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Review of Gender Issues in Northern Ireland

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This paper briefly summarises some of the recent developments in Northern Ireland on issues related to gender.

Key Points

This paper briefly reviews the representation of women in positions of power in Northern Ireland and examines a selection of recent policy developments with regard to their impacts on women. Key points are as follows:

- Women are significantly under-represented in elected office, for example, women are 23.4% of MLAs, 23.5% of local councillors and 22.2% of MPs, although two of the three MEPs are women
- Women are significantly under-represented on public bodies, 33% of all public appointments being women, but only 19% of chairs of public bodies
- There is segregation in the workforce by gender, in some areas extremely segregated:
 - Horizontally certain occupations are overwhelmingly undertaken by men (such as skilled trades) or by women (such as caring, leisure and other service occupations)
 - Vertically women only comprise 37% of managers, directors and senior officials
 - By work pattern 80% of part time workers are women, but only 24% of self-employed are women
- There remains a gender pay gap in favour of men, but this varies according to how it is calculated
- There remains a lack of access to affordable quality childcare, which impacts primarily on women's access to employment
- Budget cuts due to the economic downturn have impacted differentially on women, as women are more likely to rely on welfare benefits than men
- Certain major capital spending programmes for women have been down-graded or delayed, such as the women and children's hospital or the women's prison
- Abortion remains a contentious issue, although there have been suggestions that a consultation on changes to the law may be published in 2014
- The policy direction for maternity services has been for greater emphasis on midwife-led units, rather than consultant-led care
- Awareness is very low of certain health issues specific to women, such as ovarian cancer and endometriosis

- The police recorded 2025 sexual offences in the least year, of which 510 were rape, one in four women experience domestic violence in their lives and police attend 60 domestic-related incidents per day; the first Sexual Assault Referral Centre in Northern Ireland opened in 2013
- The older an age group, the more women are represented, so that age-related issues increasingly become gender issues
- Many female migrants are exposed to particular gender-related vulnerabilities, such as reliance on a male partner for residency status, uncertainties regarding access to health care, racism compounded by gender discrimination, labour exploitation or human trafficking
- While very few women are in prison, a greater proportion of these than men are not a danger to the public and therefore alternative remedies could be sought
- No high court judges, only 17.5% of county court judges and 22% of district court judges are women

Women are under-represented across all major positions of political, economic, social and judicial power. This demonstrates a gender-related systemic impediment to access to decision-making. Certain policy decisions, such as budget reductions, appear to differentially impact on women more than men.

Updates to the Gender Equality Strategy have not demonstrated significant change in the position of women in Northern Ireland over time. Certain remedies have been suggested for increasing women's representation or for making decision-making more gender-sensitive:

- Quotas are a fast-track method of increasing women's representation and have been used elsewhere for political office and company boards, but could equally be applied to public appointments and areas of employment
- Programmes for women to increase participation in management or non-traditional occupations, for example, have been used on a limited, time-bound or project-related basis, but could be mainstreamed
- Organisational change processes have been used to imbed more inclusive practices or ethos into workplaces and could equally be applied to other bodies, such as legislatures
- Childcare provision is more accessible and affordable in other contexts and a major potential contributor to women's participation
- Education and career advice and guidance can potentially give girls and boys a greater range of options, rather than gender-specific determination

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1 Introduction

In general terms, 'sex' refers to the differentiation of women and men in biological terms, whereas 'gender' refers to the social construction of 'female' and 'male'¹. In Northern Ireland, the Gender Equality Strategy has the following purpose²:

The Gender Equality Strategy provides an overarching strategic policy framework within which departments, their agencies and other relevant statutory authorities will channel their existing actions and initiate new actions to achieve an agreed vision, guided by a set of principles and objectives aimed at tackling gender inequalities and promoting gender equality across government's major policy areas for the benefit of both women and men generally.

'Gender Mainstreaming' is a term that has been defined in different ways. However, a group of specialists has offered the following definition on behalf of the Council of Europe³:

Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.

The examination of policy developments from a gender perspective looks at how policies affect women and men differently. A feminist perspective, while much debated, generally refers to a position that views society as having been constructed for the benefit of men and to the disadvantage of women, requiring fundamental readjustment in order for women and men to be equal⁴.

This paper briefly reviews some recent developments in Northern Ireland with regard to gender issues. The issues discussed in this paper are not intended to be exhaustive, but to outline some of the key aspects of women's lives in Northern Ireland that have been highlighted in the course of the business of the Northern Ireland Assembly.

¹ Jennifer Marchbank and Gayle Letherby (2007), *Introduction to Gender: Social Science Perspectives*, Harlow: Pearson Education, pp.4-5.

² Office of the First Minister and deputy First Minister (2006), *Gender Equality Strategy: A Strategic Framework for Action to Promote Equality Between Women and Men 2006-2016*, Belfast: OFMdfM, p.10: <http://www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf>.

³ Council of Europe (2004), *gender Mainstreaming: Conceptual framework, methodology and presentation of good practices*, Strasbourg: CoE, p.12: http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG_S_MS_98_2_rev_en.pdf.

⁴ For example, Barabara Arneil (1999), *Politics and Feminism*, Oxford: Blackwell.

2 The Legislative, Human Rights and Policy Framework

This section briefly outlines the relevant gender equality legislation for Northern Ireland, human rights standards and the current policy framework of the Northern Ireland Executive⁵.

Legislation

Legislation for equality between women and men originates in the Equal Pay Act (Northern Ireland) 1970⁶ and the Sex Discrimination (Northern Ireland) Order 1976⁷.

The Equal Pay Act prohibits paying women and men differently for the same or equivalent work. The Act was amended by the Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2004⁸ and the Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2005⁹, which make changes to tribunal proceedings relating to equal pay in line with Council Directive 75/117/EEC¹⁰.

The Sex Discrimination Order (SDO) prohibits discrimination and outlaws harassment on the basis of sex in the fields of employment, education and the provision of goods and services. This has been amended as follows:

Sex Discrimination (Northern Ireland) Order 1988¹¹, which removes certain exemptions and increases protection under certain contracts

Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999¹², which extend protections in the SDO to gender re-assignment.

Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations (Northern Ireland) 2001¹³, which implements Directive 97/80/EC¹⁴ on the equal treatment of women and men.

Sex Discrimination (Northern Ireland) Order 1976 (Amendment) Regulations 2004¹⁵, which extend the prohibition on discrimination to circumstances when a relationship has ended

⁵ For a review of equality and human rights legislation in Northern Ireland, see Research and Information Service Research Paper 75/11 *Equality and Human Rights Legislation in Northern Ireland: A Review* August 2011: <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2011/OFMdFM/7511.pdf>.

⁶ Equal Pay Act (Northern Ireland) 1970: <http://www.legislation.gov.uk/apni/1970/32/contents>.

⁷ Sex Discrimination (Northern Ireland) Order 1976: <http://www.legislation.gov.uk/nisi/1976/1042/contents>.

⁸ Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2004: <http://www.legislation.gov.uk/nisr/2004/171/contents/made>.

⁹ Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2005: <http://www.legislation.gov.uk/nisr/2005/145/note/made>.

¹⁰ Directive 75/117/EEC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31975L0117:EN:HTML>.

¹¹ Sex Discrimination (Northern Ireland) Order 1988: <http://www.legislation.gov.uk/nisi/1988/1303/contents/made>.

¹² Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999: <http://www.legislation.gov.uk/nisr/1999/311/contents/made>.

¹³ Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations (Northern Ireland) 2001: <http://www.legislation.gov.uk/nisr/2001/282/contents/made>.

¹⁴ Directive 97/80/EC (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1998:014:0006:0008:EN:PDF>) was required to be implemented in the UK by Directive 98/52/EC (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1998:205:0066:0066:EN:PDF>).

Employment Equality (Sex Discrimination) Regulations (Northern Ireland) 2005¹⁶, which, on the basis of EU Directive 2002/73/EC¹⁷, define harassment, indirect discrimination and genuine occupational requirements and extend sex discrimination to pregnancy and maternity

Sex Discrimination (Northern Ireland) Order 1976 (Amendment) Regulations 2008¹⁸, which more effectively implement Directive 2002/73/EC in terms of the definitions of harassment and discrimination on the grounds of pregnancy and maternity

Sex Discrimination (Amendment of Legislation) Regulations 2008¹⁹, which extend the principle of equal treatment of women and men to access to goods and services, implementing EU Directive 2004/113/EC²⁰

The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2011²¹, which amend provisions for indirect discrimination to include those who would be put at a disadvantage, as well as those who are actually put at a disadvantage, implementing EU Directive 2006/54/EC²²

In addition, the Maternity and Parental Leave etc. Regulations 1999²³ extend provisions for parental leave to implement EU Directive 96/34/EC²⁴ and unfulfilled elements of Directive 92/85/EEC²⁵, which impacts mainly on women's equality in employment. The Maternity and Parental Leave (Amendment) Regulations 2002²⁶ amend the 1999 Regulations by extending maternity leave to 26 weeks and the Employment (Northern Ireland) Order 2002²⁷ outlines statutory rights to parental leave and pay.

Section 75 of the Northern Ireland Act 1998²⁸ provides for a statutory duty on public authorities to have due regard to promote equality of opportunity between a number of groups, including 'between men and women generally' (s.75(1)(b)). Consequently, any policy should be reviewed to ascertain its impact on equality of opportunity between women and men²⁹.

¹⁵ Sex Discrimination (Northern Ireland) Order 1976 (Amendment) Regulations 2004:

<http://www.legislation.gov.uk/nisr/2004/172/contents/made>.

¹⁶ Employment Equality (Sex Discrimination) Regulations (Northern Ireland) 2005:

<http://www.legislation.gov.uk/nisr/2005/426/contents/made>.

¹⁷ EU Directive 2002/73/EC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:269:0015:0020:EN:PDF>.

¹⁸ Sex Discrimination (Northern Ireland) Order 1976 (Amendment) Regulations 2008:

<http://www.legislation.gov.uk/nisr/2008/159/contents/made>.

¹⁹ Sex Discrimination (Amendment of Legislation) Regulations 2008: <http://www.legislation.gov.uk/ukSI/2008/963/contents/made>.

²⁰ Directive 2004/113/EC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:373:0037:0043:EN:PDF>.

²¹ The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2011:

<http://www.legislation.gov.uk/nisr/2011/156/made>.

²² Directive 2006/54/EC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0023:01:EN:HTML>.

²³ Maternity and Parental Leave etc. Regulations 1999: <http://www.legislation.gov.uk/ukSI/1999/3312/contents/made>.

²⁴ EU Directive 96/34/EC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1996:145:0004:0009:EN:PDF>.

²⁵ Directive 92/85/EEC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0085:EN:HTML>.

²⁶ Maternity and Parental Leave (Amendment) Regulations 2002: <http://www.legislation.gov.uk/ukSI/2002/2789/contents/made>.

²⁷ Employment (Northern Ireland) Order 2002: <http://www.legislation.gov.uk/nisi/2002/2836/contents/made>.

²⁸ Northern Ireland Act 1998: <http://www.legislation.gov.uk/ukpga/1998/47/contents>.

²⁹ See Equality Commission for Northern Ireland (2012), *Section 75 of the Northern Ireland Act 1998: A Guide for Public Authorities – An Outline Guide*, Belfast: ECNI:

Human Rights

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)³⁰, adopted in 1979 and in force from 1981, is the primary UN treaty governing the treatment of women. The Committee on the Elimination of Discrimination Against Women³¹ last examined the UK in July 2013. The following action points with particular reference to Northern Ireland were included in the Concluding Observations³²:

- The Committee is concerned that the Equality Act of 2010³³ does not, on the whole, extend to Northern Ireland and, as a result, women in Northern Ireland do not have the same equality protections as their counterparts in England. The Committee is particularly concerned that the legislative framework in Northern Ireland does not provide for protection from multiple discrimination and that there is no prohibition against pay secrecy clauses. (Paragraph 18)
- While welcoming the establishment of the Historical Institutional Abuse Inquiry³⁴, which is mandated to investigate the abuse committed in residential institutions in Northern Ireland between 1922 and 1995 (the Magdalene laundries), the Committee regrets that the mandate of the Inquiry excludes women who were over 18 years of age when they entered the laundries. The Committee is concerned that this exclusion perpetuates a climate of impunity and leaves many women without a remedy. (Paragraph 24)
- The Committee is concerned about the replacement of the Women's National Commission, which was part of the former national machinery for women's equality that extended throughout the State party, with the Government Equalities Office³⁵, the mandate of which does not extend to Northern Ireland. The Committee recalls its previous concluding observations and remains concerned at the lack of a unified national strategy for the implementation of the Convention. (Paragraph 28)
- While noting that in Northern Ireland it is an offence to pay for the sexual services of a child under 18 years of age, the Committee is concerned that, in the case of a child over the age of 13 years and under the age of 18 years, the

http://www.equalityni.org/sections/default.asp?cms=policy_section%2075%20-%20the%20statutory%20duties_public%20authority%20advice&cmsid=89_98_859&id=859&secid=6.

³⁰ Text of CEDAW: <http://www2.ohchr.org/english/law/cedaw.htm>.

³¹ Committee website: <http://www2.ohchr.org/english/bodies/cedaw/index.htm>.

³² Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland 30 July 2013:

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsldCrOIUTvLRFDjh6%2fx1pWB8bSIKfa34XmmIN3IG11hwWhjFqrEprJHQfoipZTwnVkhDALmzaR6qCkiPapM2exR07H3AU7RBUaRoaFuhkiNY>.

³³ The Equality Act 2010 drew together disparate pieces of equality legislation and updated some of the protections and terminology, but the substantive provisions do not extend to Northern Ireland:

<http://www.legislation.gov.uk/ukpga/2010/15/contents>.

³⁴ Historical Institutional Abuse Inquiry website: <http://www.hiainquiry.org/>.

