

Equality Commission

FOR NORTHERN IRELAND

Women in Northern Ireland

UN Convention on the Elimination of All Forms of Discrimination against Women

Submission to inform 'List of Issues' Consideration
(Examination of United Kingdom, 2019)



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1 Context

- 1.1 This submission has been prepared by the **Equality Commission for Northern Ireland** (the Commission) to inform the UN CEDAW Committee's List of Issues on the UK.
- 1.2 It is submitted in furtherance of the Equality Commission's remit¹ under the sex equality and equal pay legislation in Northern Ireland, as well as under the statutory duties on public authorities under Section 75 of the Northern Ireland Act 1998.
- 1.3 Our submission highlights priority equality issues affecting **women in Northern Ireland** which we recommend² are addressed by Government. The submission has been informed by engagement with a number of key stakeholders, including representatives from the women's sector in Northern Ireland.
- 1.4 The absence of a Northern Ireland Executive since January 2017 has impacted the ability of Government to progress a number of strategic policies relevant to women's equality.
- 1.5 However, it is also important to stress that the CEDAW Committee's previous Concluding Observations on the UK³ were issued in 2013 and that even prior to 2017, in some key areas such as strengthening women's rights under Northern Ireland equality law, there were no associated commitments by the NI Executive to give effect to the Observations.
- 1.6 It is also important to note that there is limited information relating to Northern Ireland in the UK Government's 2017 8th Periodic Report⁴.
- 1.7 The Commission has highlighted in the sections below, for consideration by the CEDAW Committee, a number of proposed questions for the UK Government. Annex 1 contains a summary of the proposed questions.

¹ For further information on the Commission's remit see: <http://www.equalityni.org/AboutUs>

² The Commission has set out its policy views in more detail in '[Gender Equality Policy Priorities and Recommendations](#)' (2016). For a summary of the Equality Commission's priorities and recommendations - see www.equalityni.org/gender

³ [Concluding Observations, CEDAW COC GBR 14761 E](#), July 2013

⁴ See UK (2017), [8th Periodic Report on CEDAW](#)

2 **Articles 1-4; Article 15: Tackling discrimination; advancing gender equality; legislation.**

Strengthen institutional mechanisms for gender equality

Proposed Question:

What steps are Government taking in Northern Ireland to strengthen institutional mechanisms for gender equality (including to replace the expired 2016 Gender Equality Strategy; strengthen national machineries; ensure gender mainstreaming and the taking of positive action, where appropriate; mainstream women's equality across the Programme for Government (PfG) and associated delivery plans and indicators; and improve the collection of gender disaggregated data)?

- 2.1 There is a pressing need for additional Government actions to strengthen institutional mechanisms for gender equality, including women's equality, in Northern Ireland.
- 2.2 There is a need for a timetabled commitment by Government to take forward a revised Gender Equality Strategy, with an underpinning outcome focused action plan and mechanisms to support women's participation in its development, implementation and review, to replace the *Gender Equality Strategy 2006-2016*⁵ which expired in 2016⁶.
- 2.3 There is also the need for further action to: demonstrate a clear commitment and leadership to promoting gender equality; strengthen national machineries for gender equality, including the Commission⁷; ensure gender mainstreaming, including using the tools of gender budgeting⁸ and impact assessment⁹; and to promote women's equality through the use of positive action and temporary special measures where appropriate, and through public procurement¹⁰.

⁵ OFMDFM (2006), [Gender Equality Strategy 2006-2016](#)

⁶ A review of the former *GES 2006-2016* in 2013 also highlighted a number of areas for improvement. See NISRA (2014), [Gender Equality Strategy 2006-2016 Review](#)

⁷ Between 2013 -2017, due to budget cuts, ECNI's staff resources have reduced from 100 to 84 (FTEs), as well as a reduction in grant in aid from £6.37m to £5.58m.

⁸ See Quinn S (2013) [Equality Responsive Budgeting](#) , *Expert paper*, commissioned by ECNI.

⁹ There is evidence to suggest that, whilst there is some good screening practice, in some cases screening exercises are not meaningful and that the number of EQIAs conducted by public authorities is low. See ECNI (2017) [Effective Section 75 Equality Assessments: Screening and Equality Assessments](#)

¹⁰ See ECNI, DFP (2008) [Equality of Opportunity and Sustainable Development in Public Sector Procurement](#)

- 2.4 Aligned to UN Sustainable Development Goals' targets¹¹, there is also the need to improve the collection of gender disaggregated statistics in Northern Ireland, including in relation to women with multiple identities¹².
- 2.5 Further, whilst the Commission has welcomed the inclusion of some commitments in the Executive's draft Programme for Government (PfG), *additional actions* to promote and mainstream women's equality across the PfG and associated delivery plans/ indicators are required. Further commitments are required in the PfG to: support women's economic independence; promote women's participation in public and political life and decision making; to challenge gender stereotypes; to reform gender equality law; to address shortfalls in compliance with CEDAW obligations; as well as a timetabled commitment to implement a replacement to the expired 2016 Gender Equality Strategy¹³.

Address the potential negative impact of Brexit

Proposed Question:

What steps are Government taking to ensure there are no negative impacts on women's equality as a result of the UK exiting the EU, including via an enforceable commitment to non-regression of equality rights, and to ensure effective engagement with women during the Brexit process?

- 2.6 The Commission has raised concerns about the potential negative impact of Brexit in Northern Ireland on women's equality rights¹⁴. There is a need for Government to commit to ensuring the non-regression of equality rights, including those for women, and the implementation of key future equality enhancing rights after the UK exits the EU, as well to mitigate the potential impact of the loss of

¹¹ See UNSDG targets 5.1, 5.2 and 5.5.

