inhuman or degrading treatment or punishment, including capital punishment or life imprisonment for offences committed when <18		be free from torture, cruel, inhuman or degrading treatment or punishment, including capital punishment
be protected from physical or sexual abuse	safe from sexual exploitation	Article 19: protection from all forms of physical or mental violence, injury, abuse, neglect, negligent treatment, maltreatment or exploitation,	not being smacked; not being hurt by adults physically or mentally; not being bullied; some parents thought smacking	be protected from physical or sexual abuse (especially by those in positions of authority), including use in, or exposure to, pornography;

		including sexual abuse	was OK	be protected from physical or mental harm by adults (including harmful punishment); be protected from physical or mental harm by other children (including bullying)
go out and use public spaces safely and securely without fear	safe from crime and anti-social behaviour in and out of school [add school explicitly to 'public spaces']		safe environment; being able to play outside the home; protection from traffic	go out and use public spaces, including school, safely and securely without fear
		Article 11, Article 35: protection from trafficking		
		Article 28: school discipline administered in a manner consistent with the child's dignity		be subject to discipline at school which is consistent with maintaining your dignity
		Article 38: children under 15 protected from taking a direct part in armed conflicts/hostilities, and from recruitment into armed forces		

		Article 39: right to rehabilitation and support to promote physical, psychological and social recovery from neglect, exploitation, abuse, torture, any other form of inhuman or degrading treatment or punishment, or armed conflicts	being protected	be supported and rehabilitated if you have experienced neglect, exploitation or abuse
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The capability to be healthy	Be healthy / Stay safe (3)			The capability to be healthy
attain the highest possible standard of physical and mental health, including sexual and reproductive health	physically, mentally, emotionally and sexually healthy	Article 24: highest attainable standard of health	protection from illness	attain the highest possible standard of physical and mental health, including sexual and reproductive health
access to timely and impartial information about health and healthcare options		Article 24: access to information and education about health care including breastfeeding and prevention of	education about health	access timely and impartial information about health and health care options, including

		accidents		contraception where appropriate
access health care, including non-discrimination in access to health care		Article 24: access to health care and non-discrimination in access Article 24: antenatal and post-natal health care	access to medicines; health care	access health care without discrimination and in a culturally sensitive way, including antenatal and maternal health care
be treated medically, or subject to experiment, only with informed consent				be treated medically, or take part in an experiment, only with informed consent (or consent of a guardian if you are too young to consent)
			[added to adults list through 2nd round of adult deliberative consultation]	be assured of patient confidentiality and be free from the stigmatisation associated with some health conditions
maintain a healthy lifestyle including exercise and nutrition	live healthy lifestyles		exercise; healthy diet; sleep	maintain a healthy lifestyle including exercise, sleep and nutrition

live in a healthy and safe environment including clean air, clean water, and freedom from pollution and other hazards		Article 24: clean water	water; safe environment	live in a healthy and safe environment where pollution, traffic and other hazards are minimised
be protected from emotional abuse or neglect	safe from maltreatment and neglect	see Article 19 above	protection from harm	be protected from emotional abuse or neglect
grow and develop				[included below]
learn about how to remain healthy and safe			education about health; need to know about alcohol and smoking as well as drugs	learn about how to remain healthy and safe, including the effects of alcohol, smoking and illegal drugs
	choose not to take illegal drugs	Article 33: protection from illicit use of narcotic drugs and psychotropic substances and from exploitation in production and trafficking	being protected from alcohol, smoking and drugs	be protected from use, production or selling of illegal drugs