³⁵ Government Equalities Office web pages: <https://www.gov.uk/government/organisations/government-equalities-office>.

prosecution is required to prove that the purchaser did not reasonably believe the child to be 18 years old or more³⁶. (Paragraph 40)

- The Committee further recalls its previous concluding observations and remains concerned at the low representation of women in the post-conflict process in Northern Ireland and the failure to fully implement Security Council resolution 1325 (2000)³⁷. (Paragraph 42)
- While acknowledging the consultation process on a revised set of guidelines on the limited circumstances for a lawful termination of pregnancy in Northern Ireland issued by the Northern Ireland Department for Health, Social Services and Public Safety in 2012, the Committee regrets that a public consultation on the possible abolition of laws criminalizing abortion, as called for by the Committee in its previous concluding observations, has not been undertaken. The Committee is concerned that abortion continues to be illegal in Northern Ireland in all cases except where continuance of the pregnancy threatens the life of the mother, thus making it necessary for women to seek abortions in other parts of the State party³⁸. (Paragraph 50)
- The Committee is concerned at reports that women with disabilities, older women, women seeking asylum and Traveller women face obstacles in gaining access to medical health care. The Committee is particularly concerned that women with disabilities face limited access to prenatal care and reproductive health services. The Committee is also concerned at legal impediments to gaining access to reproductive treatments faced by some groups of women in Northern Ireland. (Paragraph 52)

The Human Rights Act 1998³⁹ brings the substantive articles of the European Convention on Human Rights⁴⁰ into UK law. Article 14 of the Convention prohibits discrimination in the access to any of the rights contained therein:

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Consequently, all Convention rights are to be applied equally to women and men.

³⁶ The relevant legislation is Section 37 of the Sexual Offences (Northern Ireland) Order 2008: <http://www.legislation.gov.uk/nisi/2008/1769/contents>.

³⁷ UN Security Council Resolution 1325 sets out commitments regarding women, peace and security: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>.

³⁸ The Abortion Act 1967 does not extend to Northern Ireland: <http://www.legislation.gov.uk/ukpga/1967/87/contents>.

³⁹ Human Rights Act 1998: <http://www.legislation.gov.uk/ukpga/1998/42/contents>.

⁴⁰ Convention for the Protection of Human Rights and Fundamental Freedoms: http://www.echr.coe.int/Documents/Convention_ENG.pdf.

Policy Framework

The current ten year policy framework in the area of gender equality is the Gender Equality Strategy⁴¹, which is the responsibility of the Office of the First Minister and deputy First Minister. Key action areas in the strategy are as follows:

- childcare/caring as roles for both women and men;
- health and well being;
- representation in public life/decision making;
- education and life long learning;
- access to employment;
- gender pay gap;
- work-life balance;
- stereotypes and prejudices linked to men and women's gender;
- peace-building;
- poverty; and
- gender related violence

Cross-departmental gender equality action plans were set out for women and for men⁴², indicating key areas of action for each government department. The action plans also cross-reference the Strategy with commitments under CEDAW and the Beijing Platform for Action⁴³. These commitments are reproduced at Appendix 1.

The Gender Equality Strategy and CEDAW are referred to as 'building blocks' to the Northern Ireland Executive Programme for Government⁴⁴, but otherwise there is no reference to gender issues.

The most recent statement in relation to the Gender Equality Strategy, in response to an Assembly question, is as follows⁴⁵:

A review of the Gender Equality Strategy (GES) and its associated cross departmental Action Plans is currently nearing completion. The Review considered how effectively the Strategy has performed against its objectives; assessed the

⁴¹ OFMdfM (2006), *Gender Equality Strategy 2006-2016*, Belfast: OFMdfM: <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/gender-equality/gender-equality-strategy-2006-2016.htm>.

⁴² Gender Equality Action Plans 2008-2011: http://www.ofmdfmi.gov.uk/implementation_of_the_ges_progress_report_2006-09_-_action_plan-3.pdf.

⁴³ The Beijing Platform for Action emerged from the fourth UN international conference on women in 1995 and outlined a number of key action areas with regard to women and girls: <http://www.un.org/womenwatch/daw/beijing/platform/>.

⁴⁴ Northern Ireland Executive (2011), *Programme for Government 2011-2015*, Belfast: NI Executive, p.37: <http://www.northernireland.gov.uk/pfg-2011-2015-final-report.pdf>.

⁴⁵ AQW 28440/11-15 answered 27 November 2013.

effectiveness of the Action Plans; and has made recommendations for the aims, objectives and delivery of the Strategy and Action Plans in the years remaining – 2014-16.

A revised GES is currently being developed in consultation with the Gender Advisory Panel (GAP). The GAP is made up of key stakeholder representatives. It is intended that the revised document will be published in January 2014.

3 Women and Public Office

When Kate Millett looked around herself in the 1970s, she noted that all the main positions of power were dominated by men⁴⁶. She referred to this as ‘patriarchy’, or the ‘rule of fathers’. This section briefly looks at women in public office, including elected representatives and senior public figures.

Elected Representatives

The Northern Ireland Assembly currently has 21 female Members out of a total of 108 (19%) , although 20 women were elected in 2011, the net increase being due to one more female than male co-option by parties replacing Members since the election. 38 female and 180 male candidates stood in the 2011 election (17%)⁴⁷. The Northern Ireland Assembly has the lowest representation of women in devolved or national legislatures in these islands with the exception of Dáil Éireann, although future elections to the Dáil will include a 30% gender quota (40% after seven years) for candidates⁴⁸.

Four of the 15 ministers and junior ministers in the Executive are women (27%)⁴⁹. At the time of writing, committee membership in the Assembly is less than the current level representation as a whole (18%) and four of the 18 committees are chaired by women (22%)⁵⁰.

Recent figures show that 24% of local councillors are women⁵¹ and eight of the 26 councils have female mayors⁵². Four of the 18 Members of Parliament are women (22%)⁵³ and two of the three Members of the European Parliament (67%)⁵⁴.

Recent studies on the political representation of women have suggested various methods for increasing the number of women in legislatures, such as electoral system change, quotas, party practices, parliamentary procedures and support provisions for women⁵⁵, however focussed studies on the island of Ireland have concluded that *the key to women’s improved representation in both jurisdictions lies in reforming candidate selection processes within party organisations*⁵⁶. The Sex Discrimination

⁴⁶ Kate Millett (1970), *Sexual Politics*, New York: Doubleday.

⁴⁷ See also Research and Information Service Research Paper 108/13 *Women in the Northern Ireland Assembly*, 3 September 2013: <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2013/ofmdfm/10813.pdf>.

⁴⁸ Electoral (Amendment) (Political Funding) Act 2012: <http://www.irishstatutebook.ie/2012/en/act/pub/0036/index.html>.

⁴⁹ Jennifer McCann (Junior OFMDFM Minister), Arlene Foster (Enterprise, Trade and Investment), Carál Ní Chuilín (Culture, Arts and Leisure) and Michelle McIlveen (Agriculture and Rural Development).

⁵⁰ Culture, Arts and Leisure (Michelle McIlveen), Environment (Anna Lo), Health, Social Security and Public Safety (Maevé McLaughlin) and Public Accounts (Michaela Boyle).

⁵¹ Following the May 2011 elections, Department of Finance and Personnel (2013), *Women in Northern Ireland*, Belfast: DFP, p.22: http://www.detini.gov.uk/women_in_northern_ireland_september_2013.pdf.

⁵² Figures from August 2013, *Ibid*.

⁵³ Michelle Gildernew, Lady Sylvia Hermon, Naomi Long and Margaret Ritchie.

⁵⁴ Martina Anderson and Dianne Dodds.

⁵⁵ See Section 4 of Research and Information Service Research Paper 108/13 *Women in the Northern Ireland Assembly*, 3 September 2013.

⁵⁶ Claire McGing (2013), ‘The Single Transferable Vote and Women’s Representation in Ireland’ in *Irish Political Studies* 28 (3), p.323.

(Election Candidates) Act 2002⁵⁷ permits positive discrimination in the selection of candidates for election.

The representation of women in the Northern Ireland Assembly was considered, among other topics, as the next subject for review by the Assembly and Executive Review Committee⁵⁸, but petitions of concern were selected⁵⁹.

Public Appointments

The most recent published annual report on public appointments (March 2012) shows that 33% of public appointments are held by women, however, only 19% of chairs of public bodies are women⁶⁰. The Code of Practice for Ministerial Public Appointments refers to equality of opportunity in broad terms, but there is no reference to gender balance⁶¹. Two recent examples of departmental responses in terms of ensuring a gender balance on public bodies are given below.

A recent response by the Department of Culture, Arts and Leisure to a question on appointments to Sport NI stated the following⁶²:

The process for appointing individuals to the Board of Sport NI will be carried out in accordance with the Commissioner for Public Appointments NI 'Code of Practice for Ministerial Public Appointments in NI'. Public appointments are made on the basis of merit and only those judged to best meet the requirements of the post are appointed, whilst ensuring that the Board is balanced in terms of skills and experience. Factors such as gender and religious background do not play any part in the decision of who to appoint or who not to appoint. The Department is aware of its responsibility to ensure equality of opportunity and equal treatment of all applicants at every stage of the appointment process, as required by the Code of Practice. The Department will also seek to encourage applications from individuals from a wide range of groups, including women, people with a disability and people from ethnic minorities.

The Department of Agriculture and Rural Development (DARD) carried out an audit of inequalities, finding that women tend to be under-represented on public bodies and in the Rural Development Programme (RDP). The related action plan aims at the following⁶³:

⁵⁷ Sex Discrimination (Election Candidates) Act 2002: <http://www.legislation.gov.uk/ukpga/2002/2/contents>.

⁵⁸ Assembly and Executive Review Committee meeting 10 September 2013: <http://www.niassembly.gov.uk/Documents/Assembly-and-Executive-Review/minutes/20130910.pdf>.

⁵⁹ Assembly and Executive Review Committee meeting 24 September 2013: <http://www.niassembly.gov.uk/Documents/Assembly-and-Executive-Review/minutes/1/20130924.pdf>.

⁶⁰ OFMdfM (2012), *Public Appointments Annual Report 2011/12*, Belfast: OFMdfM, p.6: <http://www.ofmdfmi.gov.uk/public-appointments-annual-report-2011-2012.pdf>.

⁶¹ Commissioner for Public Appointments (2013), *Code of Practice for Ministerial Public Appointments*, Belfast: CPANI: http://www.publicappointmentsni.org/cpa_ni_code_of_practice_jk3_-_september_2013.pdf.

⁶² AQW 24684/11-15 answered 28 August 2013.

⁶³ DARD (2011), *Audit of Inequalities and Action Plan 2011-2016*, Belfast: DARD, pp.11-15, Action Plan p.2: <http://www.dardni.gov.uk/audit-of-inequalities-and-action-plan-combined.pdf>.

- Increase of 25% in expressions of interest by women in DARD public appointments by 2013
- Increase of 25% in the number of successful applications by women to public bodies by 2014
- Increase of gender representation on Public bodies to 50% by 2016
- 50:50 representation of women and men on all key DARD internal decision-making bodies by 2016

4 Women and Paid Work

In 1978, Catherine Hakim observed that the labour market was segregated by gender in two dimensions: vertically, that is, women were located in the lower ranks of any particular area of employment, and horizontally, that women and men were often located in different occupations⁶⁴. More recently, it has been contended that horizontal segregation is in fact vertical in nature: that occupations which women undertake are less valued and less well paid⁶⁵. This section considers some of the dimensions of gender and paid employment.

Patterns of Employment

The following figures from the 2011 Census for Northern Ireland shows occupations differentiated by gender⁶⁶.

Occupation	Male	Female	% Female
<i>Managers, directors and senior officials</i>	40275	23625	36.97
<i>Professional occupations</i>	58086	78320	57.42
<i>Associate professional and technical occupations</i>	40086	28617	41.65
<i>Administrative and secretarial occupations</i>	32158	79683	71.25
<i>Skilled trades occupations</i>	99979	11523	10.33
<i>Caring, leisure and other service occupations</i>	10998	62839	85.11
<i>Sales and customer service occupations</i>	28082	51829	64.85
<i>Process, plant and machine operatives</i>	55534	7754	12.25
<i>Elementary occupations</i>	46932	38943	45.35

The figures indicate that women predominate in caring, leisure, other service, administrative and secretarial occupations, but are largely absent from skilled trades. In addition, almost two thirds of managers, directors and senior officials are men. The

⁶⁴ Catherine Hakim (1978) *Sexual Divisions Within the Labour Force: Occupational Segregation*. Department of Employment Gazette, 86.

⁶⁵ Harriet Bradley (1999), *Gender and Power in the Workplace: Analysing the Impact of Economic Change*, Houndmills: MacMillan, p.61.

⁶⁶ Northern Ireland Statistics and Research Agency, 2011 Census Tables KS609NI and KS610NI: <http://www.ninis2.nisra.gov.uk/public/Theme.aspx>.

figures mask segregation within occupational groups. For example, ‘professional occupations’⁶⁷ includes teachers, which are 76% female in Northern Ireland⁶⁸, and nurses and midwives, which are 92% female⁶⁹.

However, as well as segregation by occupation and by seniority, there is also another form of labour market stratification in the patterns of work undertaken. The following table summarises economic activity by gender⁷⁰.

<i>Economic activity</i>	<i>Males</i>	<i>Females</i>	<i>% Female</i>
<i>Employed part time</i>	33409	138729	80.59
<i>Employed full time</i>	273567	194238	41.52
<i>Self-employed</i>	88819	27847	23.87

This indicates that less than a quarter of self-employed people in Northern Ireland are women and part time work is overwhelmingly undertaken by women.

These factors combine to have an impact on women’s lifetime earnings and status in the workforce.

In its inquiry into careers advice and guidance, the Committee for Employment and Learning was informed that⁷¹:

The Institute of Engineering and Technology also feel that there is a gender imbalance in some sectors, for example, technology where their latest “Engineering and Technology Skills and Demand in Industry” annual survey reports that currently the proportion of Technicians who are women is 4%, and the proportion of Engineers who are women is 6% and that a collaborative approach by Careers Teachers, DEL Careers Advisers and Northern Ireland technology Employers could help redress this sort of unnecessary career stereotyping to the advantage of future employers in these sectors and the Northern Ireland economy more widely.

In the light of this and other evidence of the shortage of women in Science, Technology, Engineering and Mathematics, Recommendation 10 of the Inquiry report states:

⁶⁷ Occupational groups taken from Office for National Statistics (2010), *Standard Occupational Classification 2010*, London: ONS.

⁶⁸ ‘TEACHER WORKFORCE STATISTICS IN GRANT AIDED SCHOOLS IN NORTHERN IRELAND 2012/13’, Department of Education press release 20 June 2014, paragraph 2.6: http://www.deni.gov.uk/workforce_stats_press_release_for_web-3.pdf.

⁶⁹ Department of Health, Social Services and Public Safety (2012), *Northern Ireland Health and Social Care Workforce Census 31 March 2012*, Belfast: DHSSPS, p.6: http://www.dhsspsni.gov.uk/workforce_census_march_2012_-_web.pdf.

