North South Inter-Parliamentary Association





Briefing Paper for the seventh meeting of the North-South Inter-Parliamentary Association

Women in Public Life

27th November 2015

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Key Issues

Gender equality in decision-making roles means that important decisions, from legislation to company or state board strategy and codes of practice, reflect the different behaviours, needs and aspirations of men and women in society. It is seen as essential to the achievement of gender equality in society.

Proponents also argue that gender-equality in decision-making roles ensures that all talent pools are tapped and that ultimately this will enhance the performance of an organisation – whether parliament, local government, government, state or corporate boards.

Gender roles in society have changed dramatically over the last few decades in Ireland and Northern Ireland, yet little has changed in terms of women's access to decision-making positions.

While the trend in women's representation has been very gradually upward in both parliaments, the Dáil has one of the lowest levels of women's representation in the EU with only 16% of TDs women in 2015 compared to over 40% in Sweden and an EU average of 24%. At 21% female representation, the Northern Ireland Assembly trails the other devolved parliaments of the UK by a considerable margin in terms of women's representation. And women candidates have never exceeded 20% of candidates in general elections in either jurisdiction. This is set to change.

Women constitute 36% of state board appointments in Ireland, 24% on state boards in the economic sphere, and 33% of state board appointments in Northern Ireland. In Ireland, only 10% of positions on corporate boards (of listed companies) are held by women and only 5% of positions on corporate boards for the top 500 companies are held by women. 15% of board members of the top 100 companies in Northern Ireland are women, with 7% of Presidents/Chairpersons female.

The low level of women's representation in decision-making roles is reflected in the vertical segregation which characterises the civil and public service in Ireland, North and South.

The barriers to women's representation in decision-making positions are both supply-side and demand-side, the former encompassing factors which prevent women from seeking leadership roles, the latter factors which deter organisations, whether political parties, state or corporate boards, from appointing women. Barriers (demand and supply-side) are often referred to as the 'five Cs': care, cash, confidence, culture, and candidate selection.

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On the supply side, the evidence suggests that as women are responsible in the vast majority of cases for caring for children or the elderly, this making a significant contribution to the gender wage gap which exists, women are ill-equipped in terms of time and resources to present themselves as 'election ready.' In the public and private sectors, caring duties can present barriers to women achieving positions of sufficient seniority for board appointment. These barriers make it difficult to break down attitudes and perceptions about traditional gender roles, gender stereotyping, which can create psychological and cultural barriers to women seeking leadership positions.

Policies to ensure more gender equality in caring include:

- Legislation to provide that with the exception of a short post-birth period (e.g. six weeks), paternity leave may be shared by both mother and father for its duration;
- More state-subsidised childcare especially during the early years and then subsidised quality after-school care;
- Measures which support and encourage all places of employment, small and large, to include the promotion of flexible, family-friendly working hours for women and men in their codes of practice. A number of reports have recommended that Houses of the Oireachtas or the Northern Ireland Assembly adopt such policies

The relevant policies in place in Ireland and Northern Ireland are outlined in Section 3.2.1 of this document.

On the demand-side barriers, including the organisational culture and strategic choices available to political parties, public appointments commissioners and private businesses affect choices made when selecting candidates for decision-making roles and tend to favour male candidates.

Policy solutions to directly address demand-side barriers include measures which aim to directly change the incentives of political parties, Departments (for state bodies) and companies:

- The application of gender targets, with or without incentives or compliance costs;
- The application of legislative quotas (with or without sanctions for non-compliance);
- Supporting measures to help parties, departments or companies to meet these targets or quotas by encouraging leadership pipeline / talent databases with which qualified women can register and network;
- Opening up the transparency of the process for selection and appointments in all cases.

Policies in place, including policy recommendations made but yet to be adopted, are outlined in Section 3.3.2 and 3.3.3 of this document.

Legislation providing for gender quotas, stipulating that at least 30% of candidates should be male and 30% female and tied to exchequer funding for political parties, was passed by the Oireachtas in 2012. While it is too early to assess their impact on women's representation, the proportion of female candidates in all candidates selected to date for the 2016 General Election is 31.2%, double the proportion in the 2011 General Election. The impending quotas are also considered, at least in part, to explain the higher proportion of women candidates contesting and winning seats in the 2014 local elections in Ireland.