The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society	Enjoy and achieve (1) / Make a positive contribution (3) / Achieve economic	Article 28: right to education		The capability to be knowledgeable, to understand and reason, and to have the skills to
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	wellbeing (1)			participate in society
attain the highest possible standard of knowledge, understanding and reasoning	achieve stretching national educational standards at primary and secondary school	Article 29: education shall be directed to development of ... mental abilities to their fullest potential	good education; fulfil potential	attain the highest possible standard of knowledge, understanding and reasoning
be creative, be fulfilled intellectually			being creative; being able to appreciate art; playing music/guitar ; fulfil potential	be fulfilled and stimulated intellectually, including being creative if you so wish; be able to appreciate the arts;
develop the skills for participation in productive and valued activities, including parenting	ready for employment		learning to look after a pet	develop the skills for participation in productive and valued activities, including parenting
learn about a range of cultures and beliefs, and acquire the skills to participate in a multicultural society		Article 29: education shall be directed to respect for human rights and fundamental freedoms; the development of respect for the child's own cultural identity, language and values, country of residence and or	broadening horizons; learning about the past; learning about other cultures at school (because parents don't know)	learn about a range of present and past cultures and beliefs; acquire the skills to participate in a diverse society, including learning English; understand the natural environment;

		<p>origin, and of other civilisations; preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.</p> <p>Article 29: education shall be directed to development of respect for the natural environment</p>		
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The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society (cont'd)				The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society (cont'd)
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<i>access education, training and lifelong learning that meets individual needs</i>				
compulsory and free primary and secondary education that meets individual needs	attend and enjoy school	Article 23: special protection for disabled children Article 28: compulsory and free primary education Article 28: available and accessible secondary general and vocational education – free and/or with financial assistance where needed	schooling, compulsory up to 16 then optional; special help for those who need it	engage in compulsory and free primary and secondary education that meets individual needs, and education and training at least up to age 18
access information and technology necessary to participate in society		Article 13: right to seek, receive and impart information of all kinds Article 17: access to mass media and information and material from a diversity of national and international sources, including children's books	access to the news, communication; internet	use information and technology necessary to participate in society
	ready for school (that is, early years)			enjoy high-quality early years care and education

	develop enterprising behaviour		be able to experiment	pursue independent interests
	engage in further education, training or employment on leaving school	Article 28: access to higher education on the basis of capacity	education or apprenticeship should be at least to age 18	access further and higher education on the basis of your capacity [see also above]
		Article 17: protection from information and material injurious to wellbeing	protection from bad (violent) TV etc	be protected from information and material which is harmful to wellbeing
		Article 28: access to educational and vocational information and guidance	good advice	access educational and vocational information and guidance

The capability to enjoy a comfortable standard of living, with independence and security	Achieve economic wellbeing (2)			The capability to enjoy a comfortable standard of living, with independence and security
enjoy an adequate and secure standard of living (including nutrition, clothing, housing, warmth, social security, social services and utilities) which	live in decent homes access to material goods live in households free of low income	Article 18: access to childcare facilities (support when parents are not providing it)	a home; council housing if you can't afford a house; enough space within the	enjoy an adequate and secure standard of living which enhances physical, mental,

enhances physical, mental, spiritual, moral and social development		<p>Article 20: special protection and assistance when temporarily or permanently deprived of family environment (for example, foster care)</p> <p>Article 23: recognising special needs of disabled children</p> <p>Article 24: nutrition</p> <p>Article 26: social security</p> <p>Article 27: standard of living adequate for child's physical, mental, spiritual, moral and social development</p> <p>Article 27: assistance with nutrition, clothing and housing, where necessary</p>	house; garden to play in; food; water, clothes, income, entertainment	<p>spiritual, moral and social development. This includes nutrition, clothing, toys and entertainment, warmth, utilities, housing, social security, social services and childcare.</p> <p>Adequate housing must be affordable, and include adequate indoor space and access to safe outdoor space in which to play</p>
have personal mobility, and access to transport and public places	access to transport		independent mobility (a car to get around)	get around inside and outside the home, and access transport and public places

live with independence, dignity and self-respect		Article 23: mentally or physically disabled child should enjoy a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in community	independence needs balance – they're still children	live with dignity and self-respect; be supported to promote your future independence
have choice and control over where and how you live, at a level appropriate to the child's stage of development				have choice and control over where and how you live, at a level appropriate to your stage of development
enjoy your home in peace and security			within the wider community	enjoy your home in peace and security, within the wider community

