

Women in Northern Ireland

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

Shadow Report
(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 development of its Concluding Observations on the UK. It builds on the Commission's June 2018 submission¹, and takes account of the UK Government's response² to the CEDAW Committee's List of Issues (LOI)³.
- 1.2 It is submitted in furtherance of the Commission's remit⁴ under the sex equality and equal pay legislation in Northern Ireland, as well as under the statutory duties on public authorities⁵.
- 1.3 Our submission highlights priority equality issues affecting **women in Northern Ireland** which we recommend are addressed by Government⁶. The submission has been informed by engagement with a number of key stakeholders, including representatives from the women's sector.
- 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. However, it is important to stress that the CEDAW Committee's previous Concluding Observations on the UK⁷ were issued in 2013 and that even prior to 2017, in some key areas such as strengthening women's equality rights, there were no associated commitments by the Executive to give effect to the Observations.
- 1.5 There is also limited information relating to Northern Ireland in the UK Government's 2017 8th Periodic Report⁸ and replies to the LOI.

¹ ECNI (2018), [Submission to inform List of Issues consideration](#)

² CEDAW (2018) [Replies of the UK of Great Britain and Northern Ireland: List of issues and questions in relation to the eighth periodic report of the UK of Great Britain and Northern Ireland](#)

³ UN CEDAW Committee (2018), [List of Issues questions in relation to the eighth periodic report of the UK](#)

⁴ For further information on the Commission's remit see: <http://www.equalityni.org/AboutUs>

⁵ Including under Section 75 of the Northern Ireland Act 1998.

⁶ The Commission has set out its wider gender equality policy positions in its '[Gender Equality Policy Priorities and Recommendations](#)' (2016). In line with the focus of CEDAW, this Shadow Report reflects the Commission's priority issues and recommendations relating only to inequalities experienced by women/girls. For a summary of the Commission's priorities and recommendations - see www.equalityni.org/gender .

⁷ [Concluding Observations, CEDAW COC GBR 14761 E](#), July 2013

⁸ UK (2017), [8th Periodic Report of the UK](#) .

- 1.6 The Commission has highlighted below its proposed recommendations for consideration by the CEDAW Committee. Annex 1 contains a summary of the proposed recommendations.

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

Strengthen institutional mechanisms for gender equality

Proposed Recommendation:

We recommend Government takes action in Northern Ireland to strengthen institutional mechanisms for gender equality (including to develop an effective strategic framework and action plan; 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 lack of a strategic framework in Northern Ireland aimed at ensuring compliance with Government obligations under CEDAW and relevant UN Sustainable Development Goals (SDGs)⁹. There is no timetabled commitment by Government to take forward a strategic framework, with underpinning action plans and mechanisms to support women's participation in its development, implementation and review, to replace the *Gender Equality Strategy 2006-2016*¹⁰, which expired in 2016 and required improvement¹¹.
- 2.2 There is a need to: strengthen national machineries for gender equality, including addressing the reduction in funding of the Commission¹², and representative organisations that support women¹³; improve gender mainstreaming, including by using the

⁹ See [UN SDGs](#) which include goals and targets on tackling poverty and reducing inequalities, and a specific goal on achieving gender equality (Goal 5).

¹⁰ OFMDFM (2006), [Gender Equality Strategy 2006-2016](#)

¹¹ A review of the former *GES 2006-2016* (2013) highlighted areas for improvement. For example, findings highlighted the need for an improved monitoring framework and for actions to address transgender equality; and that action plan outcomes and targets were generally not SMART (Specific, Measureable, Achievable, Realistic and Timebound). See NISRA (2014), [Gender Equality Strategy 2006-2016 Review](#)

¹² 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.

¹³ A report by the WRDA (2016) has highlighted that support services for women are under serious threat from funding cuts with many organisations reducing services, losing staff or closing altogether. It also highlighted the 'decision by the Department for Employment to severely limit the training qualifications that a

tools of equality (gender) budgeting¹⁴ and impact assessment, and improve practices by public bodies in implementing their public sector duties¹⁵; increase use of positive action and temporary special measures where appropriate, and public procurement, to promote women's equality¹⁶.

- 2.3 Aligned to UN SDGs targets¹⁷, there is the need to improve the collection of gender disaggregated statistics in Northern Ireland, including in relation to women with multiple identities¹⁸.
- 2.4 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 work of government are required. These outstanding actions are highlighted under each of the Articles.

Address the potential negative impact of Brexit

Proposed Recommendations:

We recommend Government ensures 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 keep pace with future EU equality rights; to ensure effective engagement with women during the Brexit process; and to mitigate any potential impact of the loss of EU funding.