Whether companies and state boards are obliged by quotas or encouraged by voluntary codes of conduct to appoint more women to boards, a report for the Department of Justice and Equality *Gender Parity in Decision Making* in Ireland (2014) has found that other factors facilitate the success of these measures. They include:

- Encourage/incentivise/force state bodies or companies to increase transparency around the appointment process;
- Develop databases or talent banks with which women can register and which companies can search;
- Develop and provide mentoring and training programmes to ensure that women are 'board ready' and to break down any cultural or organisational barriers to women's accession to leadership positions;
- Encourage codes of practice (for companies, Departments and parties) designed to facilitate family-friendly hours and to make it acceptable for men, as well as women, to avail of them.

There are many opportunities for North-South cooperation amongst policy-makers and practitioners aiming to promote gender equality in decision-making.

Introduction

This paper is written to assist the North-South Inter-Parliamentary Association in its discussions on the policy issue of women in public life.

Having outlined the rationale for pursuing more equal representation of men and women in decision-making roles, and demonstrating the extent to which inequality in this respect persists in Ireland, North and South, the barriers to female representation are outlined followed by policies and initiatives designed to address them. Where relevant, the policies adopted by the Irish Government and the Northern Ireland Executive to date with a view to addressing these barriers are discussed.

Section 1 examines the policy issue - gender equality - setting out the rationale for achieving gender balance in decision making roles, following which the European, Irish and Northern Irish policy and legislative contexts are outlined.

Section 2 outlines the extent to which gender inequality in decision-making positions in the public and private spheres persists in Ireland and Northern Ireland, presenting facts and figures on women in public life in both jurisdictions over time. It also includes a data section on gender equality on the boards of cross-border and North-South bodies.

Sections 3 looks at the causes of women's under-representation in decision-making roles (described in detail in Section 2), potential policy solutions and progress to date in adopting policies to address women's under-representation in Ireland, North and South. Barriers are presented as 'supply-side' and 'demand-side' the former encompassing factors which prevent women from seeking leadership roles, the latter factors which deter organisations, whether political parties, state or corporate boards, from appointing women. Policy solutions, including the case for applying gender quotas to either political parties or state or corporate boards, are outlined.

In Section 4 some themes for possible cross-border cooperation on policy to promote women in public life are outlined.

1. The policy issue

This section considers the rationale behind promoting the involvement of women in public life. It considers how more equal representation of men and women in influential decision-making roles is considered to contribute to broader gender equality. It then briefly sets out the European policy context for the promotion of gender-equality in decision-making roles.

1.1 Men and women in decision making roles and gender equality in society

Gender equality is achieved 'when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision making, and when the different behaviours, aspirations and needs of women and men are favoured equally.'¹

Gender equality is economic, cultural and political. **Economic equality** is about equality of access to employment, income and economic development and about access to key social goods such as education, health and accommodation. **Cultural equality** concerns the perceived status and acknowledgment of the identity and situation of men and women in society. **Political equality** concerns equality of access to or involvement in decision making in a democratic society.²

The promotion of gender equality has both human rights and socio-economic development goals. It is described by the European Commission as:

"not only a question of diversity and social fairness but a precondition for meeting the objectives of sustainable growth, employment, competitiveness and social cohesion."³

Gender equality in decision-making roles

Many advocates argue that policy decisions will reflect the different behaviours, aspirations and needs of both men and women, if women and men are both adequately represented on decision-making and decision-influencing bodies, whether public or private.⁴ Further, it is argued that if men and women are adequately represented all talent pools are tapped and utilised and, therefore, the overall performance of the organisation is enhanced.

¹ This is the definition used by the Department of Justice in the National Women's Strategy 2007-2016. See Department of Justice and Equality (2014) <u>Towards Gender Parity in Decision-making in Ireland</u>. an initiative of the National Women's Strategy

² Department of Justice (2014) cited above.

 ³ European Commission (2010) report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions COM(2010)694, Brussels. P.7.
 ⁴ E.g. National Women's Council of Ireland (NWCI) (2015) Better Boards, Better Business, Better Society

According to this analysis, greater gender balance in decision-making positions and institutions - whether democratic institutions, senior civil service, the boards of state companies or the boards of NGOs or corporate boards – is essential for the promotion gender equality in society in general and will enhance the quality of decisions taken by all of these influential institutions. The threshold for adequate representation/gender balance in leadership or decision-making forums is often cited as 30%.⁵

Increasingly, advocates of gender equality, and in particular gender equality in decisionmaking positions, present a business case. It is argued that gender balance in influential positions impacts on leadership, talents, markets and innovation.⁶ Research undertaken for the OECD and the European Commission has found 'tangible benefits' from more genderbalanced leadership in business including increased labour productivity, enhanced governance and performance, improved corporate image, higher return on investment, greater ability to attract and retain the best talent, workplace innovation and a reduction in employee turnover.⁷ These arguments also apply to public sector organisations.