The capability to enjoy a comfortable standard of living, with independence and security (cont'd)				The capability to enjoy a comfortable standard of living, with independence and security
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				(cont'd)
access green spaces and the natural world			access to nature	access green spaces, parks and the natural world
share in the benefits of scientific progress including information and technology		Article 13: right to seek, receive and impart information and ideas of all kinds Article 17: see above Article 24: benefit from health technologies and treatments Article 28: access to scientific and technical knowledge	mobile phone, PC	share in the benefits of scientific progress including medical advances and information and technology

The capability to engage in productive and valued activities	Enjoy and achieve (2)			The capability to engage in productive and valued activities
have safe, enjoyable and developmental play	enjoy recreation	Article 31: right to engage in play and recreational activities	fun	have safe, enjoyable and developmental play
be protected from exploitation through paid or unpaid work		Article 32: right to protection from economic exploitation	not having to work	be protected from performing any work that interferes with your education

				or development
<i>undertake paid work</i>			having work [teenagers]	undertake some paid work, as a teenager
<i>care for others</i>				
<i>have rest, leisure and respite, including holidays</i>		Article 31: right to rest and leisure	holidays	have rest, leisure and respite, including holidays and relaxed time with your family
<i>choose a balance between paid work, care and leisure on an equal basis with others</i>				
<i>work in just and favourable conditions, including health and safety, fair treatment during pregnancy and maternity, and fair remuneration</i>		Article 32: right to protection from performing any work likely to be hazardous or to interfere with child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development		if you work, to work in just and favourable conditions, including health and safety, fair pay, reasonable hours and freedom from harassment and discrimination
<i>not be forced to work in a particular occupation or without pay</i>				
<i>not be prevented from working in a particular occupation without good</i>				

<i>reason</i>				
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The capability to enjoy individual, family and social life	Stay safe (5) / Enjoy and achieve (3) / Make a positive contribution (2)			The capability to enjoy individual, family and social life
develop as a person	achieve personal and social development	Article 29: education shall be directed to the development of the child's personality, talents, mental and physical abilities to their fullest potential		grow and develop as a person
develop your moral outlook and other beliefs			learn the difference between right and wrong	develop your sense of values and other beliefs
formulate and pursue goals and objectives for yourself			being able to choose what to do when grow up	formulate and pursue aspirations, goals and objectives for yourself, including what you want to do when you grow up
hope for the future			being able to form aspirations; having your aspirations	hope for the future

			supported and encouraged	
develop and maintain self-respect, self-esteem and self-confidence	develop self-confidence and successfully deal with life changes and challenges		have confidence; self-esteem;	develop and maintain self-respect, self-esteem and self-confidence
have a private life, including protection of personal data		Article 16: freedom from arbitrary interference with privacy, family, home or correspondence; freedom from unlawful attack on honour or reputation	own space; being able to do our own thing – not being organised all the time	have a private life, including protection of information about you, having your own space, and sometimes being able to do your own thing
access emotional support			not being lonely	access emotional support and avoid loneliness
form intimate relationships, friendships and a family	develop positive relationships		relating to parents, grandparents, siblings, friends; being able to communicate with friends	develop and maintain close friendships and relationships
celebrate on special occasions			celebrating birthdays	celebrate on special occasions
be confident that your primary relationships will be treated with dignity			having a boy/girlfriend; having a special person in your	be able to form intimate relationships, including having a

			life	boy/girlfriend; know that your significant relationships will be treated with dignity and respect
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The capability to enjoy individual, family and social life (cont'd)				The capability to enjoy individual, family and social life (cont'd)
spend time with, and care for, others			having a heart; being kind	spend time with, and care for, others including wider family
enjoy independence and equality in primary relationships <i>including marriage</i>				enjoy independence and equality in significant relationships
<i>be free in matters of reproduction</i>				for 16 and 17 year olds, be free in matters of sexual relationships and reproduction and enjoy special support during pregnancy, maternity and paternity
enjoy special support <i>during</i>			being able to	enjoy special