- 2.5 Whilst the UK Government has committed in the *draft* Withdrawal Agreement¹⁹ to non-regression of EU equality rights in Northern Ireland as the UK leaves the EU, there is a need for an enforceable commitment in any *final* Withdrawal Agreement²⁰²¹. There is a

women's organisation could offer drastically restricted the capacity for women's organisations to adequately resource their training programmes'. WRDA (2016), [Women at the Cutting Edge: The impact of spending and cuts on the women's community and voluntary organisations in Northern Ireland](#).

¹⁴ See Quinn S (2013) [Equality Responsive Budgeting](#), *Expert paper*, commissioned by ECNI.

¹⁵ 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](#)

¹⁶ See ECNI, DFP (2008) [Equality of Opportunity and Sustainable Development in Public Sector Procurement](#)

¹⁷ See UN Sustainable Development Goals' (SDG) targets 5.1, 5.2 and 5.5.

¹⁸ 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](#).

¹⁹ See under Art 4 of [Draft Withdrawal Agreement \(14 November 2018\): Protocol on Ireland/Northern Ireland](#). There is also a commitment under the 'backstop' provisions to non-regression in the level of common standards of labour and social protection applicable at the end of the transition period in a range of labour and social areas, including fundamental rights at work. Ibid, Article 4(1) of Annex 4.

²⁰ To date, the draft Withdrawal Agreement has been rejected Parliament. On 15 January 2019, the House of Commons voted not to approve the draft Withdrawal Agreement.

failure to retain the EU Charter of Fundamental Rights in domestic law²² and there is no commitment to keep pace with all future EU equality rights²³. The loss of EU funding, including under PEACE²⁴, INTERREG, and European Social Fund Programmes, has the potential to negatively impact on work to promote women's equality, including by the voluntary and community sector^{25 26}.

- 2.6 Measures are required to ensure effective engagement with women, and to ensure compliance by public bodies with their Section 75 duties²⁷.

Strengthen gender equality legislation

Proposed Recommendations:

We recommend Government address the legislative gaps in equality protection for women in Northern Ireland including, but not limited to, gaps that exist between Northern Ireland and Great Britain, as set out in the Commission's gender law reform recommendations. We recommend the urgent introduction of gender pay gap reporting requirements and a Gender Pay Strategy and Action Plan in Northern Ireland.

- 2.7 There is a lower level of protection for women in Northern Ireland against sex discrimination than in Great Britain (GB). The Commission has highlighted in its *Gender Law Reform Recommendations* (2016)²⁸ the significant gaps and weaknesses in

²¹ See ECNI (2017) [Recommendations on UK exit from the EU](#).

²² See Joint Committee on Human Rights (2018), *Legislative Scrutiny: The EU (Withdrawal) Bill: A Right by Right Analysis* which highlighted why rights may be diminished owing to the exclusion of the Charter.

²³ For example, the European Commission's proposal for a new [Directive on work-life balance for parents and carers](#). There is a commitment in the draft Withdrawal Agreement to update only the 6 existing EU equality Directives listed in the Annex to Art 4, if amended or replaced, along with corresponding domestic legislation.

²⁴ There is a commitment by the UK and EU to delivering a future PEACE PLUS programme maintaining the current funding proportions for the future programme, up until at least 2027. See EU/UK (2018) [Political Declaration setting out the framework on the Future Relationship between the EU and UK](#), and NI Secretary of State [statement](#) of 11 January 2019. The UK Government has also committed to replacing EU Structural and Investment Funds with the UK Shared Prosperity Fund. See Secretary of State for Housing, Communities and Local Government [statement](#) to Parliament on 24 July 2018.

²⁵ 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. A regional Project under the Peace IV Building Positive Relations theme has sought to address the under representation of women in public life in NI.

²⁶ 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.

²⁷ Section 75 of the Northern Ireland Act 1998 includes a duty on designated public bodies to have due regard to the need to promote equality of opportunity between men and women.

²⁸ See ECNI (2016), [Gender Equality Law Reform Recommendations](#).

the gender equality legislation that urgently need addressed²⁹, including through the introduction of single equality legislation in Northern Ireland. A review (2018) of sex discrimination law across the UK has also recommended that gaps in protection in Northern Ireland are addressed³⁰.

- 2.8 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.
- 2.9 Gender pay reporting requirements which apply to large employers across all sectors were introduced in GB in 2017³¹, but do not apply to Northern Ireland. Whilst Section 19 of the Employment Act (NI) 2016³² 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 Recommendation:

We recommend Government action to tackle the nature and specific impact of gender-based violence on women in Northern Ireland, including through the delivery of effective strategies.