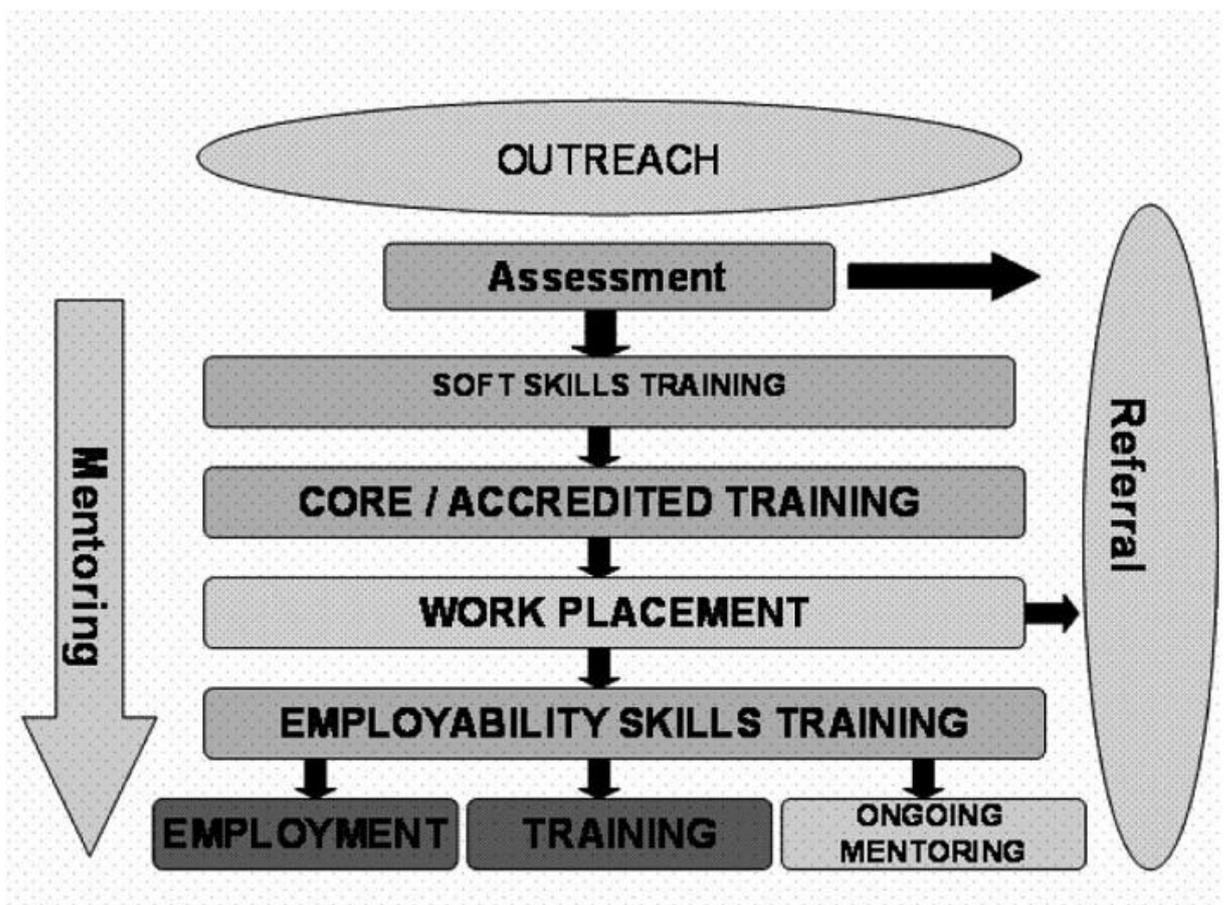
⁷⁰ Extracted from Northern Ireland Statistics and Research Agency, 2011 Census Tables KS602NI and KS603NI.

⁷¹ Committee for Employment and Learning (2013) *Inquiry into Careers Education, Information, Advice and Guidance in Northern Ireland*, 16 October 2013: <http://archive.niassembly.gov.uk/employment/reports/Inquiry-into-Careers-Education-Information-Advice-and-Guidance-in-NI.pdf>.

The Committee recommends that the Department for Employment and Learning and Department of Education develop a strategy, including the setting of targets for how they will increase the number of female students going into STEM based careers.

Some projects at community level have developed models to encourage more women into non-traditional employment. One such project led by Belfast City Council and co-funded by the EU Equal programme was designed to recruit women from disadvantaged backgrounds and facilitate their development through a range of capacity building, employment skills and non-traditional skills training to match recruitment processes in areas of work usually undertaken by men, such as bus driving, horticulture, boiler maintenance, cleansing, estate wardens, plumbing and caretaking. The Women into Non-Traditional Sectors (WINS) project⁷² comprised a multi-sectoral partnership that developed a dynamic model for recruitment, training and mentoring, as illustrated below.

The WINS Model



While such models have been successful in encouraging individual women into non-traditional employment, it has been observed that the approach assumes women to be

⁷² Women into Non-Traditional Sectors (WINS) information page, Equal website, accessed 29 November 2013: http://www.equalni.org/2nd_Call/2nd_WNTS.htm.

the problem, who have to be re-configured to enter 'male' environments⁷³. In fact, change mechanisms to transform workplaces to be more receptive to all identities have been suggested⁷⁴.

The Gender Pay Gap

The Gender Equality Strategy 2006-2016 includes the gender pay gap as a key action area. The following strategic objectives are specified in the Strategy under this action area⁷⁵:

- To achieve better collection and dissemination of data
- To achieve equal value for paid work and equitable participation in unpaid work
- To achieve gender balance in government appointed posts
- To actively promote an inclusive society
- To promote and protect the rights of girls and boys

The Executive also makes commitments to close the gender pay gap by⁷⁶:

- making it easier for women to take up equal pay cases
- streamlining the tribunal system
- providing guidance
- tackling the wider causes of the pay gap

The main legislation in Northern Ireland in this area is the Equal Pay Act 1970, as amended. This provides for the equal treatment of women and men⁷⁷:

- (a) where the woman is employed on like work with a man in the same employment
- (b) where the woman is employed on work rated as equivalent with that of a man in the same employment
- (c) where a woman is employed on work which, not being work in relation to which paragraph (a) or (b) applies, is, in terms of the demands made on her (for instance under such headings as effort, skill and decision), of equal value to that of a man in the same employment

⁷³ Michael Potter and Myrtle Hill (2009), 'Women into Non-Traditional Sectors: Addressing Gender Segregation in the Northern Ireland Workforce' in *Journal of Vocational Education and Training*, 61(2) 133-150.

⁷⁴ For example Peter Senge, Art Kleiner, Charlotte Roberts, Richard Ross, George Roth and Bryan Smith (1999), *The Dance of Change: The Challenges to Sustaining Momentum in Learning Organisations*, New York: Doubleday.

⁷⁵ OFMdfM (2006), *Gender Equality Strategy 2006-2016*, Belfast: OFMdfM, p.23:
<http://www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf>.

⁷⁶ *Ibid.*, pp.61-2.

⁷⁷ Equal Pay Act (Northern Ireland) 1970, Section 1: <http://www.legislation.gov.uk/apni/1970/32/contents>.

Calculating the gender pay gap is not straightforward⁷⁸. There are different results depending on whether the mean or median averages are used, different perspectives within and between industries and different outcomes for full time and part time work.

The Equality Commission launched a code of practice for equal pay in 2013 in which it states that female median earnings excluding overtime in 2011 were 91% those of men⁷⁹.

⁷⁸ For background and more detail on the gender pay gap in Northern Ireland, see Research and Information Services Briefing Note 95/11, *The Gender Pay Gap*, 1 August 2011:

<http://www.niassembly.gov.uk/Documents/RaISe/Publications/2011/Employment-and-Learning/9511.pdf>.

⁷⁹ Equality Commission for Northern Ireland (2013), *CODE OF PRACTICE ON EQUAL PAY*, Belfast: ECNI, p.4: http://www.equalityni.org/archive/pdf/Equal_Pay_Report-June2013.pdf.

5 Childcare

Childcare, strictly, should not be regarded as a gender issue. A mechanism for caring for children allows parents of either sex to become more economically active.

However, 89% of people who are economically active for reasons of family caring responsibilities are women, and 71% of these are looking after children⁸⁰. Child care is therefore gendered.

On average, across childcare provision and patterns, Northern Ireland is the most expensive region of the UK for childcare⁸¹. In addition, childcare is reported to have a higher profile in the rest of the UK or the Republic of Ireland, with a greater level of investment in other parts of the UK⁸². Recognising that women's caring responsibilities are a barrier to women's economic participation in Northern Ireland, the Equality Commission commissioned research into childcare provision and set out the following recommendations⁸³:

1. *The need for a childcare strategy.* A strong message coming out of the research is that childcare policy lacks centralised strategic direction and integration, and leadership. Northern Ireland needs a childcare strategy that sets out what requires to be achieved, and assigns some responsibility for ensuring its implementation.
2. *An increase in the supply of childcare.* There is insufficient childcare to meet the needs of working parents; it is not sufficiently flexible (e.g. not covering the right hours to enable parents to take up employment opportunities, such as during holiday periods or illness); and especially due to its high cost relative to wages, may be too expensive.
3. *Greater equality of access to childcare.* Access to childcare is particularly limited for: rural families; parents with disabled children; families with more than two children; Traveller, migrant and minority ethnic families; those on low-incomes; and single parent families.
4. *Addressing barriers to employment.* Childcare issues related to employment should not be considered in isolation, but viewed as a part of a wider package that includes co-ordinated and holistic employment and employability support, welfare and family policies and institutional support for families in terms of childcare subsidies and flexible statutory work arrangements that support family-work

⁸⁰ Department of Employment (2013), *A STRATEGY TO TACKLE ECONOMIC INACTIVITY IN NORTHERN IRELAND: BASELINE STUDY*, Belfast: DEL, p.31: <http://www.delni.gov.uk/economic-inactivity-strategy-baseline-study.pdf>.

⁸¹ Rachel Dennison (2013), *Northern Ireland Childcare Cost Survey 2013*, Lisburn: Employers for Childcare: <http://vouchers.employersforchildcare.org/media/full-childcare-cost-survey-report-2013.pdf>.

⁸² Liz Fawcett (2009), *Childcare Matters*, Research Update Number 59, Londonderry and Belfast: ARK, p.1: <http://www.ark.ac.uk/publications/updates/update59.pdf>.

⁸³ Ronald McQuaid, Helen graham and Marina Shapiro (2013), *Child Care: Maximising the Economic Participation of Women*, Edinburgh: Employment Research Institute: [http://www.equalityni.org/archive/pdf/ChildCareMainReport\(Web\).pdf](http://www.equalityni.org/archive/pdf/ChildCareMainReport(Web).pdf).

balance. Employers also have a part to play in accommodating working parents' greater need for flexibility and understanding.

5. *Changes in attitudes towards childcare and mothers' employment.* Attitudes towards mothers' roles as carers are crucial to why more mothers are not in work. The slowly changing division of paid work and care in the household is often gendered, with mothers assuming greater responsibility for care work and fathers for earning. There is also a lack of diversity and inequality in terms of low numbers of men working in childcare.

The Northern Ireland Executive strategic framework for childcare, 'Bright Start'⁸⁴, precedes a childcare strategy envisioned for 2014⁸⁵. The vision for the framework is as follows⁸⁶:

Our vision is that, by building upon the diversity of existing provision, and joining it up into a single, integrated but flexible system, we will achieve, by 2020: a joined-up sustainable service, supporting development needs and positive change for children across our society.

The key first actions towards this vision are described thus⁸⁷:

- Bright Start Community Child Care Programme - 3000 affordable and integrated child care places supported and created through social enterprise.
- Bright Start Wraparound Programme – 2000 affordable and integrated child care places within the schools estate.
- Bright Start Rural Programme – a rural childminder start-up package creating up to 1,000 childcare places and roll out of a social enterprise model in rural areas creating, potentially, an additional 1,000 school aged childcare places.
- Bright Start Childcare Information – a programme of better dissemination of information.
- Bright Start Workforce Development Programme – enhancing the skills base of the childcare workforce.

⁸⁴ Northern Ireland Executive (2013), *Bright Start: The NI Executive's Strategy for Affordable and Integrated Childcare – Strategic Framework and First Key Actions*, Belfast: NI Executive: <http://www.northernireland.gov.uk/bright-start-strategic-framework-key-actions.pdf>.

⁸⁵ AQO 4887/11-15 answered 11 November 2013.

⁸⁶ *Bright Start*, p.10.

⁸⁷ *Ibid.*, p.3.

6 Women, Budgets and the Economic Downturn

Due to the economic crisis and resulting recession, adjustments to government spending have been made across all UK regions, resulting in decisions being made to identify savings in spending. This paper looks at some of the gender-specific aspects of the recession and budgetary responses.

Impacts of the Recession on Women

An extensive research project carried out in Northern Ireland to investigate the impact of the economic downturn on women noted the following trends impacting differentially on women⁸⁸:

It was often difficult for the women interviewed to differentiate between their regular daily struggle and the added impacts of the recession. Nevertheless it came through in various ways. Some women were being asked to move from formal to informal working with no job security, national insurance contributions or terms and conditions while others faced severe cuts in hours. The fall in the value of sterling has increased the financial burden for migrant women sending remittances home regularly. Young women were giving up their independent living and returning home to live with parents. Young lone parents relied on their mothers to help feed their children in a 'bad week', meaning the week that they did not receive benefit and their last payment had run out.

Older women found the rocketing cost of food and energy a worry. So too did others, lone parents were concerned about whether they were feeding their children properly on cheap food. Constant worry about money was common among groups of women and fear of cookers or fridges breaking down that could not be replaced. There was a lot of debt around with accompanying stress, especially over mortgages, and increased difficulty in meeting repayments. There were cases of women unable to make a clean break in their relationships, even where domestic violence was involved, because it was proving impossible to sell the family home. Advice workers were finding that they could not close case files within three months as had been the norm before the recession as problems were ongoing and mounting. Doing anything out of the ordinary was a luxury for most.

The research also confirmed the structural inequalities that exist for women. The gender pay gap exists, especially in the private sector in Northern Ireland. This is a great concern for women at a time when governments, whether the Coalition Government in the UK or the Northern Ireland Executive, are steering an economic policy to rebalance the economy away from the public sector and to the private sector. Cutting public sector employment as part of this process predominantly means cutting women's jobs as it is they who make up the majority of the public service workforce.