Is it necessary to proactively address this gender gap or will it, in time, correct itself in line with changing gender roles in society?

In Ireland and Northern Ireland gender roles in society have changed dramatically over the last few decades; the societies moving from traditional, patriarchal societies to societies where young women make up a greater proportion of third-level graduates and where women are increasingly part of the workforce. In terms of its legislative and policy context, Irish society has moved from one which 'structurally excluded women through law, policy and practice'⁸ to one which has robust gender-equality legislation in place.

However, little has changed over the last twenty years in terms of women's access to decision-making positions in Ireland, North or South. As the data presented in section 2 will demonstrate, women are consistently 'highly under-represented in political and decision-making structures, at national and local levels.⁹ In Northern Ireland, the Assembly has concluded that the under-representation of women in politics is a serious issue which "must

⁵ Yvonne Galligan (July 2015) Queens University Belfast, IBIS Conference *Women in Leadership North and South*

⁶ See Avivah Wittenberg-Cox, CEO of 20-first Consulting (November 2014) Key-note Speaker at Department of Justice and Equality and Ibec Conference <u>Investing in Talent – Promoting Gender Balanced Leadership</u> <u>Conference Report p</u>. 11.

⁷ Department of Justice and Equality and Ibec Conference <u>Investing in Talent – Promoting Gender Balanced</u> <u>Leadership Conference Report p</u>. 3.

⁸ NWCI (2015) Better Boards, Better Business, Better Society p.11

⁹ Ursula Barry (2015) (2015) The Policy on Gender Equality in Ireland Update. Analysis for the European Parliament, Policy Department (Citizens' rights and Constitutional Affairs) for the FEMM Committee. p.9-11

be addressed as a matter of urgency."¹⁰ While the European Institute for Gender Equality (EIGE)'s Equality Index 2013 placed Ireland above the EU average, Ireland received its lowest score for power which is linked to the very low level of representation of women across the decision-making system.

Buckley and Hofman¹¹ in their analysis of gender-equality in local representation and government refer to 'gendered legacies' and 'institutional norms' created by social and legal obstacles to women accessing work outside the home and entering into public life in the past. Many of the barriers to women in accessing influential decision-making positions stem from these legacies and institutional norms. Policies designed to proactively address these barriers are seen as the key to addressing most remaining forms of gender inequality in society.

1.2 European policy context

Equality between women and men is a fundamental right, enshrined in Article 2 of the Treaty on European Union and in the Charter of Fundamental Rights of the European Union.

On the basis of the type of analysis outlined above, equal participation of men and women in decision making has become a central priority of gender equality policy at a European level. European policy on gender equality in decision-making is framed by two key instruments.

The European Pact for Gender Equality for the period 2011 – 2020,¹² adopted by the Council of the European Union in March 2011, urges action at Member State level and, as appropriate, at Union level to promote the equal participation of women and men in decisionmaking at all levels and in all fields, in order to make full use of all talents.

The European Commission's Strategy for Equality between Women and Men (2010-2015) is a five-year work programme committing the Commission to promote gender equality across all policy-making (gender mainstreaming). Also, specific sets of actions are outlined under five priority areas (defined in the Women's Charter, 2010), one of which is equality in decision making.13

¹⁰ Assembly and Executive Review Committee Review into 'Women in Politics and the Northern Ireland Assembly: http://www.niassembly.gov.uk/assembly-business/committees/assembly-and-executivereview/reviews/women-in-politics-and-the-northern-ireland-assembly/. ¹¹ Fiona Buckley and Caroline Hofman (2015) 'Women in local government: moving from the margins'

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¹² Which was preceded by the European Pact for Gender Equality signed by Heads of State in 2006.

¹³ The other four priorities are equality in economic independence; equal pay for equal work and work of equal value; dignity, integrity and an end to gender-based violence and gender equality in external relations.

In its Women's Charter (2010), the European Commission explained its rationale for pursuing equality in decision-making as follows:

"Gender balance in decision-making, in political and economic life and in the public and private sectors, will help Europe shape more effective policies, develop a gender-aware knowledge-based society, and create a stronger and more prosperous democracy."

