

Witness Name:

Professor Iyiola Solanke

Dated: 14/10/2022

Ref: M2/SAGE/01/IS

COVID-19 INQUIRY – MODULE 2

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Questionnaire Response – Professor Iyiola Solanke

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**1: Overview of qualifications, career history, professional expertise and major publications:**

**Qualifications**

1.1. The following table outlines my qualification:

**Table 1 – Qualification**

1992	BA (Combined Honours) German and Drama, University of London
1997	Masters of Science (European Social Policy), London School of Economics
2005	Doctor of Philosophy (Law), London School of Economics
2010	Postgraduate Certificate in Higher Education Practice, University of East Anglia

**Employment History**

1.2. The following table outlines my employment history:

**Table 2 – Employment History**

Academic	
2003 – 2011	Part-time Lecturer, London School of Economics (LSE)

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2004 – 2010	Lecturer, Law School, University of East Anglia (UEA), Norwich.
2010	Visiting Professor, Wake Forest Law School, Wake Forest University, USA
2010 – 2016	Senior Lecturer, School of Law, University of Leeds
2016-2022	Professor of EU Law and Social Justice, School of Law, University of Leeds
2017 – Present	Visiting Professor, Science-Po, Grenoble
2017 – Present	Visiting Faculty, Global and International Studies, University of Salamanca, Spain
2020 – 2022	Elected to Senate, University of Leeds
2021 – 2022	Dean for Equity, Diversity and Inclusion (EDI), University of Leeds
2022 – Present	Jacques Delors Professor of EU Law, Somerville College, University of Oxford
<b>Legal</b>	
2017 – Present	Judicial Member, Valuation Tribunal for England (VTE)

**Professional Expertise:**

1.3. My professional expertise lies in the areas of:

- (1) European and comparative discrimination and equality law, especially in relation to race, gender and weight.
- (2) European Union law
- (3) Race and policing
- (4) Social action and civil society
- (5) Judicial diversity

## **Publications**

1.4. Below is a list of my major publications.

### Books

- 1.5. *EU Law* (Cambridge University Press, 2<sup>nd</sup> Edition July **2022**)
- 1.6. *Research Handbook on European Anti-Discrimination Law* (with Professor Colm O' Cinneide, UCL and Dr Julie Ringelheim, U. of Louvain) (Edward Elgar, forthcoming **2023**)
- 1.7. 'On Crime, Society and Responsibility in the work of Nicola Lacey', Festschrift for Nicola Lacey (OUP, **2021**)
- 1.8. *Discrimination as Stigma: A Theory of Anti-Discrimination Law* (Hart **2017**) 256pp. Paperback – June **2019**
- 1.9. *Making Anti-Racial Discrimination Law: a comparative history of social action and anti-racial discrimination law* (Routledge-Cavendish, **2009**; paperback: July **2011**). 256 pp.
- 1.10. *EU Law* (Pearson Press, May **2015**)
- 1.11. *Cambridge Yearbook of European Legal Studies 2011- 2012, Volume 14* (Oxford: Hart Publishing) with Catherine Barnard and Marcus Gehring

### Refereed Journal Articles

- 1.12. 'The Impact of Brexit on Black Women, Children and Citizenship' (2021) *Journal of Common Market Studies*  
<https://onlinelibrary.wiley.com/doi/full/10.1111/jcms.13103>
- 1.13. "The anti-stigma principle and legal protection from fattism' *Fat Studies Journal* (2021) Vol 10 (2) 125-143. Reprinted in von Liebenstein, S (ed.) *Legislating Fatness Current Debates in Weight Discrimination, Policy, and Law* (Routledge, 2022) <https://www.routledge.com/Legislating-Fatness-Current-Debates-in-Weight-Discrimination-Policy-and/Liebenstein/p/book/9781032230368#>
- 1.14. 'Where are the Black Judges in Europe?' *Connecticut Journal of International Law*, Vol 34 (3) 289, 2019

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- 1.15. 'The Paradox of Intersectionality' (2016) (*Sociologia del Diritto* special issue on 'Intersectionality, Law and Society')
- 1.16. 'Infusing the Silos in the Equality Act 2010 with Synergy' (2011) *Industrial Law Journal* 40: 336- 358
- 1.17. 'Stop the ECJ? An Empirical Assessment of Activism at the ECJ' (2011) *European Law Journal*, Vol 17 (6) 764 - 784
- 1.18. 'Putting Race And Gender Together: A New Approach To Intersectionality' (2009) *72 Modern Law Review*, 5, 723 - 749
- 1.19. 'Independence and Diversity in the European Court of Justice' (2009) *15 Columbia Journal of European Law* 1, 89 -121

