



Northern Ireland
Assembly

**COMMITTEE
FOR THE OFFICE OF THE
FIRST MINISTER AND DEPUTY
FIRST MINISTER**

**OFFICIAL REPORT
(Hansard)**

Gender Equality Strategy

30 September 2009

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mrs Naomi Long (Deputy Chairperson)
Ms Martina Anderson
Mr Barry McElduff
Mr Francie Molloy
Mr Stephen Moutray
Mr George Robinson
Mr Jim Shannon
Mr Jimmy Spratt

Witnesses:

Mr Bob Collins) Equality Commission NI
Ms Evelyn Collins)

The Deputy Chairperson (Mrs Long):

We will receive a briefing from Evelyn Collins and Bob Collins from the Equality Commission for Northern Ireland on the gender equality strategy. You are very welcome here; thank you for coming to brief us. Perhaps you would like to make an opening statement and we will then take questions from members.

Mr Bob Collins (Equality Commission NI):

Thank you, Chairperson. My statement will be brief. First, we welcome the opportunity to come to the Committee to discuss the issue, and we welcome the interest of the Committee. Gender equality and inequality remain a key concern for the commission. Gender inequality has been

identified in relation to a range of issues over the years, including unequal pay; the lack of adequate representation of women in senior positions across all areas of employment; concentration of women's work in areas often characterised by low evaluation, if one can use that phrase; the extent to which women are predominant in part-time employment; the under-representation of women in public life, whether in elected office or on the boards of public authorities; and the extent to which there is an abiding reality of discrimination based on gender, specifically in relation to women and specifically in respect of pregnancy. One of the striking realities in 2009 is the extent to which applications for legal assistance from the commission are based on gender and involve issues relating to pregnancy.

Clearly, the issue of education is an important one. There is a significant difference between the performance of girls and boys in that area. Boys do less well than girls, working class boys do less well again, and Protestant working class boys even less well. Educational attainment is an area in which there is real evidence of gender difference. That is not simply an observation; it has real implications, because educational qualifications have such an impact on access to, and advancement in, employment.

I mentioned the full and effective participation of women in public life. In the nature of things, members are more up to date than anyone else on the workings of the democratic process, but there are clear indications of the extent to which there is an imbalance. However, that imbalance is not always against women, as with the recent European elections in which one man and two women were elected. If we look beyond the number of people elected, we can see evidence that there may be greater movement towards equality than is suggested by the actual numbers in elected office.

We welcome the growing appreciation of the multiple-identity issues; all of us have multiple identities and the issue of gender is spoken of as though it is something apart and disconnected from other aspects of people's lives. That, of course, is not the case. We also recognise that the legislation, inasmuch as it provides opportunities and obligations for the Equality Commission, obtains in respect of men as well as it does in respect of women, and the statutory obligations placed on all public authorities under section 75 and the policies resulting from those apply equally to men as to women.

We believe it very important that there be a Government strategy on gender equality and that

there be clarity at the heart of Government and right across Government on the importance of addressing gender inequality and the impact of international instruments, whether those be European or from the United Nations. The context of UK law is another important consideration.

We welcome the publication of the gender equality strategy, and we look forward to the early publication of the OFMDFM report on the action plan. We will be interested to see where the Committee's engagement in that area is leading us. Those are our main points.

An abiding reality is the popular assumption that issues relating to equality for women and the effective participation of women in work, community and public life were dealt with in the 1970s and that they no longer arise. Alas, that is not the case. However, it may well be that that assumption is all too pervasive and sometimes influences people's attitudes and public policy postures. It is not a race between men and women; we must be careful to take account of the real issues that affect both.

Finally, we know that there has been some discussion on whether policies should be gender neutral or gender specific. The Equality Commission's position has always been clear: gender neutrality does not arise in the way in which section 75 is written or in the responsibilities that flow from it, no more than the section 75 duty to promote equality of opportunity between people who are disabled and those who are not obliges public authorities to treat people with disabilities and others identically. There is no obligation to treat men and women in the same way. To do so would be to miss the point because, very often, different circumstances require different responses. We are happy to answer any questions that members wish to ask.