The Charter commits the European Commission to use its powers, including Union incentive measures, to promote a greater share of women in positions of responsibility.

Two further instruments define the European Commission's policy. Firstly, a commitment to regularly report on progress in achieving its goals on promoting gender equality and, in order to facilitate this, secondly a commitment to gathering and disseminating data. A European <u>database on women and men</u> in decision making is maintained for the purpose of monitoring progress on this priority.

In November 2012 the Commission published a proposed Directive on improving the gender balance among directors of companies listed on stock exchanges and related measures setting a goal of a 40 percent threshold of women among non-executive directors/ Supervisory Board members by 2020 for private listed companies. This has not been agreed by the Council and some Member States are opting to purse the goal by actions at a national level, rather than European legislation.¹⁴

1.3 Irish legislative and policy context

While **gender equality legislation** is quite robust in Ireland and the Constitution provides for the equality of all citizens before the law (Article 40.1), a recent report for the European Parliament notes that gender equality is not directly referenced in the Constitution and that Article 40.1 allows the State to give 'due regard to differences of capacity, physical and moral, and of social function' in its enactments.¹⁵ Articles 41.2.1 and 41.2.2 recognise the position of women in the home and as mothers, while not recognising the role of fathers.

Gender equality legislation was first introduced in the 1970s following Ireland's accession to the EU. There are two sets of legislation directly dealing with equality.

First, the *Employment Equality Acts 1998* and *2004* address discrimination within employment (including recruitment and promotion) across nine grounds including gender, civil status and family status. Second, the *Equal Status Acts 2000* and *2004* relate to discrimination on the same nine grounds outside the areas covered by the Employment

¹⁴ EU Law Analysis (June 2015) Forty percent Venus, Sixty Percent Mars

¹⁵ Ursula Barry (2015) p.13

Equality Act. The latter Act established the Equality Authority which is responsible for promoting equality and monitoring compliance with the legislation (since merged with the Human Rights Commission to form the Irish Human Rights and Equality Commission). The *Maternity Protection Acts 1998* and *2004, Parental Leave Acts 1998* and *2006*, the *Adoptive Leave Act 1995* and the *Carer's Leave Act 2001* also protect employment rights.¹⁶

The promotion of gender equality has been on the **policy agenda** since the 1980s when Ireland signed the UN Convention on the Elimination of all forms of Discrimination against Women (1985). Commissions on the Status of Women were established to make recommendations for advancing gender equality, the Report of the Second Commission (1992) strongly recommending greater involvement of women in decision making. Since its publication, several governments have made efforts to achieve this.¹⁷

The <u>National Women's Strategy (2007-2016)</u> is the Government's central policy document for women's equality and is linked to its commitments under the Bejing Platform for Action. The Strategy is based around three themes: socio-economic opportunity, wellbeing and equal engagement as active citizens and it outlines impediments to gender equality and policies and actions designed to tackle them which are set out as 20 objectives and over 200 actions. One of its key objectives is "to increase the number of women in decision-making positions in Ireland."

The Programme for Government commits to "ensuring that the rights of women and men to equality of treatment and to participate fully in society are upheld," recognises the need for a substantial increase in the number of women in politics and proposes referring this issue to the Constitutional Convention. Commitments to introduce gender quotas for parliamentary elections and to ensure that all state boards have at least 40% of each gender are in the Programme.

In 2013, in recognition of the lack of progress towards achieving this goal and on the advice of the Gender Equality Unit (Department of Justice and Equality) and the National Women's Council of Ireland, the Government established a sub-committee to examine the issue which published its report <u>Towards Gender Parity in Decision-Making</u> in March 2014. The report, which makes a series of recommendations, was adopted by the Government in 2014.

According to the Gender Equality Unit in the Department of Justice and Equality, funding from the European Commission under the European PROGRESS Programme 2007 - 2013

¹⁶ Ursula Barry (2015) p.13

¹⁷ Department of Justice and Equality (2013) Towards Gender Parity in Decision-making in Ireland p.20

is facilitating the implementation of a number of the key recommendations of the report with a specific focus on increasing the number of women in decision-making roles in both the public and private sectors and on boards. Funding has previously been made available to support projects and initiatives under the Equality for Women measures of the National Development Plans (2000-2007 and 2007-2013). The Equality for Women measure in 2007-2013 included three priorities, one of which was fostering women as decision-makers. This was part funded by the European Social Fund (Human Capital Investment Programme).