<i>pregnancy and maternity, and during childhood</i>			build happy memories of childhood to draw on later in life;	support and care during childhood, including security and stability
be nurtured, loved, and protected	be cared for	Article 18: right to be parented by well-supported parents	be treated with care, understanding, love, attention; be protected; be reassured and encouraged	be nurtured, loved, and protected, reassured and encouraged
	have security and stability		security; routine and structure – stability	
		Article 7: right to know and be cared for by his/her parents, as far as possible Article 22: right to be reunited with family		be cared for wherever possible by own parents, and where this is not possible, to maintain contact with parents
		Article 9: right to maintain contact with parents, even if separated		
			[added to adults list during 2nd round deliberative consultation]	know that someone will look out for you; have peace of mind

The capability to participate in decision-making, have a voice and influence	Make a positive contribution (1)			The capability to participate in decision-making, have a voice and influence
as appropriate to the child's stage of development, including for example:			having boundaries set	as appropriate to the child's stage of development, including for example:
be encouraged and supported to participate in decision-making, especially decisions which directly affect your own life	engage in decision-making	Article 12: views of the child to be given due weight in all matters affecting the child, in accordance with age and maturity	being able to make choices; being given responsibility; not being bossed about; having your own opinions	be encouraged and supported to participate in decision-making, especially decisions which directly affect your own life
be listened to with respect			being treated with respect by adults; being listened to	be listened to with respect
assemble peacefully with others		Article 15: freedom of association and freedom of peaceful assembly	'assemble peacefully' too airy-fairy but young people need somewhere they can be together	get together with others, peacefully, without being moved on or accused of being a nuisance
form and join civil organisations and solidarity groups <i>including trade unions</i>	support the community and environment [voluntary		don't understand 'civil organisations' but clubs are	form and join clubs, groups and organisations, including trade

	organisations]		important	unions if you work
<i>participate in the formulation of government policy, locally and nationally</i>				participate in the formulation of government policy, locally and nationally
<i>participate in non-governmental organisations concerned with public and political life</i>				participate in non-governmental organisations concerned with public and political life
<i>participate in democratic free and fair elections</i>				
<i>participate in the local community</i>			knowing people around you in the area	participate in the local community

The capability of being and expressing yourself, and having self-respect	Stay safe (4)			The capability of being and expressing yourself, and having self-respect
have freedom of conscience, belief and religion		Article 14: freedom of thought, conscience and religion Article 30: right to profess and practice own religion	freedom of religion	have freedom of conscience, belief and religion

have freedom of cultural identity			being able to rebel; form an identity (for example, with a club)	have freedom of cultural identity, including being able to reject parental and/or peer group culture
have freedom of expression (as long as it doesn't cause significant harm to others)		Article 12, 13: right to express views freely	being able to express oneself	have freedom of expression
communicate, including using ICTs, and use your own language		Article 17: mass media to have particular regard to linguistic needs of children in minority groups Article 30: right to use own language	being able to communicate with friends; using own language OK but also need to learn English	communicate, including using information technology, and use your own language
engage in cultural practices, in community with other members of your chosen group or groups (as long as it doesn't cause significant harm to others)		Article 30: right to enjoy own culture, in community with others Article 31: right to participate freely in cultural life and the arts	listening to music	engage in cultural practices, in community with other members of your chosen group or groups
have self-respect				have self-respect
live without fear of humiliation, harassment, or identity-based abuse			not being abused	live without fear of humiliation, harassment, or abuse based on who you are
be confident that you will be			being treated with	be confident that

treated with dignity and respect			respect by teachers; being treated fairly compared to siblings or other pupils	you will be treated with dignity, equality and respect, especially by adults in positions of authority
access and use public spaces freely				access and use public spaces freely
be protected from bullying and intolerant behaviour	safe from bullying and discrimination		not being bullied	be protected from bullying and intolerant behaviour