⁸⁸ Bronagh Hinds (2011), *The Northern Ireland Economy: Women on the Edge? A Comprehensive Analysis of the Impacts of the Financial Crisis*, Belfast: WRDA, pp.7-8.

The findings of this research reflect those of the UK Women's Budget Group's gender impact assessment of the UK Coalition Government's response to the recession, summarised as follows⁸⁹:

To sum up, on the whole women will be made worse off by the budget than men, as they rely on transfer payments, public services and public sector employment to a greater extent than men. However it is the poorest and most vulnerable women in British society who will feel the cuts most acutely. This is not a gender-neutral budget. Nor it is a fair one.

Indeed, other regional research within the UK of the effects of austerity measures on women has echoed the findings of the Northern Ireland study⁹⁰.

In the area of welfare reform, the Welfare Reform Group gave evidence to the House of Commons Work and Pensions Committee that single payments of Universal Credit to a nominated person in a household would generally result in men receiving the payments, which would have a negative impact on the financial autonomy of women and would be a particular concern in cases of domestic abuse. In addition, it was stated that research suggested money paid to the 'purse' was more likely to be spent on family necessities than that paid to the 'wallet'. A second issue was that monthly payments would require greater household budgeting over a longer period and create greater vulnerability to destitution for a family where there is an irrational spender, again particularly where there is domestic abuse⁹¹.

The Minister for Social Development in Northern Ireland has responded to these two points with the following announcement⁹²:

Also within the area of payments are the single household payment and the monthly payment. For the majority of Northern Ireland claimants, as for those in Great Britain, the arrangements will work well. For example, many of those currently on tax credits receive household payments that are paid every four weeks, and they are fully accustomed to those arrangements. However, I recognise that there are others, not least the most vulnerable, who, for a variety of reasons, could struggle with either a single household payment or the monthly payment. Hence, in my discussions with Lord Freud, I have sought a commitment that he will agree to make changes to the IT system that will accommodate those payment flexibilities.

These points were also picked up by the Committee for Social Development in its scrutiny of Welfare Reform Bill⁹³.

⁸⁹ Women's Budget Group (2010), *A Gender Impact Assessment of the Coalition Government Budget*, June 2010: http://wbg.org.uk/RRB_Reports_12_956432831.pdf.

⁹⁰ NE Women's Network and Women's Resource Centre (2013), *The impact of austerity measures upon women: A case study of the North East of England*, June 2013:

⁹¹ Written evidence submitted by the Northern Ireland Welfare Reform Group to the House of Commons Work and Pensions Committee 23 August 2012: <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmworpen/576/576vw50.htm>.

⁹² Northern Ireland Assembly debate 22 October 2012: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/22-October-2012/#1>.

Reductions in Spending Impacting Differentially on Women

In the context of the economic downturn, Northern Ireland government departments submitted revised spending plans for the 2011-2015 Budget⁹⁴. Budgetary reductions across government departments have generally lowered spending across a range of actions and activities.

Equality Impact Assessments (EQIAs) were carried out on revised departmental spending plans, but these have mostly suggested that impacts will be neutral with regard to how they will affect women and men, and they varied according to detail and depth of analysis. For example, a more considered EQIA from the Department of Regional Development (DRD) indicated adverse impacts on women resulting from reductions in the following areas⁹⁵:

- Rural Transport Fund
- Door to Door Scheme (rural transport for people with disabilities)
- Easibus and shopmobility (slight adverse impact)

However, some projects impact specifically or mainly on women. Some of these are summarised below.

Regional Women's and Children's Hospital

On-going plans for a women's and children's hospital on the Royal Victoria Hospital site have been subject to change since an initial announcement in 2003. Rather than the original plan for a separate building, the current plan is for a women's hospital in the new critical care building on the site, as announced by the Minister for Health, Social Services and Public Safety on 5 March 2012⁹⁶:

The new critical care building at the Royal hospital site is due to be completed at the end of October 2012. Following a period of clinical commissioning, it is anticipated that the building will become operational on a phased basis between May and July 2013. The top three floors of the building will house postnatal beds and maternity outpatients together with the new maternity building linked to the critical care building. That will be the new women's hospital. The new maternity building will be completed in 2014. The children's hospital will be delivered as a separate project, and as a first step in the process, I have asked the Belfast Trust to complete a strategic outline case by April 2012, which will outline the options for the delivery of this much-needed project.

⁹³ Committee for Social Development (2013), Report on the Welfare Reform Bill (NIA Bill 13/11-15), pp.3-4:

<http://www.niassembly.gov.uk/Documents/Reports/Social-Development/8856%20Complete%20Version.pdf>.

⁹⁴ Northern Ireland Executive budget web pages: <http://www.northernireland.gov.uk/index/work-of-the-executive/budget2010.htm>.

⁹⁵ DRD (2011), *Draft Budget 2011-2015: Equality Impact Assessment Consultation*, Belfast: DRD, pp. 23, 27

⁹⁶ AQO 1462/11-15: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-11-12/05-March-2012/#AQO%201462/11-15>.

Finance for the new children's hospital project was announced in October 2013⁹⁷.

Custodial Facility for Women

The Review of the Northern Ireland Prison Service concluded that a separate prison should be constructed for women, as the current arrangements at Hydebank Wood were inappropriate⁹⁸. On 3 December 2012 the Minister for Justice responded thus to a question regarding such a facility⁹⁹:

The development of a custodial facility for women will be subject to a full business case process involving the generation and consideration of a range of different options for its provision.

Across the Department of Justice work is currently being taken forward to speed up justice, address fine default and identify alternative community disposals where appropriate. DOJ officials are also engaged in refreshing the existing Women's Strategy to see what more needs to be done for women, particularly around prevention and diversion. This work, as well as further research on the characteristics of the women offender population, will help to inform the development of an options appraisal paper on the sizing and configuration of any new facilities to be provided.

At this stage, it is not possible to forecast when female prisoners will be relocated from Hydebank Wood to a new facility.

Library Closures

In its initial proposal for budget reductions, presented to the Committee for Culture, Arts and Leisure in January 2011, the Department for Culture, Arts and Leisure outlined a reduction to the Libraries NI allocation of £2.99m over the next four years. Libraries NI has stated of this proposal that when capital and current budgets are combined and inflationary pressures taken into account, the proposed reduction represented cumulative efficiencies of £13.82m¹⁰⁰. The organisation has since indicated that library opening hours are being reduced as a result of budget reductions¹⁰¹. These reductions are in addition to the closure of 12 public libraries between 2010 and 2012. A recent survey indicated that a significantly higher percentage of females than males visit libraries in Northern Ireland¹⁰², therefore library closures impact differentially on women.

⁹⁷ '£250m children's hospital for Belfast announced', *BBC News* 21 October 2013: <http://www.bbc.co.uk/news/world-middle-east-24609438>.

⁹⁸ Prison Review Team (2011), *Review of the Northern Ireland Prison Service: Conditions, Management and Oversight of all Prisons*, Final Report October 2011, p.66: <http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/reports-reviews-nips/owers-review-of-the-northern-ireland-prison-service.pdf>.

⁹⁹ AQW 17230/11-15.

¹⁰⁰ NI Assembly Research and Information Service (2012), *An analysis and summary of Delivering Tomorrow's Libraries*, Paper 171/12. http://www.niassembly.gov.uk/Documents/RaISe/Publications/2012/culture_arts_leisure/17112.pdf

¹⁰¹ Libraries NI (2012), *Review of opening hours*. Public Consultation, Ballymena: Libraries NI: <http://www.ni-libraries.net/public-consultations/review-of-library-opening-hours/>.

¹⁰² DCAL (2012) *Experience of library usage in Northern Ireland. Findings from the Continuous Household Survey 2010/11*, Belfast: DCAL: http://www.dcalni.gov.uk/libraries_chs_201011_bulletin_.pdf.

Gender Budgeting

The process of gender budgeting, also referred to as ‘gender-responsive budgeting’¹⁰³, has been defined as follows¹⁰⁴:

Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.

While equality impact assessments are to be carried out on all policies in Northern Ireland, including identifying differential impacts on women and men, this does not necessarily equate directly to gender budgeting. The Women’s Budget Group is an independent organisation that assesses UK budgets from a gender perspective and works with the UK Treasury to develop a gender budget¹⁰⁵. The Northern Ireland Women’s Budget Group scrutinises the Northern Ireland budget from a gender perspective¹⁰⁶.

¹⁰³ UN Women, ‘Gender-Responsive Budgeting’ web pages, accessed 2 December 2013: <http://www.gender-budgets.org/>.

¹⁰⁴ Council of Europe (2005), *Gender Budgeting*, Strasbourg: CoE, p.10: [http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG-S-GB\(2004\)RAPFIN_en.pdf](http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG-S-GB(2004)RAPFIN_en.pdf).

¹⁰⁵ Women’s Budget Group website: <http://www.wbg.org.uk/>.

¹⁰⁶ Northern Ireland Women’s Budget Group web page, Women’s Resource and Development Agency website, accessed 2 December 2013: <http://www.wrda.net/NI-Women's-Budget-Group>.

7 Women and Health

This section considers some key issues with relation to women's health.

Abortion

Marie Stopes International¹⁰⁷, an organisation providing sexual and reproductive health services, opened a clinic in Belfast in October 2012¹⁰⁸. This sparked renewed debate around the issue of abortion, which is only allowed in Northern Ireland under specific circumstances¹⁰⁹. Already, cases of women travelling from Northern Ireland to England to have abortions have been raised in the media¹¹⁰.

In particular, there was debate around how the Marie Stopes clinic would be monitored to be in accordance with legislation in Northern Ireland¹¹¹. In this debate, the Minister for Health, Social Services and Public Safety (DHSSPS) has stated with regard to the law on abortion:

As the Abortion Act 1967 does not apply in Northern Ireland, abortion here is regulated by criminal law and clarified by case law, as I identified. I have the responsibility for ensuring the health and social care of the population, and Minister Ford has the responsibility for the criminal law in Northern Ireland. We will provide the aftercare for women who have had an abortion, whether in Northern Ireland or elsewhere, but a lot of these matters are for criminal justice.

Apart from the opening of the Belfast clinic, the debate over abortion in Northern Ireland has received new impetus following the death in 2012 from a pregnancy-related infection in University Hospital Galway of Savita Halappanvar. The Health Service Executive report on the incident included the following finding¹¹²:

The investigation team considers that the situation was complicated by the difficulty associated with the application of the law in Ireland relating to the termination of a pregnancy. The investigation team is satisfied that concern about the law, whether clear or not, impacted on the exercise of clinical professional judgement.

In Northern Ireland, the Department of Health, Social Services and Public Safety (DHSSPS) has consulted on new draft guidelines for the termination of pregnancies¹¹³.

¹⁰⁷ Belfast Office, Marie Stopes International: http://www.mariestopes.org.uk/Our_centres/Belfast.aspx.

¹⁰⁸ 'Marie Stopes private abortion clinic to open in Belfast', BBC News, 11 October 2012: <http://www.bbc.co.uk/news/uk-northern-ireland-19902778>.

¹⁰⁹ The relevant legislation is found in Sections 25 and 26 of the Criminal Justice Act (Northern Ireland) 1945 (offence of 'child destruction') (<http://www.legislation.gov.uk/apni/1945/15/contents>) and Sections 58 and 59 of the Offences Against the Person Act 1861 (offences related to abortion) (<http://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents>).

¹¹⁰ For example, 'Woman's abortion 'ordeal' considered by NI health officials', BBC News 9 October 2013: <http://www.bbc.co.uk/news/uk-northern-ireland-24458241>.

¹¹¹ Northern Ireland Assembly Urgent Organ Question, 15 October 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/15-October-2012/#8>.

¹¹² Health Service Executive (2013), *Investigation of Incident 50278 from time of patient's self referral to hospital on the 21st of October 2012 to the patient's death on the 28th of October, 2012*, Naas: HSE, p.76: <http://www.hse.ie/eng/services/news/nimtreport50278.pdf>.

¹¹³ Department of Health, Social Services and Public Safety (2013), *THE LIMITED CIRCUMSTANCES FOR A LAWFUL TERMINATION OF PREGNANCY IN NORTHERN IRELAND: A GUIDANCE DOCUMENT FOR*

The Department is currently considering responses to this consultation¹¹⁴ and a presentation was given to the Health Committee in October 2013¹¹⁵.

The Justice Minister, David Ford, has announced his intention to consult on potential changes to the law on abortion¹¹⁶.

Health Issues Specific to Women

Maternity

In September 2011, the DHSSPS consulted on a draft maternity strategy for Northern Ireland¹¹⁷. Among the 17 recommendations, Midwife-Led Units were to be developed to provide services to women who were deemed not to require consultant-led care. The Maternity Strategy for Northern Ireland was published in July 2012 with the following intended outcomes¹¹⁸:

- give every baby and family the best start in life;
- effective communication and high-quality maternity care;
- healthier women at the start of pregnancy (preconception care);
- effective, locally accessible, antenatal care and a positive experience for prospective parents;
- safe labour and birth (intrapartum) care with improved experiences for mothers and babies; and
- appropriate advice, and support for parents and baby after birth

Reflecting the trend towards midwifery-led units, the Mater Hospital¹¹⁹ and Lagan Valley Hospital¹²⁰ maternity units became midwife-led. The current structure for maternity units in Northern Ireland is given in the following table¹²¹.

HEALTH AND SOCIAL CARE PROFESSIONALS ON LAW AND CLINICAL PRACTICE, Belfast: DHSSPS:
<http://www.dhsspsni.gov.uk/showconsultations?txtid=62187>.

¹¹⁴ AQO 4994/11-15 answered 13 November 2013.

¹¹⁵ Committee for Health, Social Services and Public Safety, 22 October 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Committee-Minutes-of-Evidence/Session-2013-2014/October-2013/Guidance-on-Termination-of-Pregnancy-in-Northern-Ireland-DHSSPS-Briefing/>.

¹¹⁶ 'Abortion: Justice Minister David Ford to consult on changing NI's laws', *BBC News* 5 December 2013:
<http://www.bbc.co.uk/news/uk-northern-ireland-25230152>.

¹¹⁷ DHSSPS (2011), *Maternity Services Consultation: A Draft Maternity Strategy for Northern Ireland*, Belfast: DHSSPS:
<http://www.dhsspsni.gov.uk/showconsultations?txtid=51370>.

¹¹⁸ DHSSPS (2012), *A Strategy for Maternity Care in Northern Ireland 2012 – 2018*, Belfast: DHSSPS:
<http://www.dhsspsni.gov.uk/maternity-strategy.htm>; the strategy was also debated in the Northern Ireland Assembly on 2 July 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-11-12/02-July-2012/#a13>.