¹² For example, ECNI has highlighted the need for improved data collection as regards disabled women in NI. See ECNI (2014) UNCRPD [Jurisdictional Parallel Report on Implementation in NI](#).

¹³ See ECNI (2016) [Response to draft PfG](#), and responses to draft PfG delivery plans. Available at www.equalityni.org/pfg

¹⁴ See ECNI (2017) [Recommendations on UK exit from the EU](#). EU law has resulted in changes that have strengthened equality legislation in Northern Ireland, including women's rights, and enhanced rights for pregnant workers, agency workers and part-time workers and in employment areas such as parental leave.

EU funding aimed at promoting women's equality and the impact on the voluntary and community sector¹⁵¹⁶.

- 2.7 There is also the need to ensure effective engagement with women during the Brexit process and compliance by public bodies with their Section 75 duties¹⁷. Whilst the UK Government has committed in the *draft* Withdrawal Agreement to non-regression of EU equality rights in Northern Ireland¹⁸, it is important that this commitment is enforceable¹⁹ and Government commits to ensuring all negative impacts on women's equality as a result of Brexit will be addressed.

Strengthen gender equality legislation

Proposed Questions:

How will Government address the legislative gaps in equality protection for women in Northern Ireland, as set out in the Commission's gender law reform recommendations?

What steps are Government taking to introduce gender pay reporting requirements and a Gender Pay Strategy and Action Plan in Northern Ireland?

- 2.8 There is a lower level of protection for women in Northern Ireland against sex discrimination than in Great Britain (GB)²⁰. The Commission has highlighted in its *Gender Law Reform Recommendations* (2016)²¹ the significant gaps and weaknesses in the gender equality legislation that urgently need addressed²², including through the introduction of single equality legislation in Northern Ireland.

¹⁵ ECNI has recommended that Government fully mitigate any potential negative impact of the loss of EU funding on programmes aimed at supporting women's equality; for example, funding through the *Rights, Equality and Citizenship Programme 2014-2020*, PEACE and INTERREG Programmes and the European Social Fund (ESF) Programme.

¹⁶ EU funding has enabled the community/ voluntary sector in NI to play a role in addressing social and economic deprivation, peace building and building cross-community and cross-border relationships, including in the area of women's equality.

¹⁷ Section 75 of the Northern Ireland Act 1998 includes a duty on public bodies to have due regard to the need to promote equality of opportunity between men and women.

¹⁸ See Under Art 1 of [Draft Withdrawal Agreement \(19 March 2018\): Protocol on Ireland/Northern Ireland](#).

¹⁹ ECNI recommends that this commitment is set out in the final Withdrawal Agreement and in the provisions of the EU (Withdrawal) Bill currently progressing through Parliament.

²⁰ Gender equality legislation in Great Britain was harmonised and strengthened by the implementation of the Equality Act 2010, which does not apply in NI.

²¹ See ECNI (2016), [Gender Equality Law Reform Recommendations](#).

²² The Commission's '[Gender Equality Law Reform Recommendations](#)' include areas aligned to previous CEDAW Concluding Observations – for example, on pay secrecy clauses and multiple discrimination.

- 2.9 Further, there is a need for the urgent introduction of a gender pay strategy / action plan for Northern Ireland and, in parallel, gender pay reporting requirements for employers.
- 2.10 Gender pay reporting requirements which apply to large employers across all sectors were introduced in GB in 2017²³, but do not apply to Northern Ireland. Whilst Section 19 of the Employment Act (NI) 2016²⁴ provides for the making of gender pay gap reporting Regulations and for the introduction of a Northern Ireland gender pay strategy/action plan, to date Section 19 has not been brought into force.

Eradicate gender-based violence against women

Proposed Question:

How will Government tackle the nature and specific impact of gender-based violence on women in Northern Ireland, including through the delivery of effective strategies?

- 2.11 In Northern Ireland, increasing levels of domestic violence are experienced by women²⁵. There is a need for effective strategies to tackle the nature and specific impact of gender-based violence on women²⁶, including women with multiple identities. Such strategies should include tackling cultural and stereotypical attitudes, including through education²⁷.
- 2.12 There is a need to ensure that the DHSSPS / DoJ (2016) *Stopping Domestic and Sexual Violence and Abuse Strategy in Northern Ireland*²⁸ and underpinning actions effectively address domestic and sexual violence and abuse experienced by women in a gender specific context.

²³ See [The Equality Act 2010 \(Gender Pay Gap Information\) Regulations 2017](#) and [The Equality Act 2010 \(Specific Duties and Public Authorities\) Regulations 2017](#) .

²⁴ See [Section 19](#), The Employment Act (NI) 2016. [Section 19](#) requires the former Office of the First Minister and Deputy First Minister (OFMDFM) to introduce gender pay reporting Regulations and publish a gender pay strategy and action plan within the timescale set out in Section 19.

²⁵ Levels of domestic violence against women have generally increased between 2009/10 and 2016/17. There were 6,436 female victims of domestic abuse crimes in 2009/10 which rose to 9,042 crimes in 2016/17. In 2017, 69% of all domestic abuse victims were female. Source: PSNI [Trends in Domestic Abuse Incidents and Crimes 2004/5-2016/17](#)

²⁶ Gender based violence can be physical, sexual and/or psychological, and include sexual violence, such as rape, sexual assault and sexual harassment, as well as domestic violence.