1.4 Northern Irish legislative and policy context

The *Sex Discrimination Order 1976*,¹⁸ as amended, prohibits discrimination and outlaws harassment on the basis of sex in the fields of employment, education and the provision of goods and services¹⁹. Section 75 of the *Northern Ireland Act 1998*²⁰ also requires public bodies to have due regard for the promotion of equality between specific groups, one ground being equality between women and men.

In terms of political representation, the *Sex Discrimination (Election Candidates) Act 2002*²¹ removes legal impediments to the use of positive discrimination by permitting political parties to choose women in the place of men where there is underrepresentation, should they chose to do so. This provision has been extended to 2030.

The Belfast (or Good Friday) Agreement 1998 states that the parties affirm "the right of women to full and equal political participation".²² In addition:

"Pending the devolution of powers to a new Northern Ireland Assembly, the British Government will pursue broad policies for sustained economic growth and stability in Northern Ireland and for promoting social inclusion, including in particular community development and the advancement of women in public life."²³

The vision set out in the Gender Equality Strategy 2006-2016 is of a society where:

"Men and women will be able to realise their full potential to contribute equally to the political, economic, social (including caring roles) and cultural development of Northern Ireland and benefit equally from the results."²⁴

- ²⁰ Northern Ireland Act 1998: http://www.legislation.gov.uk/ukpga/1998/47/contents.
- ²¹ Sex Discrimination (Election Candidates) Act 2002: <u>http://www.legislation.gov.uk/ukpga/2002/2/contents</u>.
 ²² Belfast Agreement, 'Rights, Safeguards and Equality of Opportunity Human Rights', Paragraph 1:
- ²² Beirast Agreement, Rights, Safeguards and Equality of Opportunity Human Rights, Paragraph 1: <u>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf</u>.
 ²³ 'Rights, Safeguards and Equality of Opportunity – Economic, Social and Cultural Issues', Paragraph 1.
- ²⁴ Northern Ireland Executive (2010), A Gender Equality Strategy for Northern Ireland 2006-2016, Belfast:
 OFMdFM, pp.24-5: <u>http://www.ofmdfmni.gov.uk/gender-equality-strategy-2006-2016.pdf</u>.

 ¹⁸ Sex Discrimination (Northern Ireland) Order 1976: <u>http://www.legislation.gov.uk/nisi/1976/1042/contents</u>.
 ¹⁹ For a broader summary of gender equality legislation, see Research and Information Service Research Paper 75/*11 Equality and Human Rights Legislation in Northern Ireland: A Review*, 8 August 2015, pp.10-11: http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2011/ofmdfm/7511.pdf.

The Strategy refers to a Gender Advisory Panel which should, inter alia:

"take account of the provisions of the Programme for Government, including those regarding effective programmes and strategies aimed at achieving the eradication of all forms of violence against women; at combating the lack of women's representation in political and public life; and at ensuring access to affordable quality childcare."²⁵

This commitment refers to the provisions of the Programme for Government 2008-2011 as follows:

"We are committed to tackling remaining gender inequalities. We will implement the cross departmental Gender Equality Strategy and work towards the total elimination of the gender pay gap. In addition we will ensure that there are effective programmes and strategies aimed at achieving the eradication of all forms of violence against women, and examine strategies to combat the lack of women's representation in political and public life and to ensuring access to affordable quality childcare."²⁶

However, the Programme for Government 2011-2015²⁷ does not include such provisions.

A Review of the Gender Equality Strategy was published in 2013 but the body of the report

and conclusions made no reference to the representation of women in public life.²⁸

In 2014, the Northern Ireland Assembly's Assembly and Executive Review Committee

(AERC) undertook a Review into Women in Politics and the Northern Ireland Assembly.²⁹

The AERC concluded its Review in 2015 and the report³⁰ was debated in the Northern

Ireland Assembly on 9 March 2015.³¹ The AERC report concluded the following:

- The under-representation of women in politics in Northern Ireland is a serious issue which must be addressed as matter of urgency.
- The Assembly and political parties play a key role in encouraging women to seek and secure election to the Northern Ireland Assembly.
- Civil society and the education sector have an important contribution to make in encouraging women to consider a career in politics.