¹¹⁹ 'Mater Hospital maternity unit to be run by midwives', *BBC News* 1 March 2012: <http://www.bbc.co.uk/news/uk-northern-ireland-17221585>.

¹²⁰ 'Lagan Valley midwifery unit opens', *BBC News* 2 February 2011: <http://www.bbc.co.uk/news/uk-northern-ireland-12335357>.

¹²¹ AQW 26504/11-15 answered 8 October 2013.

Trust	Midwifery-Led Unit	Consultant-Led Unit
Belfast	Mater Hospital	Royal Jubilee Maternity Hospital
Northern	None	Antrim Area Hospital Causeway Hospital
South Eastern	Ulster Hospital Downe Hospital Lagan Valley Hospital	Ulster Hospital
Southern	Craigavon Area Hospital	Craigavon Area Hospital Daisy Hill Hospital
Western	Altnagelvin Hospital South West Area Hospital (SWAH)	Altnagelvin Hospital SWAH

When asked about the relative merits of the various locations for birth, the Department responded as follows¹²²:

The benefits and risks of place of birth will be individual to each woman, and should be discussed with her during her pregnancy.

Consultant led maternity units are able to provide care for women and babies who need extra care which includes the availability of epidural pain relief, delivery by caesarian section or assisted delivery using forceps or ventouse.

Midwife led units tend to use a more active birth approach incorporating aids to support labour and birth such as birthing balls and water pools, but can also provide drugs such as morphine if women request it. Women who give birth in a midwifery unit have significantly higher rates of normal birth with fewer interventions, including substantially fewer intrapartum caesarean sections, than women who planned birth in an obstetric unit. They also tend to have a higher breastfeeding rate and recount a more positive birth experience.

Home births allow families to have the comfort of familiar surroundings. Pain relief such as morphine and waterbirth are available but epidurals and delivery by caesarean section are not. There appears to be an increased risk of an adverse outcome for first babies born at home, but not for second or subsequent babies. Again there is a higher rate of breastfeeding and women report a positive birth experience following home birth.

¹²² AQW 26505/11-15 answered 7 October 2013.

Ovarian Cancer

A report in 2012 by Target Ovarian Cancer revealed that almost a third of diagnoses for ovarian cancer occur at Accident and Emergency Departments, highlighting a lack of awareness of the symptoms of the disease¹²³. The Northern Ireland Assembly debated the issue on 13 March 2013 and resolved¹²⁴:

That this Assembly notes with concern the results of the Target Ovarian Cancer pathfinder study 2012, which revealed low levels of awareness of the symptoms of ovarian cancer among women in Northern Ireland and delays in diagnosis and treatment; and calls on the Minister of Health, Social Services and Public Safety to consider a public awareness campaign on this issue.

The Department has stated that the Public Health Agency is developing an awareness campaign, as indicated in the following statement¹²⁵:

There is little evidence to show that ovarian cancer can be prevented however it may be possible to reduce risk by the general precautions that are common to all cancers, for example lifestyle choices such as smoking and healthy diet.

A particular challenge of ovarian cancer is that it is difficult to diagnose. Patients often present with vague, non specific abdominal symptoms that can be common to other illnesses.

However, as with all cancers, early diagnosis leads to a better outcome and there is general agreement among experts that early symptom identification, with a high index of suspicion of ovarian cancer, has the potential to improve prognosis.

The Public Health Agency (PHA)¹²⁶ and the Health and Social Care (HSC) Board are currently working closely with GPs and specialists from across the HSC to develop an agreed management pathway for patients suspected of having ovarian cancer. The aim of the pathway is to ensure that all patients presenting with symptoms or signs of ovarian cancer are swiftly investigated and are able to access specialist cancer care rapidly.

The PHA has also started work to develop a cancer awareness campaign. The aim of the campaign is to raise public awareness of the key signs and symptoms of cancer. The campaign will also encourage people with symptoms to seek medical advice promptly. While the detail of the cancer awareness campaign has yet to be finalised, the PHA is committed to improving the outcome for women with ovarian cancer and will prioritise ovarian cancer as an area for inclusion within the upcoming campaign.

¹²³ Target Ovarian Cancer (2012), *Bridging the Gap: Improving Outcomes for Women with Ovarian Cancer*, London: TOC: http://www.targetovariancancer.org.uk/core/core_picker/download.asp?id=1354&filetitle=Target+Ovarian+Cancer%27s+Pathfinder+Study.

¹²⁴ Northern Ireland Assembly debate 13 March 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/11-March-2013/#4>.

¹²⁵ AQW 27785/11-15 answered 19 November 2013.

¹²⁶ Public Health Agency website: <http://www.publichealth.hscni.net/>.

Endometriosis

On 17 June 2013, the Northern Ireland Assembly debated a motion on endometriosis and resolved¹²⁷:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to initiate and expedite an inquiry into the urgent need for an integrated endometriosis service to address the severe suffering experienced by women with this condition across Northern Ireland.

Endometriosis is described as follows¹²⁸:

Endometriosis is a gynaecological condition where tissue similar to the lining of the womb, grows in other areas of the body, most commonly in the pelvic region. This tissue responds to hormones in the same way as the lining of the womb but with no outlet it can cause inflammation, scarring and adhesions, leading to severe pain and many other symptoms.

During the debate, it was stated that one in every ten women aged between 25 and 45 would develop the condition, but the average time for diagnosis was seven and a half to nine years. Despite this, a single endometriosis clinic runs once a month in the Belfast Trust.

The Minister responded to the motion as follows:

The Department would prefer to look further at the need for an integrated endometriosis service. Its view is that the needs of endometriosis sufferers are being addressed in primary and secondary care provision and that, therefore, we do not have the compelling case for the integrated service that is being proposed today that we would like to have at this point. However, it is important that we pay attention to the views of elected Members as well as the Health and Social Care Board. We ask the board to ensure that the services to provide for sufferers are given that appropriate priority to ensure that people are not waiting a long time for diagnosis and appropriate treatment in each individual case.

Mental Health

While mental health issues can affect all sections of the community, the way they do so is gendered. Women are more likely to experience anxiety disorders and depression. Conversely, men are more likely to experience drug and alcohol addictions, personality disorders and suicide¹²⁹.

¹²⁷ Northern Ireland Assembly debate 17 June 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/17-June-2013/#9>.

¹²⁸ Endometriosis UK website, accessed 4 December 2013: <http://www.endometriosis-uk.org/>.

¹²⁹ Background briefing prepared by the Research and Information Service (RalSe) of the Northern Ireland Assembly and the Library & Research Service of the Houses of the Oireachtas (Tithe an Oireachtais), *Positive Mental Health Strategies*, 5 April 2013, p.4: http://www.niassembly.gov.uk/Documents/RalSe/Publications/2013/north_south/10413.pdf.

The over-arching strategy for health and social care, 'Transforming your Care', proposes the following for mental health¹³⁰:

1. Be more joined up
2. Reduce the number of people in institutional care and inpatient beds
3. Create six acute in-patient mental health units
4. Enhance support for carers
5. Promote uptake of self-directed support and other programmes

The proposals do not mention differences in approaches for women and men.

There is a Dementia Strategy for Northern Ireland, which recognises that women are more likely to suffer dementia than men because they live longer¹³¹. The strategy includes the following actions¹³²:

- Reducing the Risk or Delaying the Onset of Dementia
- Raising Awareness
- Promoting Early Assessment and Diagnosis
- Supporting People with Dementia
- Supporting Carers
- Legislation¹³³
- Research

None of the action points proposed are gender-specific.

Women and Children's Hospital

One proposal for dealing with health issues specifically affecting women and relating to maternity is to have a separate hospital for women and children. While this has been discussed for the last ten years (see Section 5 above), the current plans proposed by the Department are as follows¹³⁴:

The women and children's hospitals are now being progressed as two separate projects. The new Women's hospital will be located in the top 3 floors of the new

¹³⁰ Health and Social Care Board (2013), *Transforming your Care: Vision to Action – a Post-Consultation Report*, p.77: <http://www.transformingyourcare.hscni.net/wp-content/uploads/2013/03/Transforming-Your-Care-Vision-to-Action-Post-Consultation-Report.pdf>.

¹³¹ DHSSPS (2011), *Improving Dementia Services in Northern Ireland: A Regional Strategy*, Belfast: DHSSPS, p.19: <http://www.dhsspsni.gov.uk/improving-dementia-services-in-northern-ireland-a-regional-strategy-november-2011.pdf>.

¹³² Ibid., pp.95-105.

¹³³ This action point is: 'Develop and ensure introduction of new Mental Capacity legislation to include a right to independent advocacy where serious intervention is required and the person lacks capacity', p.104.

¹³⁴ AQW 23461/11-15 answered 4 June 2013.

Critical Care building, together with a new maternity building, linked to the Critical Care building.

The anticipated completion date for the new critical care block is now February 2014. Work on the new Maternity building has commenced with completion currently scheduled for 2016/17.

Services to be provided within the Maternity include post natal beds and outpatient services on the top three floors of the Critical Care building, with delivery theatres, birthing rooms, antenatal services and neonatology provided from the new build, which is to be linked to the main building by a bridge.

With regard to the Children's Hospital, a business case is currently being developed by the Belfast Health and Social Care Trust and is expected to be submitted to my Department in August 2013. The full range of services to be provided will be determined through the development of this business case.

I have raised the issue of funding for the Children's Hospital with Minister Wilson who had indicated his broad support for the project.

8 Gender-Based Violence

This section considers two aspects of gender-based violence: sexual violence and domestic abuse. These two areas often overlap and they come generally under the auspices of both the Department of Justice and the Department for Health, Social Services and Public safety.

According to the Women's Aid Federation Northern Ireland¹³⁵:

- Research shows that approximately 1 in 4 women have, or currently experience domestic violence.
- Domestic violence accounts for approximately one-fifth of all recorded violent crime in Northern Ireland.
- On average, there are five people killed each year as a result of domestic violence in Northern Ireland.
- The police attend an average of 60 domestic-related incidents per day, but recognise that there is still a large amount of under-reporting of this type of crime.

Police statistics record 2025 sexual offences¹³⁶ in Northern Ireland in the year ending October 2013, of which 510 were reported rape¹³⁷. This is an increase of 7.1% for all sexual offences on the previous year.

Sexual Violence

The current strategy on sexual violence and domestic abuse has the following four strands¹³⁸:

- Leadership and Direction, including the Inter-Ministerial Group on Domestic and Sexual Violence
- Prevention
- Protection and Justice
- Support

The current inter-departmental action plan, due to expire in September 2013¹³⁹, has been extended, as the Minister for Justice has explained¹⁴⁰:

¹³⁵ Women's Aid Federation Northern Ireland website, 'Domestic Violence Statistics', accessed 2 December 2013: <http://www.womensaidni.org/domestic-violence/domestic-violence-statistics/>.

¹³⁶ The current legislation defining sexual offences in Northern Ireland is the Sexual Offences (Northern Ireland) Order 2008: <http://www.legislation.gov.uk/nisi/2008/1769/contents>.

¹³⁷ Police Service of Northern Ireland (2013), *Police Recorded Crime in Northern Ireland: Monthly Update to 31 October 2013*, Belfast: PSNI, p.5: http://www.psni.police.uk/monthly_crime_bulletin_apr-oct_13_14.pdf.

¹³⁸ DHSSPS (2008), *Tackling Sexual Violence and Abuse: A Regional Strategy 2008 – 2013*, Belfast: DHSSPS: http://www.dhsspsni.gov.uk/tackling_sexual_violence_and_abuse_strategy_.pdf.

¹³⁹ Department of Justice (2012), *Tackling Domestic and Sexual Violence and Abuse Action Plan: April 2012 to September 2013*, Belfast: DoJ: <http://www.dojni.gov.uk/index/tackling-domestic-and-sexual-violence-and-abuse-action-plan.pdf>.

The “Tackling Domestic and Sexual Violence and Abuse Action Plan April 2012 to September 2013” has been extended until publication of the new joint Domestic and Sexual Violence Strategy in 2014.

The Action plan, led by the Department of Health, Social Services and Public Safety and my Department, identifies the key actions which will be taken to address the needs of all victims and survivors of domestic and sexual violence and to bring perpetrators of these dreadful crimes to justice. Government departments, agencies, voluntary and community groups are all involved in delivering on the actions.

A consultation for the Domestic and Sexual Violence and Abuse Strategy was jointly launched by the Health and Justice Ministers on 15 January 2014¹⁴¹.

The first Sexual Assault Referral Centre (SARC) in Northern Ireland, The Rowan¹⁴², opened at Antrim General Hospital in the spring of 2013¹⁴³. A joint initiative between the Police Service of Northern Ireland and the Department of Health, Social Services and Public Safety, the centre was intended to provide 24 hour care and support to victims in the aftermath of sexual assault¹⁴⁴.

The first SARC in the UK was opened in 1986 at St Mary’s hospital in Manchester. The rationale for the centre stemmed from the need for¹⁴⁵:

a single service that could conduct the forensic medical examination that the police required, but by a female doctor in specialised accommodation rather than a police station, and also provide the counselling and other care that the assault survivor required.

In 2011, there were 36 SARCs with 14 more planned¹⁴⁶, as part of the UK Government commitment to have at least one centre for every police force area in England and Wales¹⁴⁷. There is a single SARC in Scotland, the Archway Centre in Glasgow¹⁴⁸.

The equivalent to SARCs in the Republic Ireland are the Sexual Assault Treatment Units (SATUs), which pioneered the concept in 1985, now being six in number¹⁴⁹.

¹⁴⁰ AQW 27436/11-15 answered 4 November 2013.

¹⁴¹ Department of Justice and DHSSPS (2014), *Stopping Domestic and Sexual Violence and Abuse in Northern Ireland 2013-2020 - Public Consultation Document December 2013*: <http://www.dhsspsni.gov.uk/dsva-strategy.pdf>.

¹⁴² The Rowan centre website: <http://therowan.net/>.

¹⁴³ The centre was the subject of an adjournment debate in the Northern Ireland Assembly on 23 April 2013: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/23-April-2013/#6>.

¹⁴⁴ Northern Health and Social Care Trust News Release 6 March 2013: <http://www.northerntrust.hscni.net/1814.htm>; see also AQW 13377/11-15 answered 2 July 2012 and AQW 16506/11-15 answered 21 November 2012.