²⁷ The Joint Committee on Human Rights has recommended that schools play a greater role in tackling cultural attitudes through teaching on issues surrounding gender equality and violence. [JCHR, 6th Report, 2015](#)

²⁸ The DHSSPS / DoJ (2016) [Stopping Domestic and Sexual Violence and Abuse Strategy](#) in Northern Ireland was published in March 2016.

Ratify the Istanbul Convention

Proposed Question:

Given the UK Government's stated engagement with the Devolved Administrations, what actions will be taken in Northern Ireland, and on what timetable, so as ensure prompt UK ratification of the Istanbul Convention?

- 2.13 To date the UK Government has signed, but not ratified²⁹, the Istanbul Convention³⁰.
- 2.14 The UK Government has indicated that there remain outstanding issues which must be addressed before the UK can be considered to be compliant with the Convention³¹, and that it is engaging with the Devolved Administrations, including in Northern Ireland, to ensure compliance on these issues³².

Address barriers for women with multiple identities

Proposed Question:

What measures are Government taking to address barriers faced by women with multiple identities in Northern Ireland?

- 2.15 Further action is required to address inequalities and remove particular barriers experienced by women in Northern Ireland due to their multiple identities^{33 34}

²⁹ By ratifying the Convention, the treaty's obligations would become binding on the UK; including to exercise due diligence to prevent/protect against violence against women, to prosecute perpetrators and provide reparations for victims. See Joint Committee on Human Rights (2015) [Report on violence against women](#).

³⁰ See the Council of Europe's *Convention on preventing and combating violence against women and domestic violence* (the [Istanbul Convention](#) 2014).

³¹ The UK Government has indicated that these outstanding issues include in relation to extra-territorial jurisdiction (ETJ); namely the ability to prosecute certain offences that occur outside national borders, and there are some offences where ETJ does not apply, and this requires primary legislation across the UK. It has stated that the Devolved Administrations are considering what legislative or other changes are necessary for compliance with the Convention in their territories. See Home Office (2017) [Ratification of the Istanbul Convention – Report on Progress](#).

³² The UK Government indicated it will introduce ETJ measures necessary for compliance with the Convention in England and Wales as part of the Domestic Abuse Bill and that it is engaging with the Devolved Administrations on the measures necessary to ensure compliance in Northern Ireland (and Scotland). See UK (2017), [8th Periodic report on CEDAW](#).

³³ Including disabled women, minority ethnic women, lesbian and bisexual women, trans women, as well as lone parents, rural women and women living in disadvantaged communities.

³⁴ For example, Traveller women are less likely to be employed than non-Traveller women and disabled women are less likely to be in employment than disabled men.

- 2.16 The lack of Government equality frameworks and strategies in some equality areas, such as sexual orientation and transgender equality, has likely also limited opportunities to address these inequalities³⁵.

3 Article 5: Roles and Stereotyping

Challenge gender stereotyping

Proposed Question:

What measures are Government taking in Northern Ireland to challenge gender stereotypes, including in education, work, the media, and wider society?

- 3.1 Action is required to counter gender stereotyping that affect women in Northern Ireland throughout the life course, in education, training, work, in the family and wider society, including the media.
- 3.2 Gender stereotyping in the curriculum, careers advice and subject choice³⁶ can impact on women's future employment and lead to occupational segregation. Gender stereotypes are prevalent in the *media and social media*, including advertising and marketing³⁷.
- 3.3 Women in Northern Ireland experience both industrial and occupational segregation and are more likely to be in part-time employment where they are at risk of low pay and precarious employment³⁸. There is a need to challenge gender stereotypes in order to tackle women's occupational and industrial segregation and gender pay gaps³⁹. Research in Northern Ireland has highlighted the need to ensure a greater collaborative effort to encourage women into STEM sectors, and to challenge stereotyping and bias⁴⁰.
- 3.4 There is also a need to challenge gender stereotypes relating to parenting and caring, including childcare, responsibilities. A 2018 CEDAW Committee Inquiry report found prevalence of discriminatory gender stereotypes on women's role as mothers as

³⁵ There is currently no commitment by Government to bring forward a Sexual Orientation Strategy/action plan. The [Gender Equality Strategy 2006-2016 Review](#) (2013) identified the need for actions to promote transgender equality.

³⁶ ECNI has highlighted that gender stereotyping of subject choice at A Level may be a contributory factor in the gender imbalance in higher education where females have a lower share of enrollees in the STEM subject areas. See ECNI (2017) Statement on [Key Inequalities in Education](#), at p13.

³⁷ A review by the Advertising Standards Authority (ASA) has indicated that adverts that feature gender stereotypes have the potential to cause harm by contributing to unequal gender outcomes. See ASA (2017) [Depictions, Perceptions and Harm, A report on gender stereotypes in advertising](#)

³⁸ See ECNI (2018) [Statement on Key Inequalities in Employment](#).

³⁹ See European Commission (2017) [Action Plan 2017-2017 Tackling the Gender Pay Gap](#).

⁴⁰ See STEM Business Group (2013) [Addressing Gender Imbalance Reaping the Gender Dividend in STEM](#),

rooted in culture and religion and the non-existence of policy to counter existing negative stereotypes⁴¹.

Tackle the objectification and degradation of women

Proposed Question:

How is Government tackling the objectification and degradation of women, including in the media, in Northern Ireland?

- 3.5 There is also the need to eradicate the objectification and degradation of women⁴². Research in GB has highlighted a lack of respect for the dignity and equality of women and evidence of an increasingly sexual and sexualised culture⁴³.

4 Article 7: Political and Public Life

Advance the participation of women in public and political life and in peacebuilding.