The Deputy Chairperson:

Thank you for your presentation. I have a couple of questions, stemming from your presentation and from the discussion that the Committee had last week when it met people from the Gender Advisory Panel.

Inequality in representation does not necessarily evidence discrimination, although it highlights the fact that there are issues that need to be addressed. For example, you referred to the fact that two thirds of our MEPs are female, and no one would suggest that there is discrimination against men in politics. How do you disentangle the outcomes from the processes, to ensure that the processes are fair and take account of difference but that the outcomes are not

controlled in a way that engineers a specific outcome? That is specifically relevant when outcome measures are used to judge performance.

You talked about gender-specific actions, and you raised the issue of girls outperforming boys in education, which is a reversal of what happened when education was examination based. With education becoming more coursework based, girls have tended to do much better, as they are working over prolonged periods. There is now a push for that to be reversed because girls are outperforming boys; the idea is that we should move backwards so that girls no longer outperform boys. Is that your vision for dealing with those inequalities, or how do you get around the issue that some things suit some people and other things do not? How do you ensure that a system is fair in how it handles people but also allow for the fact that, whether they are male or female, people's skills, talents and abilities may simply lie in different areas?

Mr B Collins:

I will respond to the second question first. We do not remotely suggest that one should introduce some reverse engineering in the education system so as to haul back the performance of girls so that it equates more evenly with the performance of boys. That would make no sense. However, those outcomes are significant or important in that they are used as an index of suitability for employment, as a measure for employability or advancement and as a mechanism to determine the extent to which people can advance in further or higher education. They are not neutral, nor are they are insignificant.

As I said, it is not a race. The issue is the extent to which boys are engaged by the education system and the extent to which expectations of their potential, be that from parents, schools, or themselves, may represent an underestimation of their capacity, as was previously the case in respect of girls.

The extent to which subject choice is aligned with an individual's suitability or vocation must be addressed. The means of how young people are tested is another issue. However, there are more fundamental questions. It is not just in Northern Ireland that there is an issue about boys being somewhat of a distance from the education system. That needs to be addressed, but by no means should equality be introduced artificially. It would be a nonsense to suggest that things are only working if everyone is getting the same results.

I entirely take the point that apparently unequal participation is not evidence of discrimination. The issue is whether it would be better if participation on elected bodies were more evenly distributed between men and women. However, you cannot deprive individuals of choice; when they go to the ballot box they will select the person for whom they wish to vote.

Real action can be taken on appointments to boards of public of bodies, on which 32% or 33% of members are women. That represents a deficit that can be overcome. A more equitable distribution of men and women in the composition of the boards of public bodies would be to the advantage of those bodies. It is within the competence of public policy to determine that.

Ms Evelyn Collins (Equality Commission NI):

It is correct that a lack of political representation does not necessarily mean discrimination. Some of the educational issues that Bob raised also apply to aspirations in public life. It is not just about ability; aspirations, how people perceive that they will be accepted or not accepted, and a whole host of issues around people in political and public life developing confidence need to be addressed. It is not just about people's innate ability to do particular jobs.

The measures to provide a special focus and special encouragement that were built into the legislation of the 1970s and that, for example, provides special encouragement for women to apply for employment or provided special training, are still relevant. Positive action that recognises that under-representation is not necessarily due to discrimination but may be due to other factors can be brought into play. An example of that is the Women in Local Councils Initiative, with which many elected Members will be familiar through their involvement in local councils.

The Deputy Chairperson:

Following our discussions last week, one of the questions that the Committee has forwarded to the Department is in relation to transition committees. The transition committees are in the process of designing new council structures, but they are doing that with the current council members. There needs to be some input around who may be on those councils in the future and what influence they may want to have on how they function, because the new councils may not replicate the make-up of the current councils. Some of the transition committees have no female members and some have very few. That is something that the Committee is conscious of.