¹⁴⁵ ‘Our History’, St Mary’s Centre website, accessed 19 March 2013: <http://www.stmaryscentre.org/about-us/our-history/>.

¹⁴⁶ HM Government (2011), *The Government Response to the Stern Review*, London: Cabinet Office, p.13:

<http://www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/government-stern-review?view=Binary>.

¹⁴⁷ Commission on Women and the Criminal Justice System (2009), *Engendering Justice – from Policy to Practice*, London: Fawcett Society, p.52: http://www.fawcettsociety.org.uk/?attachment_id=1489.

¹⁴⁸ The Scottish Government (2011), *Information and Help after Rape and Sexual Assault*, Section 4: <http://www.scotland.gov.uk/Publications/2011/06/13141931/6>.

The Minister for Health, Social Services and Public Safety recently stated the following about the services at the Rowan Centre in Northern Ireland¹⁵⁰:

In May 2013, Northern Ireland's first Sexual Assault Referral Centre (SARC) known as The Rowan, opened its doors. This facility raises the standards of care for all victims (male and female adults and children) of sexual assault in Northern Ireland. The Rowan delivers a 24/7 service, 365 days per annum. The Centre offers a range of services for victims of rape or sexual assault including, a comprehensive assessment of their needs, a forensic medical examination, screening and treatment for sexually-transmitted infections and treatment to help prevent HIV. The emotional needs and psychological wellbeing of the victim are also considered and if required an adult victim who self-refers to The Rowan will be supported in making a report to the PSNI.

The Rowan is unable to provide long term psychological or emotional support or counselling services to victims. However, The Rowan provides information and advice on accessing other specialist support services which are available from a range of statutory, voluntary and community organisations.

Criminal Justice Inspectorate for Northern Ireland noted improvements in the way sexual violence is dealt with in Northern Ireland, with seven of its twelve recommendations from 2010 fully achieved, three partially achieved and two not achieved¹⁵¹.

Domestic Violence

Domestic violence was debated in the Northern Ireland Assembly on 6 June 2011¹⁵², when the following motion was agreed:

That this Assembly calls on the Minister of Justice to ensure that addressing domestic violence is a priority for his Department; and that all the agreed processes and protocols in place are focused on protecting those most at risk.

Criminal Justice Inspection Northern Ireland (CJINI) had published an inspection report on the handling of domestic violence by the criminal justice system in December 2010¹⁵³. The report had thirteen recommendations for strategic and operational

¹⁴⁹ Sexual Assault Treatment Unit, Health Services Executive website, accessed 20 January 2014: <http://www.hse.ie/satu/>.

¹⁵⁰ AQO 4997/11-15 answered 13 November 2013.

¹⁵¹ 'Inspectorate notes progress in justice system approach to addressing sexual violence and abuse', CJINI press release 10 October 2013: <http://www.cjini.org/NewsAndEvents/Press-Releases/2013/October--December/Inspectorate-notes-progress-in-justice-system-appr.aspx>.

¹⁵² Northern Ireland Assembly debate 6 June 2011: <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-11-12/06-June-2011/#a5>.

¹⁵³ CJINI (2010), *Domestic Violence and Abuse: A thematic inspection of the handling of domestic violence and abuse cases by the criminal justice system in Northern Ireland*, Belfast: CJINI: <http://www.cjini.org/CJINI/files/1b/1b651b43-657b-471b-b320-101fca7c6930.PDF>.

implementation. A review in 2013 indicated that only one of the recommendations had been fully implemented to date and there would be another full inspection in 2015¹⁵⁴.

The strategy for tackling domestic violence, *Tackling Violence at Home*¹⁵⁵, and the associated action plans¹⁵⁶, is to be subsumed in the joint domestic and sexual violence strategy (see above).

Following positive evaluations of a dedicated domestic abuse court in Glasgow¹⁵⁷, a pilot Court Listing Arrangement for cases with domestic violence offences has been established at Londonderry magistrates Court. This arrangement is described as follows¹⁵⁸:

The Listing Arrangement is a court session in which only contested cases with domestic violence offences are listed. It was developed to try to make it easier for victims to come to court and give evidence by having all the available support services onsite at one time. The arrangement has been extended to include a pre-trial review session for all domestic violence cases.

¹⁵⁴ 'Chief Inspector concerned by limited progress on domestic violence and abuse inspection recommendation', CJINI press release 29 October 2013: <http://www.cjini.org/NewsAndEvents/Press-Releases/2013/October---December/Chief-Inspector-concerned-by-limited-progress-on-d.aspx>.

¹⁵⁵ DHSSPS (2005), *Tackling Violence at Home: A Strategy for Tackling Domestic Violence and Abuse in Northern Ireland*, Belfast: DHSSPS: http://www.dhsspsni.gov.uk/tackling_violence_strategy.pdf.

¹⁵⁶ The most recent action plan for domestic violence alone was to March 2012: <http://www.dhsspsni.gov.uk/dv-actionplan2010.pdf>.

¹⁵⁷ Scottish executive (2007), *Evaluation of the Pilot Domestic Abuse Court*, Edinburgh: Scottish Executive: <http://www.scotland.gov.uk/Publications/2007/03/28153424/0>.

¹⁵⁸ 'Court Listing Arrangement for cases with domestic violence offences Londonderry Magistrates Court', CourtsNI website, accessed 9 December 2013: <http://www.courtsni.gov.uk/SiteCollectionDocuments/Northern%20Ireland%20Courts%20Gallery/Court%20Lists/LMCpilot-new-listing-arrangement.pdf>.

9 Women and Demographic Change

This section considers two elements of demographic change in Northern Ireland with regard to gender: longevity and migration.

Age and Gender

The 2011 Census confirms that women are on average living longer than men. The following table shows percentages from where gender begins to make a difference with regard to longevity, from age 70 onwards¹⁵⁹.

Age Group	% Female
Aged 70 - 74	53.5%
Aged 75 - 79	56.3%
Aged 80 - 84	60.7%
Aged 85 - 89	65.2%
Aged 90+	70.7%

From age 75 onwards, more women are widows than in any other relationship status, to the point that 80.8% of women aged 90 or more are widows.

These figures indicate that, due to the significant intersectionality between age and gender, ageing issues are also gender issues.

The Employment Equality (Age) Regulations (Northern Ireland) 2006¹⁶⁰ make it unlawful for employers and others to discriminate on grounds of age in the areas of employment, vocational training and further and higher education, but it does not extend to the provision of goods and services¹⁶¹. An office of Commissioner for Older People was established by the Commissioner for Older People Act (Northern Ireland) 2011¹⁶² and the first Commissioner, Claire Keatinge, was appointed in November 2011¹⁶³.

¹⁵⁹ Extracted from 2011 Census Table DC1105NI: Living Arrangements by Age by Sex: http://www.ninis2.nisra.gov.uk/Download/Census%202011_Excel/2011/DC1105NI.xls.

¹⁶⁰ The Employment Equality (Age) Regulations (Northern Ireland) 2006: <http://www.legislation.gov.uk/nisr/2006/261/contents/made>.

¹⁶¹ See the Equality Commission for Northern Ireland website, 'Age Discrimination': http://www.equalityni.org/sections/default.asp?cms=Your+Rights_Age&cmsid=2_239&id=239&secid=2.

¹⁶² Commissioner for Older People Act (Northern Ireland) 2011: <http://www.legislation.gov.uk/niu/2011/1/contents>.

¹⁶³ Website of the Commissioner for Older People: <http://www.copni.org/>.

An Active Ageing Strategy is currently being developed, intended for publication in early 2014¹⁶⁴. In addition, Commitment 38 in the Programme for Government Delivery Plan 2011-15 is to 'extend age discrimination legislation to the provision of goods, facilities and services'¹⁶⁵, although at the time of writing, this had not yet been introduced into the Northern Ireland Assembly.

Women and Migration

Another intersectional issue in Northern Ireland is that of gender and migration, encompassing women's experience of migration, racism and issues linked to immigration, such as human trafficking.

Migration and Racism

While formerly predominantly the preserve of a male worker, women have increasingly been migrating to Northern Ireland¹⁶⁶. While issues such as racism and labour exploitation are factors for both women and men, there are particular vulnerabilities that women face. Some of these are summarised as follows:

Domestic Violence Where a woman relies on a male partner for her residency status, there is reluctance to leave an abusing relationship where there is uncertainty regarding access to support or right to remain in the country¹⁶⁷.

Access to Health Care There remain uncertainties with regard to access to health care provision depending on immigration status, a particular issue for female migrants in cases of pregnancy¹⁶⁸.

Racism Abuse and discrimination can be based on both ethnicity and gender, but together, they intersect as a double burden to the sufferer. Also, while both men and women from minority ethnic backgrounds experience racism, women are often more vulnerable while a working partner is at work, or because the male in a relationship is seen as a 'respectable' professional¹⁶⁹.

Labour Exploitation While both men and women can be exploited for labour, female migrants are more vulnerable because of the segregated nature of areas of

¹⁶⁴ OFMdfM age equality web pages, accessed 28 November 2013: <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/age.htm>.

¹⁶⁵ Northern Ireland Executive (2011), *Programme for Government – Delivery Plan 2011-15* Commitment 38: <http://www.northernireland.gov.uk/pfg-delivery-plan-commitment-38-revised-140313.pdf>.

¹⁶⁶ John Bell, Anne Caughey, Ulf Hansson, Agnieszka Martynowicz, Maura Scully (2009) *A Report on the Experiences of Migrant Workers In Northern Ireland*, Belfast: DEL, p.26: http://www.delni.gov.uk/a_report_on_the_experiences_of_migrant_workers_in_northern_ireland.pdf.

¹⁶⁷ Roisin Devlin and Sorcha McKenna (2009), *No Home from Home: Homelessness for People with No or Limited Access to Public Funds*, Belfast: NIHRC, p.106: <http://www.nihrc.org/documents/research-and-investigations/housing-and-homelessness/no-home-from-home-september-2009.pdf>.

¹⁶⁸ NI Human Rights Commission (2011), *ACCESS DENIED – OR PAYING WHEN YOU SHOULDN'T: Access to publicly funded medical care: residency, visitors and non-British/Irish citizens*, Belfast: NIHRC, pp.6-7: <http://www.nihrc.org/documents/research-and-investigations/health/access-to-publicly-funded-medical-care-january-2011.pdf>.

¹⁶⁹ Michael Potter (2006), *Minority Ethnic Women Entrepreneurs in Northern Ireland*, Belfast: TWN, pp.28-9: <http://www.twnonline.com/images/stories/researchPDF/minorityEthnicWomenEntrepreneursNI.pdf>.

employment associated with migrant labour, but also the status of undocumented women workers becomes more precarious in the event of pregnancy¹⁷⁰.

Human Trafficking Women are more vulnerable to human trafficking, but most particularly to trafficking for sexual exploitation: *It is organised crime with vulnerable people - almost always women - as its raw material and as its victims*¹⁷¹. This is discussed in more detail below.

Human Trafficking

In response to an Assembly Question, the Department of Justice stated the following about human trafficking¹⁷²:

The National Referral Mechanism (NRM) is the framework for identifying victims of human trafficking. Since 1 April 2009 a total of 114 potential victims of human trafficking have been referred to the NRM. Of these, at 25 October, 37 had received a conclusive grounds decision confirming them to be victims of human trafficking.

The reasons for trafficking in these cases include forced labour exploitation, sexual exploitation and domestic servitude. There are also cases in which there has been trafficking but the exact reasons for the trafficking has not been established. Of the 114 potential victims who have been referred to the NRM, over half have been in relation to trafficking for sexual exploitation.

Given the nature of human trafficking so uncovered, this has significant gender-related implications. Although the extent and nature of trafficking in human beings cannot be accurately established, women have specific vulnerabilities in this area¹⁷³.

On the 24th June 2013, Lord Morrow introduced a Private Member's Bill, the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill, in the Northern Ireland Assembly¹⁷⁴. While the causes of and solutions to human trafficking are complex, there has been a significant focus on the criminalisation of the purchase

¹⁷⁰ Les Allamby, John Bell, Jennifer Hamilton, Ulf Hansson, Neil Jarman, Michael Potter, Sorina Toma (2011), *Forced Labour in Northern Ireland: Exploiting Vulnerability*, York: Joseph Rowntree Foundation, pp.24-33: <http://www.jrf.org.uk/sites/files/jrf/forced-labour-Northern-Ireland-full.pdf>.

¹⁷¹ Agnieszka Martynowicz, Sarah Toucas, Anne Caughy (2009), *The Nature and Extent of Human Trafficking in Northern Ireland: A Scoping Study*, Belfast: HIHRC and ECNI, p.5: <http://www.nihrc.org/documents/research-and-investigations/trafficking/nature-and-extent-of-human-trafficking-in-northern-ireland-2010-ecni-nihrc.pdf>.

¹⁷² AQW 27468/11-15, answered 4 November 2013.

¹⁷³ For a background paper on human trafficking, see Research and Information Service Research Paper 100/12, *Human Trafficking in Northern Ireland*, 12 June 2012: <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2012/ofmdfm/10012.pdf>. See also Research and Information Service papers in relation to human trafficking during the passage of the Criminal Justice Bill in 2012: 136/12 *Issues raised in relation to the Department of Justice legislative proposals on Human Trafficking*, 3 September 2013 <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2012/justice/13612.pdf>; 149/12 *Supplementary Briefing on Human Trafficking*, 1 October 2013: <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2012/justice/14912.pdf>.

¹⁷⁴ Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill web page: <http://www.niassembly.gov.uk/Assembly-Business/Legislation/Current-Non-Executive-Bill-Proposals/Human-Trafficking-and-Exploitation-Further-Provisions-and-Support-for-Victims-Bill/>.

of sex in the debate around the bill¹⁷⁵. Sweden has been used as a model, having opted in 1999¹⁷⁶ to criminalise the client, rather than the prostitute, followed by Norway and Iceland in 2009, and most recently by France¹⁷⁷.

¹⁷⁵ See Research and Information Service Bill Paper 122/13 *Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 2013* 4 October 2013:
<http://www.niassembly.gov.uk/Documents/RaISe/Publications/2013/justice/12213.pdf>.

¹⁷⁶ Arthur Gould (2001), 'The Criminalisation of Buying Sex: The Politics of Prostitution in Sweden' in *Journal of Social Policy* 30(3) 437-456.

¹⁷⁷ Passed by the Assemblée Nationale on 4 December 2013: 'Prostitution : la pénalisation des clients adoptée par les députés' *Le Monde* 4 December 2013 : http://www.lemonde.fr/societe/article/2013/11/26/prostitution-la-penalisation-des-clients-mesure-phare-du-texte-de-loi_3520429_3224.html.