Proposed Questions:

What steps are Government taking to ensure it achieves the Executive's targets for gender equality in public appointments, including through implementing the 2014 recommendations of the Commissioner for Public Appointments for Northern Ireland?

What steps are Government taking, including via any temporary special measures, to overcome key barriers to women's participation in political life, economic decision making, and peace building in Northern Ireland; including to implement in Northern Ireland the aspects of UNSCR 1325 which it considers "*are relevant to all states*"?

- 4.1 Women remain under-represented in all spheres of political life, at Westminster, in the Assembly and in local government⁴⁴, as well as

⁴¹ UN CEDAW Committee (2018) [Inquiry report on UK under Art 8 of Optional Protocol CEDAW into abortion in Northern Ireland](#)

⁴² The Leveson Inquiry Report, for example, highlighted that some sections of the press "*often failed to show consistent respect for the dignity and equality of women generally, and that there was a tendency to sexualise and demean women.*" Leveson (2012) [Inquiry Report](#) at p664. See also EVAW, Eaves, Object, Equality Now (2012), [Response](#) to Leveson.

⁴³ Bailey, R (2011) [Letting Children be Children, Report of an Independent Review of the Commercialisation and sexualisation of childhood](#). See also report by Advertising Standards Authority (ASA) which highlighted that women are often sexualised in adverts, ASA (2017) [Depictions, Perceptions and Harm, A report on gender stereotypes in advertising](#).

⁴⁴ For example, whilst the recent increase in female representation in the Northern Ireland Assembly is to be welcomed, the Northern Ireland Assembly still has the lowest female representation (30%) when compared

in public life⁴⁵ and economic decision-making (including on private⁴⁶ and public sector boards). A report of the Commissioner for Public Appointments for Northern Ireland⁴⁷ in 2014 outlined recommendations to improve diversity in public appointments.

- 4.2 There is a need for the prompt implementation of a targeted action plan to deliver on the Northern Ireland Executive's agreed targets (aligned to commitments in the Good Friday/Belfast Agreement⁴⁸), including that by 2021 there should be gender equality for all appointees in post, reflected in both board membership and at chair level^{49 50}.
- 4.3 A report by the Assembly and Executive Review Committee on *Women in Politics and the Northern Ireland Assembly* in 2014 highlighted that "*the underrepresentation of women in politics in Northern Ireland is a serious issue which must be addressed as a matter of urgency*"⁵¹. There is a need for Government and political parties to take additional steps to promote the participation in political life of women, including the adoption of special measures⁵².

with other devolved legislatures in the UK. The percentage of female MPs is 22% of all NI MPs and 25% of councillors are women.

⁴⁵ In Northern Ireland, 41% of public appointments (this compares with 34% in 2010), and 24% of chair posts for public appointments were held by women. Figures as at March 2016, NISRA (2017) [Women in Northern Ireland](#). In terms of remuneration for their role/contribution, during the period 2006/07-2015/16 men have consistently been nearly twice as likely to be in paid positions when compared to women. When considering remunerated Chair positions, this increases to more than three times as likely. See TEO (2006/07-2015/16) [The Public Bodies and Public Appointments Annual Reports](#).

⁴⁶ A study of the boards of the top 100 private companies in NI has indicated that only 15.4% of board members are women. RaISe (2015) [Women on Boards of the top 100 companies in Northern Ireland](#).

⁴⁷ Commissioner for Public Appointments (2014) [Underrepresentation and lack of diversity in public appointments in Northern Ireland](#).

⁴⁸ The [Belfast / Good Friday Agreement](#) April 1998

⁴⁹ In particular, that by 2017/18 there should be gender equality for appointments made in-year; and by end-year 2020/21 there should be gender equality for all appointees in post, reflected both in board membership and at chair level. As cited in CPANI (2016) [Annual Report 2015/16](#) p8.

⁵⁰ There is a need to address the range of political; socio-economic; ideological and psychological barriers. See ECNI (2018) [Draft Statement on Key Inequalities in Participation in Public Life](#).

⁵¹ The Assembly and Executive Review Committee, (2015), [Report on Women in Politics and the Northern Ireland Assembly](#) at page 1.

⁵² Temporary special measures (all women shortlists) allowed under the Sex Discrimination (Election Candidates) Act 2002 have not as yet been used in Northern Ireland.

- 4.4 A 2014 *Inquiry*⁵³ found that women face barriers⁵⁴ to participation in peace building⁵⁵ and post conflict reconstruction, as well as in other areas of decision-making.
- 4.5 The UK's Periodic Report (2017) states that it has no plans to integrate provisions relating to the implementation of UNSCR 1325⁵⁶ in Northern Ireland into the UK's National Action Plan, though recognises that "(n)evertheless, some aspects of UNSCR 1325, such as women's participation in peace building and political processes, are relevant to all states"⁵⁷.

5 Article 10: Education

Promote women's equality in education and challenge gender based bullying

Proposed Question:

What steps are Government taking to tackle inequalities and challenge gender stereotypes experienced by women in Northern Ireland in all stages of education and vocational training (including to promote gender equality through the curriculum, subject choice, careers advice, and teacher training; ensure gender mainstreaming in educational bodies; remove barriers to non-traditional career paths for girls; and to eliminate gender based bullying)?