Mr Spratt:

My question will come as no surprise to you. You have advised the Committee on gender balance and appointments to public bodies. Have there been any changes in the gender balance and religious balance in your organisation? Are there any new figures on that, and, if not, when can we expect new figures?

Mr B Collins:

New figures will be available in the annual report at the end of the year, as they always are. Early indications from the current year, which began in March, show that there has been a better response in applications from Protestants and in the appointment of Protestants. However, I am not going to say that that will represent a significant shift between now and the end of the current year.

Earlier this year, we availed ourselves of a provision in the fair employment legislation — the first time that that provision has been used in Northern Ireland — and undertook a significant initiative that involved providing religion-specific training; that is, training for the religious grouping that is under-represented in the workforce. That training, which was for Protestants and was in relation to a number of vacancies for which a competition will shortly be held, concluded last Wednesday.

Such training does not alter the basis on which appointments are made. The selection process will be exactly the same, and appointments will be based on merit. However, that was the first time in Northern Ireland that that provision was availed of. We will look at the results of that carefully and I am sure that we will use it again. It may also represent the basis on which we can have discussions with a range of other employers about its suitability. Membership of the commission, appointments to which are made by the Secretary of State, is based on community background and gender balance and is fairly evenly distributed.

Mr Spratt:

What about gender balance in your own organisation?

Mr B Collins:

There is an over-representation of women and an under-representation of men. In every advertisement that we have run, we have included a welcoming statement inviting applications

from men and from Protestants. There is a variety of reasons why that imbalance exists; there may be other factors at play in our case, but it is a reflection of the fact that, across the public service in general, there is a significant over-representation of women.

Mr Spratt:

Are you saying that we can hope for some changes?

Mr B Collins:

We are certainly hoping for changes. We see evidence of some change, but I do not want to make too much of it. One of the difficulties is that there is relatively less job mobility this year, because of the times that we are in, and fewer competitions have taken place. However, there are some positive indications of movement in the right direction, and we hope that that will continue.

Mr Spratt:

Hopefully it does, because you need to raise your credibility in the community.

Mr B Collins:

It has not had any effect on the extent to which people from that community avail themselves of, or seek assistance from, the commission. We know that we want it to be different from what it is; we are not conservative in that sense.

Mr Spratt:

I am glad that you are doing your best.

Mr Shannon:

It is not unusual for me to ask this question, Bob, because I have asked it previously of the Minister. In your introduction, you mentioned the imbalance that affects young Protestant males. Specifically, you talked about their expectations, their parents' expectations, and the importance of including them in the process. If I heard you correctly, you said that you are going to address that imbalance. Will the steps that the Equality Commission is taking give opportunities to young Protestant males who feel disenfranchised and outside the process? They have their own expectations. Their parents will have expectations of them; that is as it should be, because parents all expect the best for their children. I am keen to know whether the changes that you are talking about will bring about the equality that young Protestant males are not currently enjoying.

Mr B Collins:

The Equality Commission can point to areas in which we perceive inequality in attainment. As I said earlier when answering one of your questions, Deputy Chairperson, the performance of boys as regards educational outcomes is an issue. There is a range of issues to be considered in that respect. The performance of working-class boys generally, irrespective of community background, is another problem. That raises a range of issues as well, because advancement in employment and the capacity to move and make progress is increasingly linked to educational achievement. That is the pattern. We have consistently said that public policy needs to address that issue.

That is coupled with the other educational phenomenon; namely, the extent of undergraduate migration. The number of people who leave Northern Ireland for their third-level education is a key consideration. Those people are disproportionately Protestant and they do not return. The two issues are under-attainment at the lower level of the educational spectrum and the movement of higher educational achievers out of Northern Ireland.