10 Women and Justice

The section briefly looks at development with regard to gender aspects of the criminal justice system.

Women and Imprisonment

Studies have suggested that, while numbers of women in prison tend to be low, many women in that situation have encountered the criminal justice system due to aggravating circumstances and imprisonment is not appropriate¹⁷⁸:

Most of the solutions to women's offending lie outside prison walls in treatment for addictions and mental health problems, protection from domestic violence and coercive relationships, secure housing, debt management, education, skills development and employment.

Indeed, a recent House of Commons Justice Committee report concluded¹⁷⁹:

Prison is an expensive and ineffective way of dealing with many women offenders who do not pose a significant risk of harm to public safety. We revisited Baroness Corston's¹⁸⁰ suggestion that those women who have committed serious offences should be held in smaller, more dispersed, custodial units. Having considered this carefully we recommend a gradual reconfiguration of the female custodial estate, coupled with a significant increase in the use of residential alternatives to custody as well as the maintenance of the network of women's centres, as these are likely to be more effective, and cheaper in the long-run, than short custodial sentences.

The Department of Justice in Northern Ireland recognised the particular circumstances of female offending in a strategy to manage women offenders in 2010, setting out four strands for action¹⁸¹:

1. Providing Alternatives to Prosecution and Custody
2. Reducing Offending
3. Gender-specific Community Supervision and Interventions
4. Developing a Gender-specific Approach to the Management of Women in Custody

¹⁷⁸ Prison Reform Trust (2013), *Why focus on reducing women's imprisonment?* London: PRT: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/why%20women312131546.pdf>.

¹⁷⁹ House of Commons Justice Committee (2013), *Women offenders: after the Corston Report*, London: TSO, p.4: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmjust/92/92.pdf>.

¹⁸⁰ Baroness Jean Corston (2007), *A report by Baroness Jean Corston of a Review of Women with Particular Vulnerabilities in the Criminal Justice System*, London: Home Office: <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>.

¹⁸¹ Department of Justice (2010), *WOMEN'S OFFENDING BEHAVIOUR IN NORTHERN IRELAND: A STRATEGY TO MANAGE WOMEN OFFENDERS AND THOSE VULNERABLE TO OFFENDING BEHAVIOUR 2010-2013*, Belfast: DoJ: http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/community-safety/reviews-strategies-action-plans/final_draft_for_print_a_strategy_to_manage_women_offenders_and_those_vulnerable_to_offending_behaviour.pdf.

Critiques of this strategy noted that the rhetoric often did not meet the practical reality of women's experience of imprisonment, leaving the system relatively unchanged¹⁸². The second phase of the women offenders strategy, 'Reducing Offending Among Women', takes a 'gender-informed approach', with commitments to¹⁸³:

- Focus on prevention and early intervention strategies that will improve outcomes for girls and women and reduce the risk of involvement in offending behaviour.
- Continue to put in place alternative measures to divert girls and women, particularly those who have some form of vulnerability, from prosecution and custody.
- Provide child-centred interventions for young female offenders being supervised in the community or held in custody.
- Roll out the Inspire model across Northern Ireland to provide community based interventions aimed at reducing reoffending among women.
- Establish a new, separate custodial facility and step-down accommodation specifically for women, with a prison culture focused on addressing the needs of women.
- Support women involved in prostitution to exit the trade.
- Ensure a continuing strategic focus on reducing offending among women that is supported by local research and awareness raising.

Ash House

Women prisoners in Northern Ireland are held at Ash House, a stand-alone unit located at Hydebank Wood Young Offenders' Centre. Criminal Justice Inspection Northern Ireland inspected the facility in February 2013, when there were 71 women in the prison. The main recommendations of the report were as follows¹⁸⁴:

- Women should no longer be held at Hydebank Wood
- Supporting prisoners at risk (SPAR) procedures should be improved with an emphasis on individualised care plans, regular staff engagement, less use of observation cells and greater involvement in activity, including a peer support scheme and input from mental health workers

¹⁸² Una Convery (2013), 'An offending strategy: The state's response to women within the criminal justice system in Northern Ireland' in Margaret Malloch and Gill McIvor (eds), *Women, Punishment and Social Justice: Human Rights and Penal Practices*, Abingdon: Routledge, 167-177.

¹⁸³ Department of Justice (2013), *Reducing Offending Among Women 2013-2016*, Belfast: DoJ, p.5: <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/community-safety/reducing-offending/reducing-offending-among-women-2013-2016.pdf>.

¹⁸⁴ CJINI (2013), *Report on an announced inspection of Ash House, Hydebank Wood Women's Prison 18 - 22 February 2013*, Belfast: CJINI, p.45: <http://www.cjini.org/CJINI/files/e9/e919ac2b-4e79-4a80-b1f6-fb753bea3444.pdf>.

- There should be individualised support for all the protected groups, and monitoring and consultation arrangements to establish the concerns and needs of the various groups
- The prison should deliver the advertised core day consistently and not routinely curtail it, unless there is a substantive reason to do so
- The quality and effectiveness of the leadership and management of learning and skills provision should be improved significantly to ensure that prisoners are offered an appropriate range of purposeful activity, including a strong focus on the development of their essential skills of literacy and numeracy, which enhances their employability and also contributes to reducing the likelihood of their reoffending
- All sentence plans should be individualised and have meaningful targets and a range of viable options available in the prison regime to provide opportunities to reduce the risk of reoffending

The Minister for Justice made the following comments in relation to the report¹⁸⁵:

Reforming our prisons is a key priority, as with any change of this scale it is challenging and implementing the necessary reforms will take time. The Northern Ireland Prison Service is currently halfway through a programme of reform that will run until April 2015.

I acknowledge that the recent Criminal Justice Inspection reports highlight a number of issues where improvement is required. I am encouraged that since this inspection there have been major changes.

A new management team is in place at Hydebank Wood, supported by a new Director of Offender Policy and Operations and a Director of Rehabilitation. An action plan has been developed to address the major issues of concern found by the Inspectorate.

I have consistently acknowledged that the co-location of female prisoners and young offenders on the same site is far from ideal, and I am committed to providing a new separate facility for women offenders. I will continue to work to ensure that such a facility is established as soon as is practicable.

Women in the Judiciary and the Police

The following table shows the gender breakdown of the judiciary in Northern Ireland¹⁸⁶:

¹⁸⁵ AQO 4835/11-15 answered 22 October 2013.

¹⁸⁶ Northern Ireland Statistics and Research Agency (2013), *The Judiciary in Northern Ireland 2013: Equality Monitoring Report*, Belfast: NISRA, p.A1: http://www.nijac.gov.uk/index/what-we-do/publications/nisra_equality_monitoring_report_2013.pdf.

	Male		Female		Total
	No.	%	No.	%	No.
Group 1	14	100.0	0	0.0	14
Group 2	47	82.5	10	17.5	57
Group 3	31	77.5	9	22.5	40
Group 4	14	56.0	11	44.0	25
Group 5	11	45.8	13	54.2	24
Group 6	88	48.1	95	51.9	183
Group 7	94	69.6	41	30.4	135
Group 8	78	42.6	105	57.4	183
Total	377	57.0	284	43.0	661

The groups in the table are explained as follows:

Group 1: Supreme Court - Lord Chief Justice, Lord Justices of Appeal, High Court Judges & Temporary judges of High Court
Group 2: County Court Judges; deputy County Court Judges; Chief Social Security and Child Support Commissioner, Social Security and Child Support Commissioner & deputies
Group 3: District Judges (Magistrates' Courts) and deputies
Group 4: District Judges & deputies; Masters; Coroners and deputies; Deputy Statutory Officer; Official Solicitor
Group 5: Industrial Tribunals & Fair Employment Tribunal (President FT, Vice President FT, Chairman FT, Chairman FP)
Group 6: Appeal Tribunals (President of Appeal Tribunals FT, Legal Chairman FT, Legal Member FP, Financial Member FP, Medical Consultant Member FP, Medical General Member FP, Expert Member FP)
Group 7: Special Educational Needs Disability Tribunal (President FP, Chairman FP); Mental Health Review Tribunal (Chairman FP, Deputy Chairman FP, Legal FP, Medical FP, Experienced FP); Lands Tribunal (President FP, Member FT); Pensions Appeal Tribunal (President FP, Deputy President FP, Legal Member FP, Medical Member FP, Service Member FP); Northern Ireland Valuation Tribunal (President FP, Legal FP, Ordinary Member FP, Valuation FP); National Security Certificates Appeal Tribunals (Chairman FP, Deputy Chairman FP, Legal FP, Lay FP); Charity Tribunal (President FP, Legal Member FP, Ordinary Member FP); Health and Safety Appeal Tribunals (Legal Chairman FP); Care Tribunal (Chairman FP); Reserve Forces Appeal Tribunals (Chair of the Reserve Forces Re-Instatement Committee FP); Northern Ireland Traffic Penalty Tribunal (Adjudicator FP); Criminal Injuries Compensation Appeals Panel for NI (Chairman FP, Adjudicator: Legal FP, Medical FP, Lay FP)
Group 8: Lay Magistrates FP
Notes: FT - Full time FP - Fee paid

The figures indicate that the more senior the position in the judiciary, the fewer women there are, to the extent that there are no women at the highest level of the judiciary. Research has shown that, firstly, women face significant barriers in progression in the judiciary, with negative attitudes towards women and difficulties in networking within the profession¹⁸⁷. Secondly, it is clear that a lack of female judges matters, both in terms of the image of the judiciary as 'male' and in increasing diversity in the process of decision-making¹⁸⁸.

Twenty seven per cent of the Police Service of Northern Ireland is female¹⁸⁹, which roughly compares with gender breakdowns of police forces in England, Scotland and Wales¹⁹⁰. Section 48 of the Police (Northern Ireland) Act 2000¹⁹¹ requires the Policing Board to revise an action plan to monitor the number of women in the police, police

¹⁸⁷ Philip Leith, Brice Dickson, John Morison, Sally Wheeler, Marie Lynch (2013), *Rewarding Merit in Judicial Appointments?*, Belfast: Queen's University: http://www.nijac.gov.uk/index/what-we-do/publications/qub_final_report_merit_2013.pdf.

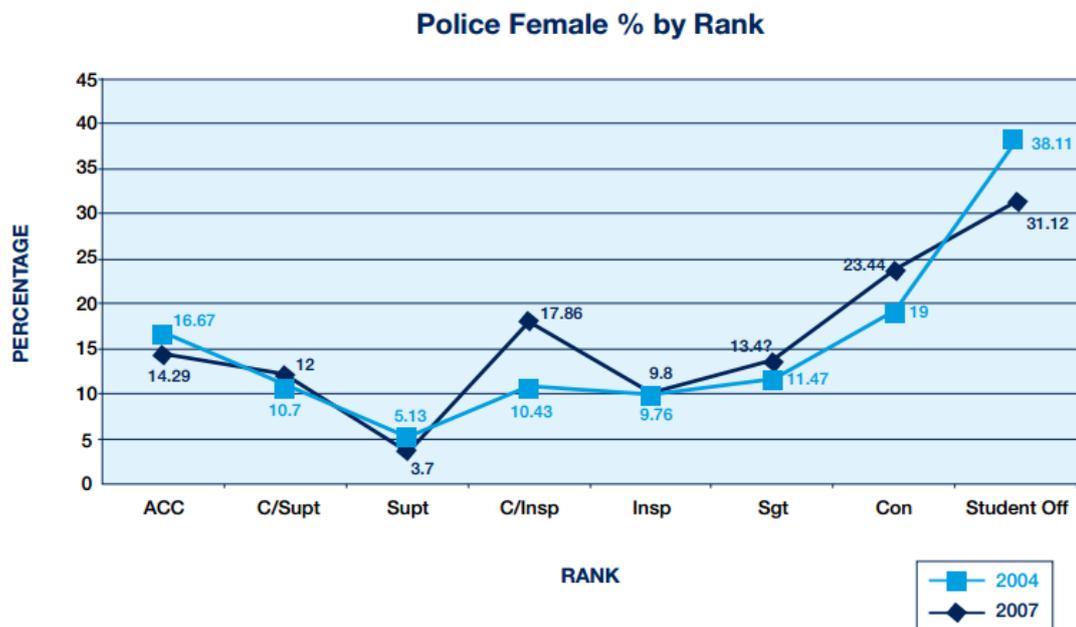
¹⁸⁸ Dermot Feenan (2008), 'Women Judges: Gendering Judging, Justifying Diversity' in *Journal of Law and Society* 35(4) 490-519.

¹⁸⁹ PSNI Workforce Composition Figures, PSNI website, accessed 9 December 2013: http://www.psni.police.uk/directory/updates/updates_statistics/updates_workforce_composition_figures.htm.

¹⁹⁰ House of Commons Library Standard Note SN00634 *Police Service Strength* 23 July 2013: <http://www.parliament.uk/Template/BriefingPapers/Pages/BPPdfDownload.aspx?bp-id=sn00634>.

¹⁹¹ Police (Northern Ireland) Act 2000: <http://www.legislation.gov.uk/ukpga/2000/32/section/48>.

support staff and Board staff. The most recent Gender Action Plan from 2008 gives the following figures for female police officers¹⁹²:



Police staff, while 65% female overall, have a similar under-representation of women in senior positions¹⁹³:

Police Staff by Gender								
Grade Band	Civil Servant			Direct Recruit			Total	Female % of Total
	Female	Male	Total	Female	Male	Total		
AA Band	155	23	178	193	74	267	445	78%
AO Band	609	143	752	302	143	445	1197	76%
EO2 Band	114	72	186	166	107	273	459	61%
EO1 Band	17	81	98	92	157	249	347	31%
S0 Band	4	8	12	90	74	164	176	53%
Deputy Principal		6	6	28	52	80	86	33%
Principal Officer		3	3	12	19	31	34	35%
SCS		3	3	6	14	20	23	26%
Grand Total	899	339	1238	889	640	1529	2767	65%

¹⁹² Northern Ireland Policing Board (2008), *Gender Action Plan 2008*, Belfast: PBNI, p.11: http://www.nipolicingboard.org.uk/gender_action_plan-2.pdf.

¹⁹³ *Ibid.*, p.12.