- 2.10 In Northern Ireland, increasing levels of reported domestic violence are experienced by women³³. There is a need for effective strategies to tackle the nature and specific impact of gender-based violence on women, including women with multiple identities; including tackling cultural and stereotypical attitudes, including through education³⁴.
- 2.11 There is a need to ensure that the DHSSPS / DoJ (2016) *Stopping Domestic and Sexual Violence and Abuse Strategy in Northern*

²⁹ The ECNI's [Gender Equality Law Reform Recommendations](#) include areas aligned to previous CEDAW Concluding Observations – for example, on pay secrecy clauses and multiple discrimination. As stated in the Government's replies to the LOI, the Racial Equality Strategy recognises more needs to be done to prevent multiple discrimination (at page 3).

³⁰ See Fawcett Society (2018) [Sex Discrimination Law Review](#).

³¹ See [The Equality Act 2010 \(Gender Pay Gap Information\) Regulations 2017](#) and [The Equality Act 2010 \(Specific Duties and Public Authorities\) Regulations 2017](#).

³² See [Section 19](#), The Employment Act (NI) 2016. [Section 19](#) requires the former Office of the First Minister and Deputy First Minister to introduce gender pay reporting Regulations and publish a gender pay strategy and action plan within the timescale set out in Section 19.

³³ Levels of reported domestic violence against women have generally increased between 2009/10 and 2017/18. There were 6,436 female victims of domestic abuse crimes in 2009/10 which rose to 9,330 crimes in 2017/18. In 2017/18, 68% of all domestic abuse victims were female. Source: PSNI [Trends in Domestic Abuse Incidents and Crimes 2004/5-2017/18](#).

³⁴ The Joint Committee on Human Rights has recommended that schools play a greater role in tackling cultural attitudes through teaching on issues on gender equality and violence. [JCHR, 6th Report, 2015](#)

Ireland³⁵ and underpinning actions effectively address domestic and sexual violence and abuse experienced by women in a gender specific context^{36,37}, including addressing the low outcome rates for sexual offences³⁸.

Ratify the Istanbul Convention

Proposed Recommendation:

We recommend that the UK Government takes all necessary measures, including in Northern Ireland, to comply with the Istanbul Convention, so as to enable it's prompt ratification.

- 2.12 To date the UK Government has signed, but not ratified³⁹, the Istanbul Convention⁴⁰.
- 2.13 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 Convention⁴¹, and that it is engaging with the Devolved Administrations, including in Northern Ireland, to ensure compliance on these issues.

³⁵ See DHSSPS / DoJ (2016) [Stopping Domestic and Sexual Violence and Abuse Strategy and action plans](#)

³⁶ The UK Government has indicated that draft provisions for a Domestic Abuse Bill have been developed and is to be considered by an incoming NI Executive. See CEDAW (2018) [Replies of the UK of Great Britain and Northern Ireland. List of issues and questions in relation to the eighth periodic report of the UK of Great Britain and Northern Ireland.](#)

³⁷ Research (2018) has recommended further action to tackle domestic violence in Northern Ireland. See J. Doyle, M. McWilliams, TJI, UU (2018) [Intimate Partner Violence in Conflict and Post-Conflict Societies: Insights and Lessons from Northern Ireland.](#)

³⁸ A Criminal Justice Inspection NI (CJI) report (2018) has highlighted that outcome rates for sexual offences were low across the UK, but lowest in Northern Ireland. It shows differences in 2016-17 between the estimated overall outcome rates as calculated by CJI across Northern Ireland (rape 1.8% and other sexual offences 9.8%) and England and Wales (rape 3.3% and other sexual offences 13.4%). See CJI NI (2018), [Without Witness: PPS: A Thematic Inspection of the handling of sexual violence and abuse cases by the Criminal Justice System in NI.](#)

³⁹ 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.](#)

⁴⁰ See the Council of Europe's [Convention on preventing and combating violence against women and domestic violence](#) (the [Istanbul Convention](#) 2014).

⁴¹ 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.](#) The UK Government's 2018 report on progress refers to its intention to take forward a draft Domestic Abuse Bill. The Bill will contain provisions on ETJ over the specific offences necessarily for compliance with the Convention in England and Wales only. See Home Office (2018) [Ratification of the Istanbul Convention –Report on Progress.](#)

Address barriers for women with multiple identities

Proposed Recommendation:

We recommend Government action to address inequalities and barriers faced by women with multiple identities in Northern Ireland.

- 2.14 Women in Northern Ireland, experience inequalities due to their multiple identities. For example, lone parents with dependents, experience barriers to their participation in employment, including as regards the cost and availability of childcare, particularly for women who constitute the majority of lone parents⁴².
- 2.15 The lack of Government equality frameworks, strategies and action plans in some equality areas, such as sexual orientation and transgender equality, has likely also limited opportunities to address these inequalities.

3 Article 5: Roles and Stereotyping

Challenge gender stereotyping

Proposed Recommendation:

We recommend Government action in Northern Ireland to challenge gender stereotypes, including in relation to education, work, the media, and wider society.