We commissioned research to get a better understanding of those issues, which was very useful. We continually have discussions with the Department for Employment and Learning (DEL) and the Department of Education in relation to those issues, and we never meet any political party without raising them. Those issues are central to public policy and are a constant theme in our discussions with officials from the Department of Education.

We also had meetings with the four biggest Churches recently, and we will again meet those Churches, along with the Irish Council of Churches, at the end of this month. Education will be one of the issues discussed, because these matters have to be addressed in some way. That may be done by looking at the structure of education provision; the extent to which schools relate to the communities from which their pupils come; expectations; and the monitoring of performance in schools.

I wish that we had a more direct influence and had our hands on the levers of change. In fact, I do not wish that we had our hands on the levers of change. *[Laughter.]* Our task is to identify the issues and bring them to the people who can make changes. We must return to those issues relentlessly, because they must be addressed constantly.

Mr Shannon:

You mentioned that you have had contact with DEL and the Department of Education, so you are clearly putting the onus on the people who have responsibility in this area. What feedback have those Departments provided?

Mr B Collins:

Both Departments are fully aware of the issues. The Department for Employment and Learning has done a fair amount of work on the issue of undergraduate migration. Those people are moving within the UK, so the impact on the overall population of the UK is neutral. However, the impact on Northern Ireland is entirely not neutral. Significant investment has been made in the education of those young people, but they go to Britain, most likely Scotland, for their education and do not come back. It is not that one should impose a restriction on the free movement of young people, but undergraduate migration is not without consequence. DEL fully recognises that fact; it engages with us and it took part in the steering group for the research that I mentioned.

The Department of Education is clearly aware of the general issue of performance as well as these specific issues and the considerations that arise as a result of them. The Churches are particularly aware of the issue of undergraduate migration. Indeed, the Protestant Churches are acutely aware that the issue is not merely of figures on a page, it has implications for individuals and their families, for the communities from which those people come and for the families that they will have in the future. The danger is that that pattern will continue to be replicated unless serious interventions are made to stop it.

Mr Shannon:

That trend can be seen clearly in the area that I represent and, indeed, in the Deputy Chairperson's constituency of East Belfast. I welcome the positive steps that have been taken, and I look forward to their changing the imbalance.

The Deputy Chairperson:

Have you had any discussions with the Office of the First Minister and deputy First Minister (OFMDFM), particularly the junior Ministers who deal with early years and children's policy? Early intervention work is required if you are going to tackle cycles of deprivation and

educational deprivation.

Ms E Collins:

We have not engaged with OFMDFM explicitly on early years and childcare, beyond where the issues have come up in our discussions with OFMDFM officials on the gender equality strategy. I agree that we should discuss that potential cycle with OFMDFM.

Ms Anderson:

I know that you are here to talk about the gender equality strategy. However, it would be remiss of me not to at least comment on what has been said about the composition of the Equality Commission's workforce and the need for your staff and commissioners to be representative of the community that they serve. I would like a report on that with regard to the republican community specifically. How many commissioners come from the republican community? That is an issue for some people who are observing and monitoring what is going on and who feel that the commission is not representative of the community in its totality.

I do not agree with the Deputy Chairperson's comment that inequality does not evidence discrimination. The levels of child poverty, inequality, deprivation, infrastructural neglect and everything else that people across the north-west, particularly in Derry, have been subjected to for a number of years have not simply happened by accident. There are things that can be looked at and corrected as a result of the processes that we are going through.

Evelyn, you were at yesterday's meeting with members of the Scottish Parliament and Welsh Assembly. The focus of their conversation was the gender pay gap. We could learn from the work that they are doing on that. Can you touch on the issue of gender budgeting? As the Deputy Chairperson said, we met the gender advisory panel last week, and that was one of the things that it recommended should be happening. We did not have much of an opportunity this time, but there is an opportunity with the next Budget.