³⁰ Assembly and Executive Review Committee (2015), *Report on Women in Politics and the Northern Ireland Assembly*, 17 February 2015: <u>http://www.niassembly.gov.uk/assembly-business/committees/assembly-and-executive-review/reports/report-on-women-in-politics-and-the-northern-ireland-assembly/</u>.
 ³¹ Northern Ireland Assembly Official Report 9 March 2015:

²⁵ Ibid., p.108.

²⁶ Northern Ireland Executive (2008), *Programme for Government 2008-2011*, Belfast: OFMdFM: <u>http://www.northernireland.gov.uk/pfgfinal.pdf</u>.

 ²⁷ Northern Ireland Executive (2011), *Programme for Government 2011-2015*, Belfast: OFMdFM: <u>http://www.northernireland.gov.uk/pfg-2011-2015-final-report.pdf</u>. This Programme for Government has been extended to 2016 in line with the extension of the Northern Ireland Assembly mandate to five years.
 ²⁸ Office of the First Minister and deputy First Minister (2013), *Gender Equality Strategy 2006 – 2016 Review*, Belfast: OFMdFM: <u>http://www.ofmdfmni.gov.uk/gender-equality-strategy-2006-2016-review.pdf</u>.

 ²⁹ Assembly and Executive Review Committee Review into 'Women in Politics and the Northern Ireland Assembly': <u>http://www.niassembly.gov.uk/assembly-business/committees/assembly-and-executive-review/reviews/women-in-politics-and-the-northern-ireland-assembly/</u>.
 ³⁰ Assembly and Executive Review Committee (2015), *Report on Women in Politics and the Northern Ireland*

http://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2015/03/09&docID=226892.

- The Executive's strategies and policies if designed, delivered and appropriately funded can enable women at all levels of society to balance their caring responsibilities with a career in politics.
- The media plays an important role in informing society's views about the work of female politicians and the contribution they make to political life in Northern Ireland.

It set out recommendations for political parties, the Assembly and the Executive which are

available on pages 2-3 of the <u>Review into Women in Public Life</u>. Recommendations for the

Executive were that it:

- Ensure that its future childcare and gender equality strategies are designed, delivered and appropriately funded to enable women at all levels of society to balance their caring responsibilities with a career in politics.
- Ensure improve information sharing, monitoring and accountability in the implementation of the new gender equality strategy across all departments to ensure that all strategic objectives are met within the agreed timescales and that lessons are learned from the implementation of the existing Gender Equality Strategy (2006-2016).
- Should state its commitment to addressing gender inequality in Northern Ireland.
- Give consideration to the implementation of gender mainstreaming and gender budgeting in Executive policies and legislation development.

2. Women in public life - What is the extent of inequality in Ireland and Northern Ireland?

The level of women's representation in parliament, local government, government and on public and private boards are considered as indicators of the wider influence of women and men over the decisions which affect society. Further, they are considered direct evidence of the extent to which the goal of promoting gender equality in decision making is being achieved.

This section presents data on women's representation in public life, North and South, over time with a view to outlining the extent to which gender inequality persists in both jurisdictions.

It compares Ireland and Northern Ireland with EU States and with the parliaments and executives of Scotland and Wales. Data is given for the following where available:

- (i) Women's representation in parliament, local councils and Government over time;
- (ii) Women's representation on public boards/agencies over time;
- Women's representation in leadership roles in society in general including the boards of private companies and the boards of NGOs (where available);
- (iv) Women's representation on cross-border agencies and bodies.

2.1 Representation in parliament

It is well established that Ireland has one of the poorest records in Europe and, in fact, in the OECD on gender balance in parliament. This is documented in the Joint Oireachtas Committee of the 30th Dáil's Report on Women's Participation in Politics (2009), the Oireachtas Library and Research Service's Spotlight on Gender-balance in European parliaments (2010),³² the National Women's Council of Ireland's report (2013) and in much academic and expert analysis referred to in Section 3. Women are better represented in the Upper House at least since the elections of 2011.

³² These reports can be found at online: <u>http://www.oireachtas.ie/documents/committees30thdail/j-justiceedwr/reports_2008/20091105.pdf</u> and

http://www.oireachtas.ie/parliament/media/housesoftheoireachtas/libraryresearch/spotlights/GenderBalanceInEU ParliamentsSpotlight 181110.pdf In its <u>Report on Women in politics and the Northern Ireland Assembly (2015)</u>, the Assembly and Executive Review Committee noted that the Northern Ireland Assembly has one of the lowest levels of female representation of devolved and national legislatures in the UK and Ireland, with only Dáil Éireann having a lower proportion of female Members. It also noted that with the exceptions of Italian regional legislatures, the Northern Ireland Assembly has the lowest levels of female representation of comparable devolved institutions in Western Europe.