- 5.1 While girls' educational attainment has improved, gender stereotyping⁵⁸, the curriculum, subject choice and careers advice⁵⁹ still inhibit girls in fulfilling their potential. As regards subject choice, there is a lower proportion of girls than boys studying STEM⁶⁰ subjects in higher education⁶¹. There is also the need to ensure

⁵³See NIWEP (2014) [An Inquiry into the position of women in Northern Ireland since the Peace Agreement, summary report](#). The Executive's response to the *Report of the Panel on Disbandment of Paramilitary Groups* (2016) recommended a programme for women in leadership, as well as in community development. The Department for Communities has introduced a programme for 'Women in Community Transformation'.

⁵⁴ Ibid. Barriers include the lack of affordable, accessible and appropriate childcare; the heavily male-dominated political institutions; and pressures that ensured their voices were silenced in local communities.

⁵⁵ In addition, a report into *Peacebuilding and the Women's sector in Northern Ireland* has highlighted that in general there is a lack of tangible commitments to the inclusion of women. See CRC, ICR (2015) [Peacebuilding and the Women's sector in Northern Ireland](#).

⁵⁶ Since UNSCR 1325 there have been further [UN Resolutions relating to Women, Peace and Security](#).

⁵⁷ GEO (2017) [UK CEDAW 8th Periodic Report](#)

⁵⁸ See ECNI (2017) [Statement on Key Inequalities in Education](#)

⁵⁹ Careers advice includes in further and higher education and in later life, as well as in schools.

⁶⁰ STEM – Science, Technology, Engineering and Mathematics

⁶¹ In particular, in 2014/15 of enrollees (at Northern Ireland HEIs) to Maths, IT, Engineering and Technology, 22% were female and 78% were male. Figures derived from DEL [Enrolments at UK Higher Education Institutions: Northern Ireland Analysis 2014/15](#).

gender mainstreaming in the policies and practices of educational bodies and to promote gender equality including in the curriculum, subject choice, careers advice and teacher training⁶².

- 5.2 Evidence reveals that girls frequently experience bullying with a sexual meaning⁶³. Anti-bullying legislation needs to be brought into force and supporting guidance⁶⁴ produced, as well as further action to prevent prejudice based bullying, including challenging gender roles⁶⁵.

6 Article 11: Employment

Ensure women's economic independence

Proposed Question:

What steps are Government taking to ensure women's economic independence in Northern Ireland, including to: eliminate occupational and industrial segregation; promote women's equality in the workplace; encourage flexible working practices; tackle gender pay gaps; and eliminate discrimination and harassment?

- 6.1 There is a need to eliminate industrial⁶⁶ and occupational segregation⁶⁷ experienced by women within the labour market, including gender imbalances in certain apprenticeships⁶⁸. Whilst women are over-represented in the public sector as a whole, they are significantly under-represented at a senior level in the Northern Ireland public sector⁶⁹.

⁶² This includes promoting gender equality through initial teacher training and CIPD.

⁶³ The Department of Education's research reveals that results from the Year 9 pupil survey show that: 'I was bullied with mean names, comments or rude gestures with a sexual meaning' was the sixth most common form of bullying experienced by around 14% of pupils (12% of girls). RSM McClure Watters (2011) [The Nature and Extent of Pupil Bullying in Schools in the North of Ireland report](#)

⁶⁴ The *Addressing Bullying in Schools Act (NI) 2016* is not in force. The NI Anti-Bullying Forum, funded by the Department of Education, is currently tasked with developing guidance for schools on tackling bullying.

⁶⁵ ECNI recommended action includes tackling one off incidents of bullying; improving monitoring of bullying incidents including by gender, challenging gender roles to further the societal aim of preventing gender based violence, ensuring support materials and opportunities within the curriculum address prejudice based bullying, including gender based bullying. See ECNI (2018) [draft Policy Recommendations in Education](#)

⁶⁶ For example, in STEM –related professions, men outnumber women by nearly three to one. See ECNI (2018) [Statement on Key Inequalities in Employment](#)

⁶⁷ Ibid. For example the Commission found that in Q1 2016, men represented 61.6% of those in 'Managers and Senior Officials' occupations.

⁶⁸ Ibid. For example, women are under-represented in apprenticeships in STEM-related areas.

⁶⁹ See Ballantine, Banks, Haynes, Manochin, Wall, (2016) [An investigation of gender equality issues at the Executive level in Northern Ireland public sector organisations](#) which found a significant degree of inequality in the gender composition at executive level of the N.I. public sector.

- 6.2 Further, women are more often employed with atypical contracts, particularly part time working⁷⁰, on zero-hours contracts, as well as in low paid jobs⁷¹.
- 6.3 In Northern Ireland, women experience a lower employment rate and a higher economic inactivity rate than men⁷². Lone parents, who are overwhelmingly female, also experience barriers to employment⁷³. Moreover, women are more likely to report underemployment in their chosen occupation compared to men⁷⁴. Women remain the largest under-represented group in entrepreneurship⁷⁵. Additional actions are required to encourage flexible working practices and sharing of family roles⁷⁶.
- 6.4 In Northern Ireland, whilst discrete full time and part-time gender pay gaps are in favour of women, the combined overall pay gap favours men⁷⁷. There are also gender pay gaps in favour of men in the public and private sectors, and across many different industrial sectors and occupational groups⁷⁸. As outlined above, a gender pay strategy and action plan is urgently required to address identified gaps and associated structural barriers.
- 6.5 Women also frequently experience sex discrimination and harassment in the workplace⁷⁹, including due to pregnancy / maternity and unequal pay. An investigation carried out by the

⁷⁰ Between 2012 and 2016 the rate of part-time employment was a little under 40% for females compared to a little under 10% for males. See ECNI (2018) [Statement on Key Inequalities in Employment](#)

⁷¹ Women hold the majority of minimum wage jobs (some 59%), and female part-timers hold 41% of minimum wage jobs, almost twice as high as their share of all jobs. See HC Women and Equalities Committee (2016) [Gender Pay Gap](#) 2nd report of session 2015-2016.