- 3.1 Further action is need to challenge gender stereotyping in the curriculum, careers advice and subject choice⁴³. Gender stereotypes are prevalent in the *media and social media*, including advertising and marketing⁴⁴.

⁴² See ECNI (2018) [Statement on Key Inequalities in Employment](#).

⁴³ 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 enrolees in the STEM subject areas. See ECNI (2017) [Statement on Key Inequalities in Education](#), at p13. The female share for a combined STEM category of subjects aligned to Maths, Information Technology, Engineering and Technology was 38.4% for examination entries at 'A' Level in 2016/17. Figures based on ECNI analyses of data from the Department for Education of A-Level STEM subject examination entries by pupil gender, 2016/17.

⁴⁴ A review by the Advertising Standards Authority (ASA) highlighted the case for stronger regulation of adverts that feature certain kinds of gender stereotypical roles. See ASA (2017) [Depictions, Perceptions and Harm, A report on gender stereotypes in advertising](#). The UK Government has indicated its intention, in its replies to the LOI, to progress work to tackle harmful gender stereotypes in advertising with industry following the consultation by the Committees of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) on proposals for a new rule to tackle harmful gender stereotypes.

- 3.2 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 bias⁴⁵.
- 3.3 A 2018 CEDAW Committee Inquiry report found prevalence of discriminatory gender stereotypes on women's role as mothers as rooted in culture and religion and the non-existence of policy to counter existing negative stereotypes⁴⁶.

Tackle the objectification and degradation of women

Proposed Recommendation:

We recommend Government action to tackle the objectification and degradation of women, including in the media, in Northern Ireland.

- 3.4 There is evidence of the objectification and degradation of women, including in the media^{47 48}, and of an increasingly sexual and sexualised culture⁴⁹.

⁴⁵ See [STEM Business Group \(2013\) Addressing Gender Imbalance Reaping the Gender Dividend in STEM](#).

⁴⁶ UN CEDAW Committee (2018) [Inquiry report on UK under Art 8 of Optional Protocol CEDAW into abortion in Northern Ireland](#)

⁴⁷ A review by the Advertising Standards Authority (ASA) has indicated that women are presented as passive and are often sexualised in adverts. See ASA (2017) [Depictions, Perceptions and Harm, A report on gender stereotypes in advertising](#)

⁴⁸ Leveson (2012) [Inquiry Report](#).

⁴⁹ See Bailey, R (2011) [Letting Children be Children, Report of an Independent Review of the Commercialisation and sexualisation of childhood](#), and UK Government progress report, Department for Education (2013) [Letting Children be Children: Progress Report](#).

4 Article 7: Political and Public Life

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

Proposed Recommendations:

We recommend Government action to ensure it achieves published targets for gender equality in public appointments, including through implementing the 2014 recommendations of the Commissioner for Public Appointments for Northern Ireland.

We recommend Government action, including via 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 government⁵⁰, as well as in public life and economic decision-making (including private sector boards⁵¹ and government public appointments⁵²). A report of the Commissioner for Public Appointments for Northern Ireland⁵³ (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 Agreement⁵⁴), including that by 2021 there should be gender equality for all

⁵⁰ 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 with other devolved legislatures in the UK. The percentage of female MPs is 22% of all NI MPs and 25% of councillors are women.

⁵¹ 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](#).

⁵² In 2016/17 women were under represented within government public appointments as regards applications received, appointments made and appointments held. For example, as at March 2017, 41% of all public appointments were female (this compares with 34% in 2010), and 28% of chair posts were held by women. In terms of remuneration, women are proportionally over-represented in unpaid public appointments, and under-represented in public appointments which pay £5,000 or more per year. See The Executive Office/NISRA (2018) [Public Appointments: Annual Report for Northern Ireland, 2016/17](#).

⁵³ Commissioner for Public Appointments (2014) [Underrepresentation and lack of diversity in public appointments in Northern Ireland](#).

⁵⁴ The [Belfast / Good Friday Agreement](#) April 1998

appointees in post, reflected in both board membership and at chair level^{55 56}.

- 4.3 A report by the Assembly and Executive Review Committee (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*”⁵⁷. There is a need for additional steps to address the under-representation of women in political life, including *via* temporary special measures⁵⁸.
- 4.4 Barriers, including political, socio-economic, ideological and psychological, to women’s participation in political and public life, need addressed⁵⁹.
- 4.5 A 2014 *Inquiry*⁶⁰ found that women face barriers to participation in peace building⁶¹ and post conflict reconstruction, as well as in other areas of decision-making⁶².
- 4.6 The UK Government has no plans to integrate provisions relating to the implementation of UNSCR 1325⁶³ 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*”⁶⁴. We await the outcome of the Department for Communities’ programme for ‘Women in Community Transformation’⁶⁵.

⁵⁵ In particular, that by 2017/18 there should 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.