The capability of knowing you will be protected and treated fairly by the law				The capability of knowing you will be protected and treated fairly by the law
know you will be treated with equality and non-discrimination before the law		Article 12: be heard in any judicial or administrative proceedings affecting the child, either directly or through a representative Article 40: [being treated fairly by the law]		know you will be treated with equality and non-discrimination before the law

be secure that the law will protect you from intolerant behaviour			police so you don't get abused	be secure that the law will protect you from intolerant behaviour and from reprisals if you make a complaint
be free from arbitrary arrest and detention		Article 37: freedom from arbitrary or unlawful interference with liberty		be free from arbitrary arrest and detention
have fair conditions of detention		Article 37: arrest, detention and imprisonment of a child shall be used only as a measure of last resort and for the shortest appropriate period of time Article 40: alternatives to institutional care for children convicted of a criminal offence such guidance, supervision, counselling, probation, foster care, education, consistent with their well-being		have fair conditions of detention, with prison only as a last resort

		and proportionate to their circumstances and the offence		
have the right to a fair trial		Article 37: right to challenge deprivation of liberty before a court or other competent, independent and impartial authority, and to a prompt decision Article 40: protection through a minimum age for criminal responsibility		have the right to a fair trial including protection by a minimum age of criminal responsibility

The capability of knowing you will be protected and treated fairly by the law (cont'd)				The capability of knowing you will be protected and treated fairly by the law (cont'd)
access information and advocacy as necessary		Article 37: prompt access to legal and other assistance		access high-quality information and advocacy as necessary
have freedom of movement, and be free to choose where you live				have freedom of movement

have the right to name and nationality		Article 7: right to be registered , have a name and nationality		have the right to name and nationality, and to registration of birth
<i>own property and financial products including insurance, social security, and pensions in your own right</i>			having some financial independence (pocket money)	have some financial independence and respect for your property, as appropriate to your age; for 16 and 17 year olds, own property and financial products including insurance, social security and pensions in your own right
know your privacy will be respected and personal data protected				know your privacy will be respected and personal data protected
		Article 3: best interests of the child shall be a primary consideration		have your own interests as a child the primary consideration in legal proceedings concerning parents
		Article 9: separated from parents only by due process		

		Article 21: adoption procedures		
		Article 22: right to seek asylum in own right		
		Article 37: any child deprived of liberty shall be separated from adults and have right to maintain contact with family, except in exceptional circumstances		

Instrumental freedoms				
	engage in law- abiding and positive behaviour in and out of school			
	choose not to bully or discriminate			
	live in sustainable communities			

Appendix 2 Proposed children's list

This list applies to people aged 0–17 years.

The capability to be alive

including to:

- avoid premature mortality through disease, neglect, injury or suicide, or through lack of antenatal or maternal health care
- be protected from being killed or murdered

The capability to live in physical security

including, for example, being able to:

- be free from violence including sexual and domestic violence, and violence based on who you are
- be free from torture, cruel, inhuman or degrading treatment or punishment, including capital punishment
- be protected from physical or sexual abuse (especially by those in positions of authority), including use in, or exposure to, pornography
- be protected from physical or mental harm by adults (including harmful punishment)
- be protected from physical or mental harm by other children (including bullying)
- go out and use public spaces, including school, safely and securely without fear
- be subject to discipline at school which is consistent with maintaining your dignity
- be supported and rehabilitated if you have experienced neglect, exploitation or abuse

The capability to be healthy

including, for example, being able to:

- attain the highest possible standard of physical and mental health, including sexual and reproductive health
- access health care without discrimination and in a culturally sensitive way, including antenatal and maternal health care
- be treated medically, or take part in an experiment, only with informed consent (or consent of a guardian if you are too young to consent)
- be assured of patient confidentiality and be free from the stigmatisation associated with some health conditions
- live in a healthy and safe environment where pollution, traffic and other hazards are minimised
- be protected from emotional abuse or neglect
- be protected from use, production or selling of illegal drugs

- maintain a healthy lifestyle including exercise, sleep and nutrition
- access timely and impartial information about health and health care options, including contraception where appropriate
- learn about how to remain healthy and safe, including the effects of alcohol, smoking and illegal drugs

The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society

including, for example, being able to:

- attain the highest possible standard of knowledge, understanding and reasoning
- enjoy high-quality early years care and education
- engage in compulsory and free primary and secondary education that meets your individual needs, and education or training at least up to age 18
- access further and higher education on the basis of your capacity
- access educational and vocational information and guidance
- develop the skills for full participation in productive and valued activities, including parenting
- use information and technology necessary to participate in society
- be protected from information and material which is harmful to your wellbeing
- acquire the skills for equal participation in a diverse society, including learning English
- learn about a range of present and past cultures and beliefs
- understand the natural environment
- be fulfilled and stimulated intellectually, including being creative if you so wish
- pursue independent interests
- appreciate the arts

The capability to enjoy a comfortable standard of living, with independence and security

including, for example, being able to:

- enjoy an adequate and secure standard of living which enhances physical, mental, spiritual, moral and social development. This includes nutrition, clothing, toys and entertainment, warmth, utilities, housing, social security, social services and childcare. Adequate housing must include adequate indoor space and access to safe outdoor space in which to play
- get around inside and outside the home, and access transport and public places
- live with dignity and self-respect
- be supported to promote your future independence
- have choice and control over where and how you live, at a level appropriate to your stage of development

- enjoy your home in peace and security, within the wider community
- access green spaces, parks and the natural world
- share in the benefits of scientific progress including medical advances and information and technology

The capability to engage in productive and valued activities

including, for example, being able to:

- have safe, enjoyable, and developmental play
- have rest and leisure including holidays and relaxed time with your family
- be protected from performing any work which interferes with your education or development
- undertake some paid work, as a teenager
- if you work, to work in just and favourable conditions, including health and safety, fair pay, reasonable hours and freedom from harassment or discrimination

The capability to enjoy individual, family and social life

including, for example, being able to:

- grow and develop as a person
- develop your sense of values and other beliefs
- develop and maintain self-respect, self-esteem and self-confidence
- formulate and pursue aspirations, goals and objectives for yourself, including what you want to do when you grow up
- have hope for the future
- enjoy special support and care during childhood, including security and stability
- be nurtured, loved and protected, reassured and encouraged
- access emotional support and avoid loneliness
- know that someone will look out for you
- have peace of mind
- be cared for wherever possible by own parents, and where this is not possible, to maintain contact with parents
- have a private life, including protection of information about you, having your own space, and sometimes being able to do your own thing
- spend time with, and care for, others, including wider family
- develop and maintain close friendships and relationships
- form intimate relationships, including having a boy/girlfriend
- know that your significant relationships will be treated with dignity and respect
- enjoy independence and equality in significant relationships
- celebrate on special occasions
- for 16 and 17 year olds, be free in matters of sexual relationships and reproduction, and enjoy special support during pregnancy, maternity and paternity

The capability to participate in decision-making, have a voice and influence

including, as appropriate to the child's stage of development, being able to:

- be encouraged and supported to participate in decision-making, especially decisions which directly affect your own life
- participate in the formulation of government policy, locally and nationally
- participate in non-governmental organisations concerned with public and political life
- be listened to with respect
- get together with others, peacefully, without being moved on or accused of being a nuisance
- form and join clubs, groups and organisations, including trade unions if you work
- participate in the local community