Below we present the data on representation in parliament for Ireland and Northern Ireland.

Ireland

- Low representation of women has been a persistent trend; only 95 women have served in Dáil Éireann since the establishment of the State;³³
- 25 out of the 166 Dáil seats in the 2011 General Election were won by female candidates (15.25%). Subsequent bye-elections saw women's representation increase to 27 which is 16% of all deputies which is the highest level of female representation in the history of Dáil Éireann. It compares with 13.3% in the 30th Dáil and 13.3% in the 29th Dáil (Figure 1);
- While 16% is low, the trend in women's representation in the Dáil is in a gradually upwards direction (Figure 1).

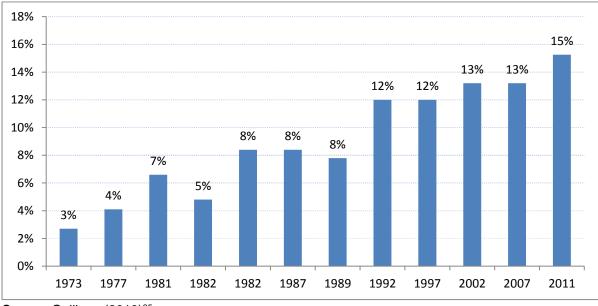
Women are also under-represented as candidates in general elections. Women constituted 18.1% of all candidates in the 2002 elections, 17.4% in 2007 and 15.2% (or one in six) candidates in the 2011 General Election. In 2011, this meant that 86 of the 566 candidates were women. The percentage of candidates selected by the political parties who were female was 18.9% (2011), 19.1% (2007) and 18.9% (2002).³⁴

The implications of the *Electoral Amendment (Political Funding) Act 2012,* which provides that men and women must constitute at least 30% of a parties' candidates at general elections for parties to qualify to their full entitlement of exchequer funding (quotas), on candidate selection is discussed in the policy section below (Section 3).

Figure 1: Share of female TDs elected (1973-2011)

³³ Presentation by Women4election at Institute for British Irish Studies, UCD, Annual Conference *Women in Public Life* June 2015.

³⁴ Fiona Buckley, (December 2011) Presentation at PSAI Gender Politics Specialist Group *Gender Quotas Workshop.*



Source: Galligan (2010)35

Female representation is stronger in Seanad Éireann than in the elected lower house with 30% (18 Senators) of its Members women (2011). This is 30% of Members of the upper house compared to the EU average of 21% of the memberships of upper houses. Of the 18 female Senators in the Seanad in 2011, 7 were nominated by the Taoiseach to the Seanad in 2011 (out of 11 nominees). One female Senator (of six) was elected in the university panel elections and ten (of 43) were elected through the other panel elections.

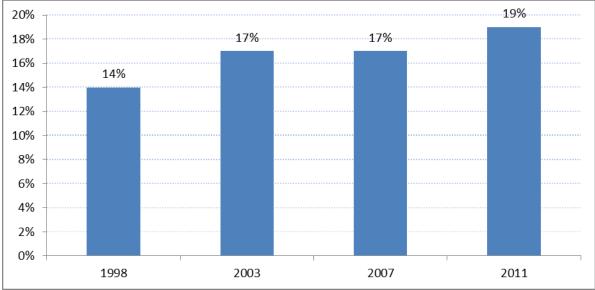
Northern Ireland

There has been a small increase in the proportion of Members of the Legislative Assembly (MLAs) who are women in each election since 1998 (Figure 2). In 2011, 20 of the 108 MLAs elected were women (19%).

Figure 2: Share of female MLAs elected (1998 - 2011)

³⁵ Yvonne Galligan (2010) 'Women in Politics' in Coakley and Gallagher (edrs.), Politics in the Republic of Ireland

p. 266. London & New York, Routledge in association with PSAI. Updated to reflect 2011 elections.



Source: Northern Ireland Assembly³⁶

In 2011, of the 18 constituencies, each returning 6 representatives to Stormont (under PR-STV rules), 5 returned no female MLA – East Antrim, East Londonderry, Newry and Armagh, North Antrim, and North Down. Only in Newry and Armagh was there an all-male candidate slate presented to the electorate.