⁵⁶ See ECNI (2018) [Statement on Key Inequalities in Participation in Public Life](#).

⁵⁷ The Assembly and Executive Review Committee, (2015), [Report on Women in Politics and the Northern Ireland Assembly](#) at page 1.

⁵⁸ Temporary special measures (all women shortlists) allowed under the Sex Discrimination (Election Candidates) Act 2002 have not as yet been used in Northern Ireland.

⁵⁹ See ECNI (2018) [Statement on Key Inequalities in Participation in Public Life](#).

⁶⁰ See NIWEP (2014) [An Inquiry into the position of women in Northern Ireland since the Peace Agreement, summary report](#).

⁶¹ 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](#).

⁶² 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.

⁶³ Since UNSCR 1325 there have been further [UN Resolutions relating to Women, Peace and Security](#).

⁶⁴ GEO (2017) [UK CEDAW 8th Periodic Report](#)

⁶⁵ The Executive’s [response](#) (2016) 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’ aimed at developing the capacity of women to participate in community development.

5 Article 10: Education

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

Proposed Recommendation:

We recommend Government action to tackle inequalities and challenge gender stereotypes experienced by women in Northern Ireland in all stages of education and vocational training (including 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, including in STEM subjects; and to eliminate gender based bullying).

- 5.1 As regards subject choice, there is a lower proportion of girls than boys studying STEM⁶⁶ related subjects in higher education⁶⁷. While girls' educational attainment has improved, further action is needed to ensure gender mainstreaming in the policies and practices of educational bodies, to challenge gender stereotyping⁶⁸, and to promote gender equality including in the curriculum⁶⁹, subject choice, careers advice and teacher training⁷⁰.
- 5.2 Evidence reveals that girls frequently experience bullying with a sexual meaning⁷¹. Anti-bullying legislation needs to be brought into force and supporting guidance⁷² produced, as well as further action to prevent prejudice based bullying, including transphobic bullying⁷³, and to challenge gender roles⁷⁴.

⁶⁶ STEM – Science, Technology, Engineering and Mathematics

⁶⁷ In particular, in 2016/17 of enrollees (at Northern Ireland HEIs) to Maths, IT, Engineering and Technology, 22% were female and 78% were male. Figures derived from Department for Economy ['Enrolments at UK Higher Education Institutions: Northern Ireland Analysis 2016/17'](#). See also ECNI (2017) [Statement on Key Inequalities in Education](#)

⁶⁸ See ECNI (2017) [Statement on Key Inequalities in Education](#)

⁶⁹ This includes promoting gender equality within Relationships and Sexuality Education (RSE).

⁷⁰ This includes promoting gender equality through initial teacher training and CIPD.

⁷¹ 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](#)

⁷² 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.

⁷³ Department of Education commissioned research into post primary school experiences of LGB&T young people indicated that 48.4% of respondents had experienced bullying as a result of their sexual orientation or gender identity; and that responses to bullying from schools were not perceived to be very satisfactory by respondents. Public and Corporate Economic Consultants (2017) [Post-Primary School Experiences of 16-21 year old people who are Lesbian, Gay, Bisexual and/or Transgender \(LGBT\): Research Report](#).

⁷⁴ 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

6 Article 11: Employment

Ensure women's economic independence

Proposed Recommendation:

We recommend Government action 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 and sharing of caring roles; tackle gender pay gaps; and eliminate discrimination and harassment.

- 6.1 Women experience industrial⁷⁵ and occupational segregation⁷⁶⁷⁷ within the labour market, including gender imbalances in certain apprenticeships. Women are more often employed with atypical contracts, particularly part time working⁷⁸ where they are at risk of low pay and precarious employment, such as zero-hours contracts.
- 6.2 In Northern Ireland, women experience a lower employment rate and a higher economic inactivity rate than men⁷⁹. Lone parents, who are overwhelmingly female, also experience barriers to employment⁸⁰. Women are more likely than men to report underemployment and are half as likely as men to be entrepreneurs⁸¹. Additional actions are required to encourage

based violence, ensuring support materials and opportunities within the curriculum (including within RSE) address prejudice based bullying, including gender based bullying. See ECNI (2018) [draft Policy Recommendations in Education](#)

⁷⁵ For example, in STEM-related professions, men outnumber women by nearly three to one. See ECNI (2018) [Statement on Key Inequalities in Employment](#)

⁷⁶ Ibid. For example, the ECNI found that in Q1 2016, men represented 61.6% of those in 'Managers and Senior Officials' occupations.

⁷⁷ In the private sector, women are under-represented at 'Managers and Senior Officials' level (SOC 1) (40% women, 60% men). Figures derived from ECNI analyses of fair employment monitoring returns received in 2017 from all registered employers and specified public bodies required to provide an annual return to ECNI under fair employment legislation (unpublished). In 2017, monitored data covered an estimated 66% - 68% of all of those in employment and excludes private sector concerns with less than 11 employees.