⁷² In 2016, the rate of employment for males was 75.1% and for females was 63.6%, and the difference between male and female economic inactivity rates was 11.8 percentage points. See ECNI (2018) [Statement on Key Inequalities in Employment](#)

⁷³ Ibid. Between 2012-2016 female lone parents had the lowest rates of employment of all genders and dependency groups, with just over half (51.2%) of female lone parents in employment in 2016. In 2016, economic inactivity rates were around twice (43.4%) of those who were married or cohabiting with dependent children (22.7%) and those who had no dependent children (24.9%).

⁷⁴ NISRA (2015) [Underemployment in Northern Ireland](#). NISRA: Belfast.

⁷⁵ In 2016, the female Total Entrepreneurship Activity rate was 4.9%, compared to a male rate of 7.8%. NISRA (2017) [Women in Northern Ireland](#)

⁷⁶ See HC Women and Equalities Committee (2016) [Gender Pay Gap](#) 2nd report of session 2015-2016.

⁷⁷ In 2017, there is a full time (+3.4%) and part-time (+10.5%) gender pay gap in favour of women. When all employees are considered, there is a gender pay gap in favour of men (-9.5%). NISRA (Oct 2017) [ASHE](#).

⁷⁸ When all employees are considered there is a gender pay gap in favour of men in the public sector (-3.5%) and a significantly higher gender pay gap in favour of men in the private sector (-20.9%). Further, women earn less than men in eight of the nine occupational groups and men earn 8% more than women in the Managers, directors and senior officials occupations group, which is the highest paid group. Ibid.

⁷⁹ Almost a quarter of discrimination enquiries (24.8%) made to ECNI in 2017/18 related to sex discrimination. The vast majority (92%) related to employment; particularly pregnancy and maternity (26%) and harassment (18%). ECNI enquiries on sexual harassment in the workplace have risen by 31% (2012-2017). See also recent sexual harassment [cases](#) resulting in settlements secured by ECNI.

Commission has highlighted experiences of unfair treatment of pregnant workers and mothers in the workplace⁸⁰.

Ensure affordable and accessible child care provision

Proposed Question:

How will Government ensure appropriate, flexible, accessible and affordable childcare provision in Northern Ireland, including through the implementation of an effective Childcare Strategy and action plan?

- 6.6 Commission research (2013) identified the lack of affordable and appropriate childcare provision and recommended the implementation of a Childcare Strategy^{81 82}.
- 6.7 Whilst there has been an increase in the number of childcare places in Northern Ireland over the last decade, the cost of childcare remains high, and is higher than in other parts of the UK⁸³. There are also barriers linked to the disproportionate share of caregiving by women, and gender stereotypes⁸⁴. To date a Childcare Strategy has not been introduced in Northern Ireland, despite a government consultation in 2015⁸⁵.

7 Article 12: Health

Remove barriers to women accessing health care services

Proposed Question:

What steps are Government taking to remove barriers experienced by women in Northern Ireland in accessing health care services, including reproductive health care services; and to conduct a full public consultation on abortion law?

⁸⁰ See ECNI (2016) Expecting Equality-Summary Report [A Formal Investigation into the treatment of pregnancy workers and mothers in Northern Ireland workplaces](#)

⁸¹ See [ECNI \(2015\) response to the consultation on an Executive childcare strategy](#) –.

⁸² ECNI research highlighted that the availability of affordable and appropriate childcare is a fundamental part of the process of mothers entering, remaining in, progressing in, or returning to work See McQuaid, R., Graham, H. and Shapira, M (2013) [Child care: Maximising the economic participation of women](#), ECNI.

⁸³ Ibid. In 2013 childcare in Northern Ireland cost nearly half (44%) the average income, compared to 33% in GB. In 2017, the average cost of a full-time childcare place in Northern Ireland was £168 per week (almost 40 % of average household income). See Employers For Childcare [NI Childcare Cost survey 2017](#)

⁸⁴ See McQuaid, R., Graham, H. and Shapira, M (2013) [Child Care: Maximising the Participation of Women](#).

⁸⁵ In 2015, the former OFMDFM carried out a consultation on a draft Executive Childcare Strategy.

- 7.1 Barriers experienced by women, including disabled women⁸⁶, in accessing healthcare, including reproductive health care services need addressed. We have called for Government to undertake a full consultation on abortion law⁸⁷.
- 7.2 The CEDAW Committee's Inquiry (2018) into abortion law in Northern Ireland found that the UK was responsible for grave and systematic violations of rights under CEDAW⁸⁸. An inter-Departmental working group has recommended a change to Northern Ireland's laws to allow abortion in cases of fatal foetal abnormality⁸⁹, and the Supreme Court has highlighted the incompatibility of Northern Ireland abortion laws with human rights⁹⁰. There is therefore a clear need for urgent Government action and response⁹¹.