### Book Chapters

- 1.20. 'Conclusion: Shifting Forwards in Empirical EU Studies' in '*Researching the Europe Court of Justice: Methodological Shifts* ed Madsen, Nicola and Vauchez (CUP **2022**)
- 1.21. 'The EU Approach to Intersectional Discrimination' in the *Routledge Handbook on Gender and EU Politics* ed. Abels, Kriszan, MacRae and van der Vleuten (Routledge, **2020**)
- 1.22. 'What About the Zambrano Children? Multi-level abandonment in the UK and EU' in (eds) Ferrera and Dunstin *Feminist and Queer Perspectives on Brexit* (Palgrave, **2018**)
- 1.23. 'A Method for Intersectional Discrimination in EU Labour Law' in (eds.) Bogg, Costello, Davies *Research Handbook on EU Labour Law* (Edward Elgar, **2017**)
- 1.24. 'Black women workers and discrimination: Exit, Voice, Loyalty...or Shifting?' in (eds.) Costello and Freedland *Migrants at Work – Immigration and Vulnerability in Labour Law* (OUP, **2014**)
- 1.25. 'The Advocate General: Securing Trust in the CJEU of Art 13 TFEU' in *Cambridge Yearbook of European Legal Studies* Vol. 14, Pages 698 -721 (Hart, **2012**)
- 1.26. 'A Legal Remedy for Corpulent Women of Colour' in (eds.) Schiek and Lawson *Intersectionality and EU Non-Discrimination Law - investigating the triangle of*

- racial, gender and disability discrimination, Pages 209 – 224 (Ashgate Press, **2011**)
- 1.27. 'Stigma: an alternative limiting principle in anti-discrimination law?' in (eds.) Schiek and Chege *European Union Non-Discrimination Law: Comparative Perspectives on Multi-Dimensional Equality Law*, Pages 115-136 (Routledge-Cavendish, **2008**)
- 1.28. 'Where are the Black Lawyers in Germany?' in (eds.) Eggers et al *Mythen, Masken und Subjekte. Kritische Weißseinsforschung in Deutschland*, Pages 179-185 (Unrast Verlag, **2008** & 2nd edition, **2009**)

Policy / Other Papers

- 1.29. Solanke, V. I.; Ayisi, F.; Bernard, C.; Bhattacharyya, G.; Gupta, A.; Kaur, R.; Lakhanpaul, M.; Padmadas, S.; Rai, S. M. (2022-06-15). Co-POWeR Policy Brief: "Protecting wellbeing and resilience in BAME families and communities during a public health emergency". eprints.whiterose.ac.uk. doi:[10.48785/100/93](https://doi.org/10.48785/100/93)
- 1.30. Written submission to the House of Commons Public Administration and Constitutional Affairs Committee 'Coronavirus Act 2020 Two Years On' – available at:<https://committees.parliament.uk/writtenevidence/42506/html/> (2022). Cited in <https://committees.parliament.uk/publications/9356/documents/160698/default/>. (Para 72, p.22 and 28)
- 1.31. 'The Anti-Stigma Principle – centralizing intersectionality in the theory of anti-discrimination law' – Multiplication des criteres de discrimination, Defenseur des Droits, France (conference proceedings), 2018, p142
- 1.32. 'Intersectionality and the 'anti-stigma principle' – disrupting anti-discrimination law' Discrimination Law Association Briefing 827, Vol 61 (July 2017) 10 – 17
- 1.33. 'Understanding intersectional discrimination: the situation of young black men' Coyote No.22, 2014 (<http://pjp-eu.coe.int/en/web/youth-partnership/issue-22-december-2014>)
- 1.34. 'Another Type of Other': AB v. Home Office & Rahman v. Home Office (2013) Modern Law Review, 76:2, 383 – 400

- 1.35. 'Using the Citizen to Bring the Refugee In': Case C-34/09 Gerardo Ruiz Zambrano v Office national de l'emploi (ONEM) (2012) Modern Law Review 75:1, 101-111

**2: List of groups I participated in and the relevant time period:**

- 2.1. I was a participant in SPI-B between May 2020 and February 2021.