The capability of being and expressing yourself, and having self-respect

including, for example, being able to:

- have freedom of conscience, belief and religion
- have freedom of cultural identity, including being able to reject parental and/or peer group culture
- have freedom of expression
- communicate, including using information technology, and use your own language
- engage in cultural practices, in community with other members of your chosen group or groups, and across communities
- have self-respect
- live without fear of humiliation, harassment or abuse based on who you are
- be confident that you will be treated with dignity, equality and respect, especially by adults in positions of authority
- access and use public spaces freely
- be protected from bullying and intolerant behaviour

The capability of knowing you will be protected and treated fairly by the law

including, for example, being able to:

- know you will be treated with equality and non-discrimination before the law
- be secure that the law will protect you from intolerant behaviour, and from reprisals if you make a complaint
- be free from arbitrary arrest and detention
- have fair conditions of detention, with prison only as a last resort
- have the right to a fair trial including protection by a minimum age of criminal responsibility
- access high-quality information and advocacy as necessary

- have freedom of movement
- have the right to name and nationality, and to registration of birth
- have some financial independence and respect for your property, as appropriate to your age
- for 16 and 17 year olds, own property and financial products including insurance, social security and pensions in your own right
- know your privacy will be respected and personal data protected
- have your own interests as a child the primary consideration in legal proceedings concerning parents

Appendix 3 Revised adults' list

Revisions are shown in **blue**

The capability to be alive

including, for example, being able to:

- avoid premature mortality through disease, neglect, injury or suicide
- be protected from **arbitrary denial of life being killed or murdered**

The capability to live in physical security

including, for example, being able to:

- be free from violence including sexual **and** domestic **and identity-based**-violence **and violence based on who you are**
- be free from cruel, inhuman or degrading treatment or punishment
- be protected from physical or sexual abuse **(especially by those in positions of authority)**
- go out and use public spaces safely and securely without fear

The capability to be healthy

including, for example, being able to:

- attain the highest possible standard of physical and mental health, including sexual and reproductive health
- access to timely and impartial information about health and health care options, **including contraception**
- access health care, **including non-without** discrimination **in-access-to healthcare and in a culturally sensitive way**
- be treated medically, or subject to experiment, only with informed consent
- **be assured of patient confidentiality and be free from the stigmatisation associated with some health conditions**
- maintain a healthy lifestyle including exercise, **sleep** and nutrition
- live in a healthy and safe environment including clean air, clean water and freedom from pollution and other hazards

The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society

including, for example, being able to:

- attain the highest possible standard of knowledge, understanding and reasoning
- **be creative**
- be fulfilled **and stimulated** intellectually, **including being creative if you so wish**

- develop the skills for participation in productive and valued activities, including parenting
- learn about a range of cultures and beliefs and acquire the skills to participate in a ~~multicultural~~ diverse society, **including learning English**
- access education, training and life-long learning that meets individual needs
- access information and technology necessary to participate in society

The capability to enjoy a comfortable standard of living, with independence and security

including, for example, being able to:

- enjoy an adequate and secure standard of living including nutrition, clothing, housing, warmth, social security, social services and utilities, **and being cared for and supported when necessary**
- ~~have personal mobility, get around inside and outside the home, and to~~ access transport and public places
- live with independence, dignity and self-respect
- have choice and control over where and how you live
- **have control over personal spending**
- enjoy your home in peace and security
- access green spaces and the natural world
- share in the benefits of scientific progress including **medical advances and** information and technology

The capability to engage in productive and valued activities

including, for example, being able to:

- ~~undertake paid work~~ **have a decent paid job, with support where necessary**
- care for others, **including children and parents**
- **do something useful and have the value of your work recognised even if unpaid**
- have rest **and** leisure, ~~and respite,~~ including holidays, **and respite from caring responsibilities**
- choose a balance between paid **and unpaid** work, care and leisure on an equal basis with others
- work in just and favourable conditions, including health and safety, fair treatment during pregnancy, ~~and~~ maternity **and paternity, and** fair **remuneration pay, reasonable hours, and freedom from harassment or discrimination**
- not be forced to work in a particular occupation or without pay
- not be prevented from working in a particular occupation without good reason