11 Overview

Taken individually, specific areas of policy may have an adverse impact on women, however slight. Yet, taken collectively, policy change can have a substantial cumulative impact on women. For example, the closure of rural shops and post offices¹⁹⁴, concerns around a reduction in rural transport¹⁹⁵ and the threat of closure of rural schools¹⁹⁶ may appear as individual measures of economic efficiency, however, if they are social spaces and services primarily used by women, there is a cumulative gender-related impact that is not immediately recognised if each area is taken in isolation.

Again, in terms of the representation of women in positions of power, a shortfall in numbers of women may be recognised as an area of concern and efforts made to encourage more women to participate may be made on a short-term or project-related basis. However, taken collectively, the absence of women in posts that wield significant social, economic, political or legal power in society indicate a much wider issue from an equality perspective, as the following table illustrates.

Position	Women
Members of the Legislative Assembly	19%
Group 1 Judiciary (e.g. High Court Judges)	0%
Group 2 Judiciary (e.g. County Court Judges)	17.5%
Group 3 Judiciary (e.g. District Judges)	22%
Public Appointments	33%
Chairs of Public Bodies	19%
Managers, Directors and Senior Officials	37%
Self-Employed	24%

¹⁹⁴ Northern Ireland Assembly Research and Information Service (2011), *Consider This... Research Reflections for a New Mandate*, Belfast: RaiSe, p.79: http://www.niassembly.gov.uk/Documents/RaiSe/consider_this.pdf.

¹⁹⁵ Research and Library Service Briefing Paper 30/11, *Rural Development Issues and Challenges in Northern Ireland, 23 November 2010*, p.8: <http://www.niassembly.gov.uk/researchandlibrary/2011/3011.pdf>.

¹⁹⁶ Research and Information Service Research Paper 27/13, *Rural Schools*, 7th February 2013: <http://www.niassembly.gov.uk/Documents/RaiSe/Publications/2013/education/2713.pdf>.

Another key issue is the treatment of women in society. While evidence in sections 8 and 9 above suggests that there are significant official attempts to tackle issues such as domestic and sexual violence and human trafficking for sexual exploitation, the scale of domestic and sexual abuse and the fact that men are prepared to pay for sex with women suffering coercion demonstrates a wider attitudinal issue.

Structural issues can impact differentially on women, leading to barriers to participation. For example, the availability of affordable childcare results in more women than men changing working patterns and costs are increasing, while the economic downturn is leaving many families with less disposable income.

The most recent statistical update on the indicators contained within the Gender Equality Strategy¹⁹⁷ shows that over time, there has been some change to some indicators. However, the general picture of gender inequalities persists. These data are summarised at Appendix 2.

In each area, certain mechanisms have been suggested to increase women's participation. Generally, this takes the form of programmes to encourage more women to become involved in a particular area, such as politics or a non-traditional area of employment, or specific training, development or mentoring processes to support and build the capacity of women to participate in 'male' environments. While this can have an impact, the change is slow and tends to treat women as the 'problem', when it is environments and practices that may need to change to be more receptive to women (and indeed other under-represented identities). Legislation has gone some way to establish standards of practice and organisational policies can have an impact, but the reality of transforming an environment may involve a more fundamental change process.

There are different models for organisational change to embed a different ethos, introduce different practices or to create a more inclusive environment. One example is the Equity, Diversity and Interdependence (EDI) framework¹⁹⁸. This model is designed to imbed certain principles in an organisation to ensure equal opportunities for all sections of society, acknowledge and value differences in people and to recognise the importance of relationships in interaction. While not specific to gender relations, the model is one that can be adapted to bring about change in an organisational culture to facilitate women entering on an equal basis to men. The model presents a step-by-step approach from initial engagement to the implementation of new policies and practices in an organisation.

In some circumstances, change is considered of insufficient pace to make a significant difference to the balancing of gender and power and quotas have been introduced or

¹⁹⁷ OFMdfM (2013), *Gender Equality Strategy Statistics: 2013 Update*, Belfast: OFMdfM: <http://www.ofmdfmi.gov.uk/gender-equality-strategy-statistics-update-july-2013.pdf>.

¹⁹⁸ Karin Eyben, Duncan Morrow, Derick Wilson and Billy Robinson (2001), *The Equity, Diversity and Interdependence Framework: A Framework for Organisational Learning Change*, Coleraine: University of Ulster: http://eprints.ulster.ac.uk/3972/1/edi_report.pdf.

suggested. In the political sphere, these have come in the form of statutory obligation for candidate lists (as in Belgium and some elections in France), voluntary with financial penalties for non-compliance (as for future elections to Dáil Éireann) or voluntary (as in the UK)¹⁹⁹. Quotas are in place for company boards in Norway and EU legislation for aspirational quotas on boards was passed by the EU Parliament²⁰⁰. In the UK, the Davies Review²⁰¹ recommended companies set voluntary quotas.

Quotas are regarded as controversial, because, it is argued, they are less democratic, against equality of opportunity, imply women are there for their gender alone, women do not want to be in a post just because they are women and quotas create conflicts in organisations. On the other hand, it is contended that quotas compensate for barriers to women, they ensure the few women who manage to get into positions of power are not alone, women have a right to equal representation, women's experiences are needed in leadership, women are minimised in 'male' systems and conflicts caused by quotas are only temporary²⁰².

Taking a broader view of gender impacts can also assist in the distribution of resources. Gender budgeting – the assessment of all expenditure for its differential impacts on women and men and appropriate amendments as necessary – is one way to establish more equitable public spending. Where there is a strong argument for specific facilities for women to meet a recognised need or standard – for example, a women's prison, a women's hospital to specialise in medical conditions specific to women or the recently opened sexual assault referral centre – these can be established to offset gender-specific issues in particular policy areas.

¹⁹⁹ See Research and Information Service Research Paper 108/13 *Women in the Northern Ireland Assembly*, 3 September 2013, pp.16-18.

²⁰⁰ 'Cracking Europe's Glass Ceiling: European Parliament backs Commission's Women on Boards proposal' European Commission press release 20 November 2013: http://europa.eu/rapid/press-release_IP-13-1118_en.htm?locale=en.

²⁰¹ Lord Davies (2011), *Women on Boards*, London: HM Government: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/31480/11-745-women-on-boards.pdf.

²⁰² Drude Dahlerup (1999), 'Using Quotas to Increase Women's Political Representation' in Azza Karam (ed) *Women in Parliament: Beyond Numbers*, Stockholm: International IDEA, p.94.

Appendix 1: Gender Equality Strategy Key Action Areas and Strategic Objectives²⁰³

KEY ACTION AREA	INTERNATIONAL COMMITMENTS	STRATEGIC OBJECTIVE (SUMMARISED FORM)
Childcare/caring role	Beijing Areas 1-12 CEDAW Articles 13, 15, 16	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To actively promote an inclusive society
Health and Well being	Beijing Areas 1, 2, 3, 4, 8, 11 CEDAW Article 12	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To increase the health of women and men ▪ To reduce violence ▪ To promote and protect the rights of girls and boys
Representation in public life/decision making	Beijing Areas 7, 8, 10, 11 CEDAW Article 7	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve gender balance on all Government appointed committees, boards and other relevant official bodies ▪ To actively promote an inclusive society ▪ To ensure the participation of women and men in all levels of peace building, civil society, economy and government
Education and life long learning	Beijing Areas 1, 2, 3, 8 CEDAW Article 10	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To ensure women and men, including girls and boys shall have equal access to education and life long learning ▪ To achieve equal value for paid work and equitable participation in unpaid work
Access to Employment	Beijing Areas 1, 2, 3, 4, 6, 7, 8, CEDAW Articles 4, 11, 14	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To ensure women and men, including girls and boys shall have equal access to education and life long learning
Gender Pay Gap	Beijing Areas 1, 2, 6, 7, 8, 9, 10, 11, 12 CEDAW Articles 11, 13	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To achieve gender balance in government appointed posts ▪ To actively promote an inclusive society ▪ To promote and protect the rights of girls and boys

²⁰³ Taken from Annex C of the OFMdfM Gender Action Plans 2008-2011, pp.69-71.

Work-life balance	Beijing Areas 2, 6, 8 CEDAW Articles 5, 11, 16	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To achieve gender balance in government appointed posts ▪ To actively promote an inclusive society
Stereotype and prejudice linked to women and men's gender	Beijing Areas 2, 3, 4, 5, 6, 7, 9, 10, 11, 12 CEDAW Article 2, 3, 5	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To achieve gender balance in government appointed posts ▪ To ensure active participation of women and men in peace building, civil society, economy and government ▪ To promote and protect the rights of girls and boys ▪ To reduce violence in society ▪ To actively promote an inclusive society ▪ To ensure women and men, including girls and boys shall have equal access to education and life long learning
Peace building	Beijing Areas 4, 5, 9 UN Security Council Resolution 1325 – Women Peace and Security	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve gender balance in government appointed posts ▪ To ensure the active participation of women and men in peace building, civil society, economy and government ▪ To achieve equal value for paid work and equitable participation in unpaid work
Poverty	Beijing Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 CEDAW Articles 11, 13, 14	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To increase the health of men and women ▪ To achieve gender balance in government appointed posts ▪ To ensure the active participation of women and men in peace building, civil society, economy and government ▪ To promote the rights of girls and boys ▪ To actively promote an inclusive society ▪ To promote and protect the rights of girls and boys ▪ To ensure women and men, including girls and boys shall have equal access to education and life long learning

<p>Gender Related Violence – domestic violence, sexual abuse, victims, survivors, violent crime</p>	<p>Beijing Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 CEDAW Articles 2, 3</p>	<ul style="list-style-type: none"> ▪ To achieve better collection and dissemination of data ▪ To achieve equal value for paid work and equitable participation in unpaid work ▪ To increase the health of women and men ▪ To achieve gender balance in government appointed posts ▪ To ensure the active participation of women and men in peace building, civil society, economy and government ▪ To promote and protect the rights of girls and boys ▪ To reduce violence in society ▪ To actively promote an inclusive society <p>To ensure women and men, including girls and boys shall have equal access to education and life long learning.</p>
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Appendix 2: Gender Equality Strategy Statistics Summary 2013²⁰⁴

Indicator	Developments
Education and Training	<ul style="list-style-type: none"> • More males than females of working age have no formal qualifications, reversing the previous trend before 2006 • Females continue to outperform males overall at GCSE and A-Level • More males than females progress to further education, reversing the previous trend in the 1990s, and subject choice shows some significant gender imbalance (e.g. fewer than one in ten new entrants for engineering and manufacturing technologies or construction, planning and the built environment are female; fewer than one in ten new entrants for health, public services and care are male) • More females than males progress to higher education and some subject areas show significant gender imbalance (e.g. over 80% of students enrolling for engineering)
Employment	<ul style="list-style-type: none"> • Males have a consistently higher working age employment rate than females (71.6% for males and 62.7% for females in 2011) • Females have a consistently lower working age unemployment rate than males • There has been an increase in the number of people with disabilities of both sexes in employment • Females continue to have a much higher rate of economic activity than males (33.9% female, 20.9% male), with the highest proportion of females economically active due to caring responsibilities and for males, for disability or illness • There is little gender difference in the proportion living

²⁰⁴ Extracted from OFMdfM (2013), *Gender Equality Strategy Statistics: 2013 Update*, Belfast: OFMdfM, pp.7-10.

	<p>in workless or work rich households</p> <ul style="list-style-type: none"> • Occupational distribution remains highly gendered with nine in ten employees in skilled trades being men • Industries remain gendered, with 93.5% of working females in the service sector (compared with 68.9% of males) and 4.5% of working females in the manufacturing industries (compared with 17.9% of males) • Part-time working has overwhelmingly remained a female preserve (8.9% of working males, compared with 39.3% of working females)
Pay and Earnings	<ul style="list-style-type: none"> • Mean full time gross weekly earnings in 2011 were £560.10 for males, £502.20 for females • Median full time gross weekly earnings in 2011 were £478.90 for males, £440.00 for females
Income and Property	<ul style="list-style-type: none"> • Gender patterns for income have remained steady: females derive 22% of income from benefits compared with 9% of males; females derive 2% from self-employment compared with 16% of males • The number of homeless males more than doubled from 1995-2012, females by 83%; similar proportions of working age males as females are in low income poverty; a much higher proportion of female pensioners are in low income poverty compared with male pensioners • Particular individual benefits are gendered: 61.4% of those claiming Income Support are female, compared with 28.0% of those claiming Jobseekers' Allowance
Childcare	<ul style="list-style-type: none"> • There was a 39.7% increase in childcare places from 1994 to 2012, although there was a sizeable decrease in playgroup places • Pre-school places on the whole more than doubled from 1995 to 2012, but the number of places in reception provision declined five-fold from 1997 to 2012

Informal Caring	<ul style="list-style-type: none"> • 37% of female and 27% of male carers provided informal care for less than ten hours per week 2010/11; more than one in ten adult carers regularly provided informal care for 35 hours or more per week • The proportion of female informal adult carers who were part-time employees was almost three times that of male counterparts, whereas there was little gender difference for full-time employees
Health	<ul style="list-style-type: none"> • Life expectancy is 77.1 years for males and 81.5 for females • A consistently higher proportion of males (59%) than females (45%) report participating in sport or other physical activity • A slightly higher proportion of males to females reported being in good health, a lower proportion of males to females reported a long-term illness; smoking has decreased for males and females (to 27% and 23% respectively; alcohol consumption above sensible levels is 28% for males and 13% for females • Males have a consistently higher incidence of cancer than females • 75% of suicides in 2011 were by males
Transport	<ul style="list-style-type: none"> • The proportion of males with a full driving licence remains consistently higher than that for females; 38% of females and 26% of males said in 2011 that they never usually exceed the speed limit • Mode of transport for males and females is broadly similar and has changed little over time, whereas the reason for travel is gendered: more males travel to commute, whereas more females travel to shop or to escort others
Violence and Crime	<ul style="list-style-type: none"> • There has been relatively little change in the numbers of females or males reporting domestic violence over time • More females (39%) than males (26%) reported fear

	<p>of crime, although actual victims of crime 2011/12 were 2.2% of males and 1.7% females, a significant drop in both since 1997</p> <ul style="list-style-type: none"> • 96.7% of the prison population in 2009 were men
Decision-making Roles	<ul style="list-style-type: none"> • One in three staff in the Northern Ireland Senior Civil Service are female, compared with one in ten in 1997 • The gender balance across the Civil Service has remained fairly static, currently 53.6% female • 80.9% of Northern Ireland Health and Social Care staff are female, particularly home helps (97.9%) and qualified nurses and midwives (93.6%) • Women continue to be under-represented in elected political office, appointments to public bodies and in the judiciary