**3: Overview of involvement in groups between January 2020 and February 2022:**

**When and how I came to be a participant**

- 3.1. I was invited to be a participant in SPI-B meeting in April 2020 due to my expertise in discrimination, race and policing. I was contacted by Professor Clifford Stott, who knew of my expertise as a former colleague at the University of Leeds.

**The number of meeting I attended and my contributions**

- 3.2. During the timeframe mentioned above, I attended 14 meetings.
- 3.3. I contributed to the general discussion, mainly in relation to the wellbeing of BAME families and communities. The goal of my input was to ensure that the impact of the pandemic and proposed measures on these groups was fed into the discussion. For example, when 'bubbles' were discussed I highlighted that a small 'bubble' would not be realistic for some BAME communities given the multi-generational and often multi-household family structures.

**Your role in providing research, information and advice.**

I made comments on various research papers presented at SPI-B meetings. For example, I gave a brief presentation to SAGE on the impact of COVID on BAME communities and the need for race-specific research to be conducted.

**4: Summary of documents to which I contributed for the purposes of advising the groups above:**

- 4.1. My contributions were limited to comments on various papers presented at the SPI-B meetings. I also specifically led the drafting of a paper on the impact of 'local lockdowns'.

**5: Summary of articles, interviews and/or evidence:**

- 5.1. I have not written any articles nor given any interviews / evidence in relation to my work in SPI-B.
- 5.2. However, I subsequently led a national research project to investigate the impact of COVID on wellbeing and resilience in BAME families and communities (Co-POWeR).
- 5.3. As part of that research project Co-POWeR submitted a response a House of Commons Inquiry (Written submission to the House of Commons Public Administration and Constitutional Affairs Committee 'Coronavirus Act 2020 Two Years On' <https://committees.parliament.uk/writtenevidence/42506/html/> (2022). Cited in: <https://committees.parliament.uk/publications/9356/documents/160698/default/>) (Para 72, p.22 and 28).
- 5.4. Our findings led us to the conclusion that bearing in mind police relations with BAME communities, enforcement of the COVID emergency powers should not have been delegated to the police. We suggested that in the absence of an alternative, police enforcement should be co-designed with the relevant BAME communities.
- 5.5. A full summary of our views and recommendations can be found here: Solanke, V. I.; Ayisi, F.; Bernard, C.; Bhattacharyya, G.; Gupta, A.; Kaur, R.; Lakhanpaul, M.; Padmadas, S.; Rai, S. M. (2022-06-15). Co-POWeR Policy Brief: "Protecting wellbeing and resilience in BAME families and communities during a public health emergency". eprints.whiterose.ac.uk.  
doi:[10.48785/100/93](https://doi.org/10.48785/100/93)

- 5.6. Ultimately, we recommend that in order to successfully manage a pandemic and avoid disproportionately worse outcomes for BAME families and communities, long term action is required in relation to community relations, policing, support for community organisations, rather than short term reaction.

**6: Views as to whether the work of the above groups in responding to the Covid-19 pandemic succeeded in its aims.**

- 6.1. SPI-B had a wide range of expertise, but as far as I could tell it seemed to have low representation from BAME communities. A BAME sub-committee was created in 2020 to address this but I did not participate in this.
- 6.2. SPI-B worked effectively together, there was a good level of co-operation in relation to drafting papers and pulling together the scant scientific evidence that existed at the time to help inform government decisions.
- 6.3. Advice was given in relation to a variety of matters from the size of ‘bubbles’ to crowd management at public events.
- 6.4. If I remember correctly, usually the advice was prepared in response to questions from a government department via SAGE.
- 6.5. SPI-B participants gave freely their time to conduct this work. The work was supported by a Secretariat provided by the government. I am unsure which departments they came from.

**7: Lessons that can be learned**

- 7.1. A key lesson is that the pandemic experience is determined by race, gender and class and the response must take these aspects into account.
- 7.2. The emergency response was not designed with the realities of poor, BAME, female led households in mind, where isolating would be problematic and young men would be trapped in space-deprived homes due to the real expectation of police harassment on the streets.
- 7.3. Also, the social aspects of public health are as important as the medical aspects.

**8: Documents that I hold**

8.1. I have some email exchanges relating to the work of SPI-B.