⁷⁸ In 2018, the majority (82%) of part-time employees are women. 39% of female employees work part-time compared to 9% of male employees. See NISRA (2018) [Women in Northern Ireland 2018](#).

⁷⁹ In 2018, the rate of employment for males was 72.5% and for females was 64.7%, and a third of working age women (33.3%) and less than a quarter of men (23.4%) were economically inactive. More than a third of women (35%) who were unavailable for work gave the reason for inactivity as being family/home commitments. This was the least likely reason for male inactivity. See NISRA (2018) [Women in Northern Ireland 2018](#).

⁸⁰ 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%). See ECNI (2018) [Statement on Key Inequalities in Employment](#)

⁸¹ In 2017, the female Total Entrepreneurship Activity rate was 4.3%, compared to a male rate of 8.7%. GEM UK (2017): [Northern Ireland Report 2017](#).

flexible working practices and sharing of family roles across all sectors⁸².

- 6.3 In Northern Ireland, whilst discrete full time and part-time gender pay gaps are in favour of women, the combined overall gender pay gap favours men⁸³. There are gender pay gaps in favour of men in the public and private sectors, and across many different industrial sectors and occupational groups⁸⁴.
- 6.4 Women frequently experience sex discrimination and harassment in the workplace⁸⁵, including due to pregnancy / maternity and unequal pay. A Commission investigation (2016) has highlighted experiences of unfair treatment of pregnant workers and mothers in the workplace⁸⁶.

Ensure affordable and accessible child care provision

Proposed Recommendation:

We recommend Government action to ensure appropriate, flexible, accessible and affordable childcare provision in Northern Ireland, including through the implementation of an effective full Childcare Strategy and action plan.

- 6.5 Commission research (2013) identified the lack of affordable and appropriate childcare provision and recommended the implementation of a Childcare Strategy⁸⁷.
- 6.6 Whilst there has been an increase in the number of childcare places in Northern Ireland over the last decade, the cost of childcare

⁸² See, for example, Ballantine, Banks, Haynes, Manochin, Wall, (2016) [An investigation of gender equality issues at the Executive level in Northern Ireland public sector organisations](#) which recommended actions to develop a gender inclusive culture which promotes flexible working and work life balance at senior management levels in the N.I. public sector. See also HC Women and Equalities Committee (2016) [Gender Pay Gap 2nd report of session 2015-2016](#).

⁸³ In 2018, there is a full time (+3.5%) and part-time (+6.2%) gender pay gap in favour of women. When all employees are considered, there is a gender pay gap in favour of men (-9.6%). NISRA (published Oct 2018, provisional) [NI ASHE](#).

⁸⁴ In 2018, when all employees are considered there is a gender pay gap in favour of men in the public sector (-8.4%) and a significantly higher gender pay gap in favour of men in the private sector (-18.2%); see NISRA [ASHE](#) (2018) (published Oct 2018, provisional), Table 13 (NI).6a, Hourly Pay excluding overtime (public/ private sector). Further, as regards full time employees, women earn less than men on average in all of the nine occupation groups and men earn 3.3% more than women in the Managers and senior officials occupation group, which is the highest paid group. See NISRA (published Oct 2018, provisional) [NI ASHE](#).

⁸⁵ 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.

⁸⁶ See ECNI (2016) [Expecting Equality-Summary: A Formal Investigation into the treatment of pregnancy workers and mothers in Northern Ireland workplaces](#).

⁸⁷ See [ECNI \(2015\) response to the consultation on an Executive childcare strategy](#).

remains high, and is higher than in other parts of the UK⁸⁸. There are barriers linked to the disproportionate share of caregiving by women, and gender stereotypes⁸⁹. Whilst actions have been taken under the first phase of the Strategy (2013) to help address the shortfall in childcare provision, to date a full Childcare Strategy has not been introduced, despite a government consultation in 2015⁹⁰, and additional action is required⁹¹.

7 Article 12: Health

Remove barriers to women accessing health care services

Proposed Recommendation:

We recommend Government action to remove barriers experienced by women in Northern Ireland in accessing health care services, including reproductive health care services. We recommend Government conducts a full public consultation on abortion law.

- 7.1 Women, including women with multiple identities, experience barriers to healthcare, including reproductive healthcare. Research (2012) identified barriers for disabled women in accessing sexual health and maternity services⁹². Lesbian and bisexual women, and trans women, experience barriers to accessing health services^{93,94}. A RQIA report (2017) has recommended action to improve services for women who experience perinatal mental health services⁹⁵.

⁸⁸ 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](#)

⁸⁹ See McQuaid, R., Graham, H. and Shapira, M (2013) [Child Care: Maximising the Participation of Women](#).