⁸⁶ See Harper, C., McClenahan, S., Byrne, B. and Russell, H. (2012): '[Disability programmes and policies: How does Northern Ireland measure up? Monitoring Implementation \(public policy and programmes\) of the UNCRPD in Northern Ireland](#)', p. 60 ECNI

⁸⁷ ECNI called for a full public consultation on abortion law in 2013 in its [CEDAW shadow report](#). In 2015, in response to the DOJ consultation, *The Criminal Law on Abortion: lethal foetal abnormality and sexual crime*, ECNI agreed that there was a pressing need to *consider* a change to the criminal law on abortion to provide for lawful termination of pregnancy as an option for women in certain limited and clearly defined circumstances, including on the ground of lethal foetal abnormality, where such changes are considered compatible with human rights law. We also supported the Department's proposal to *consider* whether or not to make provision for abortion in the case of pregnancy resulting from sexual crime, and how, in the event of changes to the criminal law relating to abortion, a right of conscientious objection might be included. ECNI [Response to DOJ consultation on abortion](#) 2015.

⁸⁸ CEDAW Committee recommended changes including to the legal framework on abortion and sexual and reproductive health rights and services. See CEDAW Committee (2018) [Inquiry report on UK under Art 8 of Optional Protocol CEDAW into abortion in Northern Ireland](#) and [UK Government response](#) (2018).

⁸⁹ See DOJ/DOH working group on fatal foetal abnormality (2016), [Report of the working group on fatal foetal abnormality](#).

⁹⁰ Following a judicial review application by the NI Human Rights Commission (NIHRC), a majority of judges of the UK Supreme Court, in its [decision](#) of 7 June 2018, concluded that abortion law in Northern Ireland was incompatible with Article 8 (right to respect for private and family life) of the European Convention on Human Rights; though the Court also held it did not have the jurisdiction to make a declaration of incompatibility. See also NIHRC's [Statement](#) on Court decision (7 June 2018).

⁹¹ In May 2018 a [referendum in Ireland supported repeal \(by 66.4% to 33.6% of the vote\)](#) of the Eighth Amendment of the Irish Constitution and reform of their abortion law. Since then there have been further calls for the reform of abortion law in Northern Ireland, for example see - <http://www.bbc.co.uk/news/uk-44266135>

8 Article 13: Social and Economic Life

Mitigate adverse gender impacts of welfare reform

Proposed Question:

What steps are Government taking to mitigate potential adverse impacts associated with the *household* payment of universal credit so as to ensure that women are not left without direct income, beyond when ‘*very exceptional circumstances*’ have been proven?

- 8.1 Women typically depend more on non-employment income than men, due to the gendered nature of caring roles . The payment of benefit directly to women in their ‘caring for dependents role’ was an important social security reform introduced in the UK in the 1970’s, with Child Benefit usually being paid to the child’s mother⁹².
- 8.2 The Welfare Reform (Northern Ireland) Order 2015⁹³ will significantly reform the social security system in Northern Ireland. Whilst some overall mitigation measures have been introduced in Northern Ireland⁹⁴, these are of a temporary nature, and we remain concerned⁹⁵ that the payment arrangements for Universal Credit⁹⁶ will negatively impact on women’s financial independence. In 2013 the CEDAW Committee highlighted concerns that payment arrangements for Universal Credit poses risks of financial abuse for women⁹⁷.

⁹² Prior to the introduction of Universal Credit, the Commission raised concerns that the potential negative impact on women of the proposed household payment arrangements had not been identified nor acted upon - see ECNI (2011) [Response to DSD consultation on Welfare Reform Bill \(NI\) 2011 EQIA](#) and ECNI (2012) [Welfare Reform Bill \(Northern Ireland\) Submission to the Ad Hoc Committee on Conformity with Equality Requirements](#).

⁹³ The [Welfare Reform \(NI\) Order 2015](#) is being implemented on a phased basis in NI. The welfare reform measures are broadly similar to the measures passed into law in Great Britain. See also [NI \(Welfare Reform\) Act 2015](#).

⁹⁴ In 2016 a series of time-bound ‘mitigation’ for some people measures were agreed by the Executive, with additional budget provision for these measures allocated to March 2020. Measures include supplementary payments for those who will be adversely affected by the reforms, including carers and lone parents; for example, payments to mitigate the impact of the benefit cap on households with children, and the loss of carer payments as a result of PIP assessment; and a Discretionary Support Scheme to provide short term financial support in crisis situations. See Evason E, (2016) [Welfare reform working group mitigations Report](#)

⁹⁵ ECNI has consistently highlighted the need for Government to take action to support women’s economic independence, including in the context of the welfare reform. See ECNI (2016) [Recommendations for the PfG \(2016-21\) and Budget](#)

⁹⁶ Universal Credit replaces six working age benefits: income-based JSA, Income- related ESA, Working Tax Credits, Child Tax Credits, Housing Benefit and Income Support.

⁹⁷ The CEDAW Committee highlighted concerns as regards the payment of Universal Credit into a bank account of one member of the family, ‘which poses risks of financial abuse for women due to power imbalances in the family, particularly if payment is made to an abusive male spouse’. CEDAW (2013) Concluding Observations on UK, CEDAW Committee

- 8.3 We note the option within Universal Credit for Alternative Payment Arrangements⁹⁸, whereby in ‘*very exceptional circumstances*’ payments of Universal Credit can be “*split into 2 bank accounts instead of one (couples only)*”⁹⁹.
- 8.4 However, we remain concerned that following any joint claim and assessment, paying Universal Credit by default into a *single* bank account chosen by the claimant(s), may in some instances leave women without direct income and family members potentially without access to funds, until evidence of ‘very exceptional circumstances’ has been produced, assessed and proven¹⁰⁰. We recommend that further consideration is given to the matter of payment of Universal Credit to the primary carer, usually the mother.

Remove barriers to women accessing social protection

Proposed Question:

How will Government improve access to social protection, including for those (mainly minority ethnic women) subjected to domestic violence with no recourse to public funds?