The capability to enjoy individual, family and social life

including, for example, being able to:

- develop as a person, **including self-identity**
- develop your ~~moral outlook~~ **sense of values** and other beliefs
- formulate and pursue goals and objectives for yourself
- hope for the future
- develop and maintain self-respect, self-esteem and self-confidence
- have a private life **and some personal space**, including protection of personal data
- access emotional support
- **know that someone will look out for you**
- **have peace of mind**
- form intimate relationships, friendships and a family
- celebrate on special occasions
- be confident that your primary relationships will be treated with dignity and respect
- spend time with, and care for, others, **including wider family**
- enjoy independence and equality in primary relationships including marriage
- be free in matters of **sexual relationships and** reproduction
- enjoy special support during pregnancy, maternity, **paternity and adoption, and during childhood**

The capability to participate in decision-making, have a voice and influence

including, for example, being able to:

- participate in decision-making **and make decisions affecting your own life independently**
- participate in the formulation of government policy, locally and nationally
- participate in non-governmental organisations concerned with public and political life
- participate in democratic free and fair elections
- ~~assemble peacefully get together~~ with others, **peacefully**
- participate in the local community
- form and join civil organisations and solidarity groups, including trade unions

The capability of being and expressing yourself, and having self-respect

including, for example, being able to:

- have freedom of conscience, belief and religion
- have freedom of cultural identity **and expression of gender**
- have freedom of expression ~~(so long as it doesn't cause significant harm to others)~~

- communicate, including using **information and communication technologies ICTs**, and use your own language
- engage in cultural practices, in community with other members of your chosen group or groups ~~(so long as it doesn't cause significant harm to others)~~, and **across communities**
- have self-respect
- live without fear of humiliation, harassment, or ~~identity-based~~ abuse **based on who you are**
- be confident that you will be treated with dignity and respect
- access and use public spaces freely

The capability of knowing you will be protected and treated fairly by the law including, for example, being able to:

- know you will be treated with equality and non-discrimination before the law
- be secure that the law will protect you from intolerant behaviour, **and from reprisals if you make a complaint**
- be free from arbitrary arrest and detention
- have fair conditions of detention
- have the right to a fair trial
- access **to affordable and high-quality** information and advocacy as necessary
- have freedom of movement, ~~and be free to choose where you live~~
- have the right to name, **gender** and nationality
- own property and financial products including insurance, social security and pensions in your own right
- know your privacy will be respected ~~and personal data protected~~

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This report contributes towards the development of the equality measurement framework. It consolidates and revises the existing adult capability list by consulting with other groups that were not specifically targeted in the deliberative consultation carried out for The Equalities Review, and develops a list of central and valuable capabilities for children.

WHAT IS ALREADY KNOWN ON THIS TOPIC:

- The detailed list of central and valuable freedoms or capabilities for adults is grouped under 10 headings or domains. These are: life; physical security; health; education; standard of living; productive and valued activities; individual, family and social life; decision-making, influence and voice; identity, expression and self-respect, and legal security.
- These domains form the backbone of the equality measurement framework (EMF).
- A provisional children's list was compiled based on the adults' list, examination of the Every Child Matters framework and the UN Convention on the Rights of the Child.

WHAT THIS REPORT ADDS:

- Analysis of deliberative consultation events and depth interviews resulting in a final adult capability list. This has been used in the next phase of the EMF's development, selecting the spotlight indicators.
- A proposed children's list, which will now be subject to consultation with external experts before being finalised.

The report also makes a number of suggestions for further developing the EMF, including a timetable for revision of the adults' and children's lists.