What struck me was the presentation that was given prior to yours, which showed the positive outworkings of an equality impact assessment (EQIA) process. That message has not been shared enough with MLAs, never mind with broader society; it needs to get out there. The officials identified the rural development programme and water and sewerage work as examples from a number of EQIAs that were carried out. They showed that, as a result of the EQIA

process, £2.4 million was skewed towards projects for women because the rural development EQIA had identified a gap. Social tariffs were put into the work on water and sewerage. The Protestant and unionist communities were identified as a gap in respect of that. The presentation showed how the EQIA process worked, including its outworkings around budget negotiations and the allocations made during monitoring rounds. We need to identify how an EQIA skews resources towards need, as was evidenced in yesterday's presentation.

Ms E Collins:

I will take that point first. Yesterday's presentation was interesting. I only arrived at the end of the officials' presentation, but it was clear that they gave some very valuable input. We are doing some work on equality budgeting that we hope to share with stakeholders towards the end of the year. Since the section 75 mechanism was created, we have engaged with the Department of Finance and Personnel and the Office of the First Minister and deputy First Minister as successive Programmes for Government and Budgets have been set, to encourage them to consider the equality implications of priorities on spending and the allocation of resources.

Gender budgeting has had a long history at a European level and has a great resonance with women's groups, particularly here. I am not surprised that the Gender Advisory Panel discussed that with you last week. There is certainly greater analysis to be done on where resources are being allocated, to ensure that it is done not simply in a gender neutral way, to come back to what Bob said initially, but with a greater understanding of how public policy decision making, including the allocation of resources, impacts on the various section 75 groups. That has been an iterative process for public servants and for us over many years as we try to get it more appropriately built into planning and the Budget-setting process.

I agree that the particular examples that were discussed at yesterday's meeting merit broader sharing. One of the key things arising from our section 75 effectiveness review was the need to make the extensive work that is going on in Departments, through Committees and so on, relevant to people. Examples such as those make it very relevant to people. Therefore, you have a good point about the importance of making information about the potential impact of section 75 on the lives on individuals and groups of individuals more publicly known.

Ms Anderson:

Groups that I have dealt with do not find the concept of EQIAs dynamic or interesting. However,

once the concept is unpacked, it is possible to identify how, in relation to the rural development programme for example, poverty, deprivation and inequality impact on the lives of women living in rural areas. Resources can then be skewed towards addressing those issues, because they were identified through the EQIA process. That makes the process relevant to people, and that is why people should engage with it. The EQIA process has been given bad press in the past.

Mr B Collins:

The commission has consistently made the point that neither section 75 nor the disciplines associated with it were designed as a penitential exercise. They were not designed to make life difficult for people; however, people frequently respond to them as though they were. When used properly, the legislation is very imaginative. Even if it does not get to the point of requiring an equality impact assessment, it is positive in that it takes account of the needs of the nine groups that the section embraces and explores the real impacts of policies on them. It is intended to make better policy, which it can and does do.

In the context of the revised guidance in relation to section 75, one of the tasks facing us now is to ensure that that relevance and proportionality, as well as the key impacts on public policy, are reflected and to have as little process as possible, all of which are consistent with achieving positive and effective outcomes.

The Deputy Chairperson:

I wish to clarify my remarks in case there was any confusion. I was not saying that inequality in representation is never evidence of discrimination, because clearly it is. Rather, I was saying that even when all processes are properly implemented, there are occasions when there will still be inequality of outcome, simply because of the pool of people being dealt with. That is the reality. My point was about measuring whether things are being done fairly and properly and whether the processes are working in the absence of outcome-based measures.

Mr McElduff:

What is the Equality Commission's view on the extent, or lack, of rural transport provision? Has the Commission made its view on the absence of rural transport provision, which particularly affects women living in rural areas, known to Government?

Ms E Collins:

I cannot think of when that issue has been raised in the recent past but I am happy to come back to Committee on that. Officials might have discussed that as part of our ongoing relationship with the Department for Regional Development (DRD). I am happy to come back and brief the Committee if there is anything specific; however, nothing immediately comes to mind.