⁹⁰ In 2015, the former OFMDFM carried out a consultation on a draft Executive Childcare Strategy.

⁹¹ There is a proposal by Department for Education to extend free childcare provision available to families with children aged 3 / 4 years for up to 38 weeks. See draft [PfG Delivery plan \(2017\) for Indicators 17,32, 33](#). In 2017, in England, unlike in Northern Ireland, measures have been introduced to increase the provision of childcare, namely 30 hours free childcare for eligible families for parents of children aged 3/4 years old.

⁹² Barriers include a lack of information and accessibility, and the research also recommended awareness training for health service staff. 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. See also ECNI (June 2013): [Review of the Formal Investigation into the Accessibility of Health Information for People with a Learning Disability in Northern Ireland](#).

⁹³ See Queiry M (2007) [A Review of the impact of discrimination and social exclusion on lesbian and bisexual women's health in Northern Ireland](#).

⁹⁴ See R.McBride (2011) Institute for Conflict Research [Healthcare Issues for Transgender People living in Northern Ireland](#) which found that a lack of awareness and understanding among healthcare professionals.

⁹⁵ See RQIA (2017) [Review of Perinatal Mental Health Services in Northern Ireland](#).

- 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 CEDAW. In 2016, an inter-Departmental working group in Northern Ireland had already recommended a change to Northern Ireland's laws to allow abortion in cases of fatal foetal abnormality⁹⁶, and the Supreme Court has highlighted the incompatibility of Northern Ireland abortion laws with human rights⁹⁷.
- 7.3 The 2018 UK Response to the CEDAW Lol highlights that "*At present, however, no declaration of incompatibility has been made by the courts for consideration or response by the UK Government or a restored government in Northern Ireland*", and that abortion is a devolved matter.
- 7.4 There is a clear need for urgent Government action and response⁹⁸. We continue to call⁹⁹ for Government to undertake a full public consultation on abortion law.

⁹⁶ See DOJ/DOH working group on fatal foetal abnormality (2016), [Report of the working group on fatal foetal abnormality](#).

⁹⁷ 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. For further information see also NIHRC's [Statement](#) on Court decision (7 June 2018)

⁹⁸ 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>

⁹⁹ 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.

8 Article 13: Social and Economic Life

Mitigate adverse gender impacts of welfare reform

Proposed Recommendation:

We recommend action by Government, including through their relevant Departments, to identify, mitigate and monitor any adverse impacts of welfare reform on women, for example any associated with the household payment of universal credit, the closure of the childcare voucher scheme, or payment requirements under the childcare element of universal credit.

- 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 reform introduced in the 1970's, with Child Benefit usually being paid to the child's mother¹⁰⁰.
- 8.2 Significant changes to welfare reform are being introduced in Northern Ireland on a phased basis¹⁰¹. Whilst some overall mitigation measures have been introduced in Northern Ireland¹⁰², these are of a temporary nature, and we remain concerned that the payment arrangements for Universal Credit 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 women.
- 8.3 We note the option within Universal Credit for Alternative Payment Arrangements¹⁰³, whereby in 'very exceptional circumstances' payments of Universal Credit can be "split into 2 bank accounts instead of one (couples only)".
- 8.4 However, we remain concerned that following any joint claim and assessment, paying Universal Credit by default into a *single* bank

¹⁰⁰ Prior to the introduction of Universal Credit, ECNI 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](#).

¹⁰¹ 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](#).

¹⁰² 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](#)

¹⁰³ DWP (2018) [Personal Budgeting Support and Alternative Payment Arrangements: Guidance](#)

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 any 'very exceptional circumstances' has been produced, assessed and proven¹⁰⁴. Further consideration should be given to the default payment of Universal Credit to the primary carer, usually the mother; a recommendation echoed by a 2018 UK Work and Pensions Committee Inquiry¹⁰⁵¹⁰⁶.

- 8.5 Further, a UK Parliamentary Committee Inquiry has raised concerns regarding the impact on supporting low paid parents into work of payment requirements under the childcare element of Universal Credit¹⁰⁷, as well as the impact of the closure of the childcare voucher scheme¹⁰⁸.

Remove barriers to women accessing social protection

Proposed Recommendation:

We recommend Government action to improve access to social protection, including for those (mainly minority ethnic women) subjected to domestic violence with no recourse to public funds.

- 8.6 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.

¹⁰⁴ See footnote above quoting from DWP (2018) [Personal Budgeting Support and Alternative Payment Arrangements: Guidance](#).

¹⁰⁵ The Work and Pensions Committee Inquiry (2018) has recommended that where claimants have dependent children, the entire Universal Credit payment should be made to the main carer by default. See, House of Commons Work and Pensions Committee (2018) Inquiry, [Universal credit and domestic abuse: Government response to the Committee's Seventeenth Report](#).