- 8.5 Some minority ethnic people who are not from the UK and with insecure immigration status have ‘no recourse to public funds’; namely they cannot claim benefit or use services paid for by public funds.
- 8.6 Therefore, victims of domestic and sexual violence, mainly minority ethnic women, can be left financially dependent on their abuser, whether partner, other family member, employer or trafficker¹⁰¹.

⁹⁸ DWP (2018) [Personal Budgeting Support and Alternative Payment Arrangements: Guidance](#) sets out that “*in very exceptional circumstances payment of Universal Credit can be divided between two members of the household including where there is domestic violence, financial abuse, or where a claimant is mismanaging UC payments and not using them to meet the day-to-day needs of the family. ... A Split Payment can be paid to two separate members of the household, with the larger percentage allocated to the person with primary caring responsibilities i.e. the one with child care. This is to ensure the health and well-being of the majority of the household*”.

⁹⁹ [Universal Credit & You](#) – page 8 (Accessed 21 May 2018)

¹⁰⁰ See footnote above quoting from DWP (2018) [Personal Budgeting Support and Alternative Payment Arrangements: Guidance](#).

¹⁰¹ The Joint Committee on Human Rights has raised concerns about service provision for victims of domestic violence with insecure immigration status, asylum seekers or refugees. See Joint Committee on HR, (2015) [Violence Against Women and Girls](#), 6th Report of Session 2014/15

Protect women with smaller pension provision

Proposed Question:

How will Government protect women in Northern Ireland with smaller pension provision?

- 8.7 Older women are less likely to have occupational and private pensions and, if they do have them, to receive lower payments than men because of broken careers for caring duties.
- 8.8 Research has also highlighted that women in low-paid, temporary work lose out most because they often cannot afford to make pension contributions. In addition, some women will be worse off following the introduction of the flat rate pension¹⁰².

¹⁰² Concerns have been raised that some women born in the 1950s have been particularly negatively impacted as a result of the State Pension age increases. See House of Commons Briefing paper, March 2016, [State Pension Age Increases for Women Born in the 1950s](#). On 30 November 2017, the House of Commons approved a motion calling on the Government to improve transitional arrangements for women affected ([HC Deb 29 November 2017, c410](#)).

Annex 1: Summary of Proposed Questions

We propose that the UN Committee asks the following questions of the UK State Party:

Articles 1-4; Article 15: Tackling discrimination; advancing gender equality; legislation.

- What steps are Government taking in Northern Ireland to strengthen institutional mechanisms for gender equality (including to replace the expired 2016 Gender Equality Strategy; strengthen national machineries; ensure gender mainstreaming and the taking of positive action, where appropriate; mainstream women's equality across the Programme for Government (PfG) and associated delivery plans and indicators; and improve the collection of gender disaggregated data)?
- What steps are Government taking to ensure there are no negative impacts on women's equality as a result of the UK exiting the EU, and to ensure effective engagement with women during the Brexit process?
- How will Government address the legislative gaps in equality protection for women in Northern Ireland, as set out in the Commission's gender law reform recommendations?
- What steps are Government taking to introduce gender pay reporting requirements and a Gender Pay Strategy and Action Plan in Northern Ireland?
- How will Government tackle the nature and specific impact of gender-based violence on women in Northern Ireland, including through the delivery of effective strategies?
- Given the UK Government's stated engagement with the Devolved Administrations, what actions will be taken in Northern Ireland, and on what timetable, so as ensure prompt UK ratification of the Istanbul Convention?
- What measures are Government taking to address barriers faced by women with multiple identities in Northern Ireland?

Article 5: Roles and Stereotyping

- What measures are Government taking in Northern Ireland to challenge gender stereotypes, including in education, work, the media, and wider society?
- How is Government tackling the objectification and degradation of women, including in the media, in Northern Ireland?

Article 7: Political and Public Life

- What steps are Government taking to ensure it achieves the Executive's targets for gender equality in public appointments, including through implementing the 2014 recommendations of the Commissioner for Public Appointments for Northern Ireland?

- What steps are Government taking, including via any temporary special measures, to overcome key barriers to women’s participation in political life, economic decision making, and peace building in Northern Ireland; including to implement in Northern Ireland the aspects of UNSCR 1325 which it considers “are relevant to all states”?

Article 10: Education

- What steps are Government taking to tackle inequalities and challenge gender stereotypes experienced by women in Northern Ireland in all stages of education and vocational training (including to promote gender equality through the curriculum, subject choice, careers advice, and teacher training; ensure gender mainstreaming in educational bodies; remove barriers to non-traditional career paths for girls; and to eliminate gender based bullying)?

Article 11: Employment

- What steps are Government taking to ensure women’s economic independence in Northern Ireland, including to: eliminate occupational and industrial segregation; promote women’s equality in the workplace; encourage flexible working practices; tackle gender pay gaps; and eliminate discrimination and harassment?
- How will Government ensure appropriate, flexible, accessible and affordable childcare provision in Northern Ireland, including through the implementation of an effective Childcare Strategy and action plan?

Article 12: Health

- What steps are Government taking to remove barriers experienced by women in Northern Ireland in accessing health care services, including reproductive health care services; and to conduct a full public consultation on abortion law?

Article 13: Social and Economic Life

- What steps are Government taking to mitigate potential adverse impacts associated with the household payment of universal credit so as to ensure that women are not left without direct income, beyond when ‘very exceptional circumstances’ have been proven?
- How will Government improve access to social protection, including for those (mainly minority ethnic women) subjected to domestic violence with no recourse to public funds?
- How will Government protect women in Northern Ireland with smaller pension provision?

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