Mr B Collins:

In our discussions with public authorities and in our publications, we have said many times that geography should not be a barrier to equality of opportunity. Specifically in the context of the review of public administration (RPA), we have said that the accident — or the benefit, depending on one's perspective — of being born in place X or place Y should not limit a person's equality of opportunity. The issue raised by Mr McElduff is a significant one.

Mr Anderson:

I am ashamed to say that DRD's action plan is not as good as it should be. Surely, DRD should be addressing the issue of rural transport for women. Perhaps the commission can use the action plan as an access point to engage with DRD on the issue.

Mr B Collins:

We have had several discussions with the Rural Community Network about some of those issues.

Mr Molloy:

When the Committee takes evidence from folk from Belfast, I always get the impression that they are only dealing with the situation in east and west Belfast — and sometimes north Belfast — and that those places are the priority.

In relation to rural areas, one issue is the decentralisation of Departments. Women living in rural areas often do not get the opportunity to work in Departments, in which women are largely employed, because they are not prepared or able to travel to Belfast. Very often, the assessment of where Departments should be located is carried by the people who already work in the Departments, not by the people who would take up those jobs if they were available in other areas. There can also be employment inequalities for women living in rural areas because of the lack of childcare facilities as well as other, general facilities.

Mr McElduff:

On that point, can I wish happy birthday to the George Bain report on the relocation of public sector jobs? It is one year old today.

The Deputy Chairperson:

Thank you for bringing that to the attention of those of us who had forgotten. We will allow the question to be answered before we throw a party for the George Bain report.

Mr B Collins:

I omitted to mention the issue of childcare. That is a significant issue on two fronts. First, there is a real need for men and women, that is, both parents, to share in the responsibility of childcare and all that goes with it. Despite some of the changes that have been made, it is still mothers who carry the greatest load in that regard, even though there are evident shifts in patterns of behaviour. Secondly, there is the issue of the provision of affordable childcare. If we are serious about wanting to increase participation in the workforce to reduce economic inactivity, particularly given the higher presence of women among the economically inactive, the availability of childcare facilities will have an inevitable consequence on that.

However, it is not as if we intend to send a bill for an uncountable amount of money. The need for those issues to be taken into account becomes greater when money becomes less available. With lots of money, it is possible to do everything. It is when there is less money available that focusing on the barriers to full participation in employment and in the life of the community need to be given priority.

Ms E Collins:

We are conscious that equality must be a focus when changes are made through the restructuring of the public sector, both in the location of jobs and of headquarters. Throughout the RPA process we have consistently spoken about the importance of maintaining a focus on equality of opportunity, not only in employment but in service provision. That thread must run through the RPA process at council level and in the outworkings of education and health.

Mr Molloy:

I have a question about childcare vouchers. People who live in the Twenty-six Counties, in the

South of Ireland, who work and pay taxes in the North cannot use childcare vouchers, because the Treasury will not accept the monitoring system. Those people, particularly young women, are being discriminated against with regard to the cross-border and European dimensions of the use of childcare vouchers. They cannot benefit from the voucher that they have basically paid into.

Mr B Collins:

Nobody has brought that issue to us formally or has sought legal assistance on it.

The Deputy Chairperson:

That concludes the members' questions. Is there anything that you wish to add?

Ms E Collins:

As Bob said, it is important that the Government have a cross-departmental gender equality strategy, that that is as good as possible, and that there is a focus on addressing gender inequalities. There is potentially an assumption that, because people have been working on gender equality since the 1970s, everything in respect of that has been achieved. However, there are still significant pockets of inequality impacting on both men and women that need to be focused on.

The Deputy Chairperson:

Thank you for your briefing and for the answers that you have provided to members. It is very much appreciated.

Members, the Committee Clerk will draft a briefing on the issues raised with the Gender Advisory Panel and the Equality Commission for next week's meeting. Are members content to decide at next week's meeting how we are going to respond to the Department?

Members indicated assent.