¹⁰⁶ The UK Government has recently indicated its commitment to ensuring that household payments under Universal Credit go directly to the main carer. See [speech](#) by Amber Rudd MP, Work and Pensions Secretary, on 11 January 2019 (accessed on 11 January 2019).

¹⁰⁷ A Treasury Committee Childcare Inquiry stated that 'the childcare element of Universal Credit plays a crucial role in supporting the lowest-paid parents into work. But requiring parents to pay for their childcare costs up front, before seeking reimbursement later, is a fundamental design flaw that undermines this objective, and should be rectified as a matter of urgency'. In its [Response](#), the UK Government has recognised that some childcare providers require payment in advance and that for UC claimants starting work or increasing their hours, some may have difficulty in paying. See Treasury Committee (2018) [Childcare Inquiry](#).

¹⁰⁸ The childcare voucher scheme was closed to new applicants across the UK in October 2018. Tax-Free Childcare (TFC) was introduced to childcare vouchers. A Treasury Committee Childcare Inquiry has found that some families will be worse-off under TFC than they would have been with childcare vouchers. It has indicated that it has not been confirmed whether any impact assessments have been conducted to confirm the extent to which low-income households will be affected by the closure of the childcare vouchers scheme. The UK Government has committed to carry out a post-implementation review of TFC two years after it was implemented. Ibid

- 8.7 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 trafficker¹⁰⁹.

Protect women with smaller pension provision

Proposed Recommendation:

We recommend Government action to protect women in Northern Ireland with smaller pension provision.

- 8.8 Older women are less likely to have occupational and private pensions and, if they have them, more likely to receive lower payments than men because of broken careers to allow for caring duties.
- 8.9 Research has highlighted that women in low-paid, temporary work lose out most because they often cannot afford to make pension contributions. Further, some women will be worse off following the introduction of the flat rate pension¹¹⁰.

¹⁰⁹ 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

¹¹⁰ 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 Recommendations

We propose that the UN Committee raises the following recommendations with the UK State Party, as regards actions to promote women's equality in Northern Ireland:

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

- We recommend Government takes action in Northern Ireland to strengthen institutional mechanisms for gender equality (including to develop an effective strategic framework and action plan; 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).
- We recommend Government ensures 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 keep pace with future EU equality rights; to ensure effective engagement with women during the Brexit process; and to mitigate any potential impact of the loss of EU funding.
- We recommend Government address the legislative gaps in equality protection for women in Northern Ireland including, but not limited to, gaps that exist between Northern Ireland and Great Britain, as set out in the Commission's gender law reform recommendations.
- We recommend the urgent introduction of gender pay gap reporting requirements and a Gender Pay Strategy and Action Plan in Northern Ireland.
- We recommend Government action to tackle the nature and specific impact of gender-based violence on women in Northern Ireland, including through the delivery of effective strategies.
- We recommend that the UK Government takes all necessary measures, including in Northern Ireland, to comply with the Istanbul Convention, so as to enable its prompt ratification.
- We recommend Government action to address inequalities and barriers faced by women with multiple identities in Northern Ireland.

Article 5: Roles and Stereotyping

- We recommend Government action in Northern Ireland to challenge gender stereotypes, including in relation to education, work, the media, and wider society.
- We recommend Government action to tackle the objectification and degradation of women, including in the media, in Northern Ireland.

Article 7: Political and Public Life

- We recommend Government action to ensure it achieves published targets for gender equality in public appointments, including through implementing the 2014 recommendations of the Commissioner for Public Appointments for Northern Ireland.
- We recommend Government action, 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

- We recommend Government action to tackle inequalities and challenge gender stereotypes experienced by women in Northern Ireland in all stages of education and vocational training (including 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, including in STEM subjects; and to eliminate gender based bullying).

Article 11: Employment

- We recommend Government action 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 and sharing of caring roles; tackle gender pay gaps; and eliminate discrimination and harassment.
- We recommend Government action to ensure appropriate, flexible, accessible and affordable childcare provision in Northern Ireland, including through the implementation of an effective full Childcare Strategy and action plan.

Article 12: Health

- We recommend Government action to remove barriers experienced by women in Northern Ireland in accessing health care services, including reproductive health care services.
- We recommend Government conducts a full public consultation on abortion law.

Article 13: Social and Economic Life

- We recommend action by Government, including through their relevant Departments, to identify, mitigate and monitor any adverse impacts of welfare reform on women, for example any associated with the *household* payment of universal credit, the closure of the childcare voucher scheme, or payment requirements under the childcare element of universal credit.
- We recommend Government action to improve access to social protection, including for those (mainly minority ethnic women) subjected to domestic violence with no recourse to public funds.
- We recommend Government action to protect women in Northern Ireland with smaller pension provision.



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