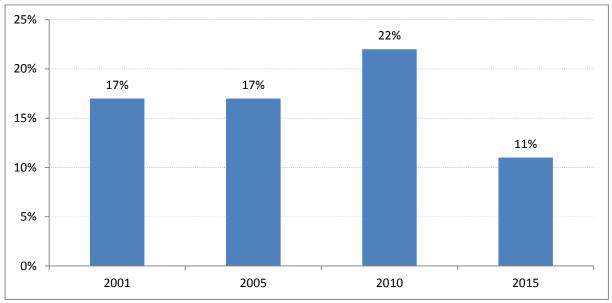
In 2015, 23 of the 108 MLAs are female (21%); this the highest level of female representation in the Assembly since its establishment. The discrepancy between the current level of representation (21%) and the proportion of women MLAs elected in 2011 (19%) is due to more women than men being co-opted to replace MLAs leaving office.

As with elections to Dáil Éireann, women are under-represented as candidates in the Northern Ireland Assembly elections, making up 17% (38) of all 218 candidates in 2011, 18% (47) of the 257 candidates in 2007 and 19% (49) of all candidates in 2003.

The number of female Members of Parliament (MPs) elected to the House of Commons from Northern Ireland's 18 constituencies dipped at the 2015 UK General Election to 2 of 18. The small number of MPs elected from Northern Ireland means the percentage share figures in Figure 3 should be treated with caution.

Figure 3: Share of female MPs elected in Northern Ireland Constituencies (2001 - 2015)

³⁶ Data on MLAs is derived from the Northern Ireland Assembly website (<u>http://aims.niassembly.gov.uk/mlas/search.aspx</u>) and archived data on MLAs.



Source: Centre for the Advancement of Women in Politics and $\mbox{Raise}^{\rm 37}$

Leadership positions in parliament

Within parliament, of 14 Oireachtas committees (the 13 sectoral Joint Oireachtas Committees and the Public Accounts Committee (Dáil only), two are chaired by women representatives (Joint Committee on Education and Social Protection and Joint Committee on Jobs, Enterprise and Innovation) as of October 2015, this is below the 20% of female representatives across the Dáil and Seanad.

Four of the nineteen Assembly committees operating in October 2015 are chaired by women (21%),³⁸ this reflects the proportion of female MLAs.

Leadership positions in government

The low number of women representatives in parliament has been reflected at Government level since the foundation of the State. Of the 181 people who have served in cabinet with full ministerial positions since 1922, only 12 (7%) have been women.

³⁷ Data derived from the Centre for the Advancement of Women in Politics (<u>http://www.qub.ac.uk/cawp/</u>) and Research and Information Service Briefing Note 48/15 Women in the General Election in Northern Ireland 2015 11 May 2015: <u>http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2015/general/4815.pdf</u>.

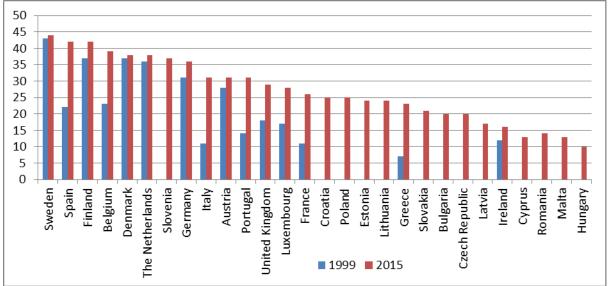
³⁸ Derived from individual committee web pages, accessed 16 October 2015: Committees of the Northern Ireland Assembly.

In 2015, however, four out of the fifteen full-time cabinet positions are held by women (26.7%), with two of fifteen Ministers of State women (13%).³⁹

In the Northern Ireland Executive, four of the thirteen full Ministers (30.8%) and both junior ministers are women.⁴⁰

Ireland and Northern Ireland compared to the European Union and the rest of the UK

At 16% in Dáil Éireann and 21% in the Northern Ireland Assembly, the level of women's representation compares poorly with an average of 24% across all Member State parliaments. Figure 4 below, shows the share of women representatives in all EU parliaments for 1999 and 2015. It shows that Sweden has consistently had the highest gender equality in representation in both years. It also shows that some countries (Spain, Italy, Portugal, Greece and France) have increased the share of female representatives dramatically over the period.





Source: Democracy in Electoral Assistance (IDEA) Database ⁴¹

Equally notable is the variety in the levels of female representation in parliaments in the UK and Ireland; women's representation in the Scottish Parliament and the National Assembly for Wales is more in line with parliaments such as Sweden, Spain and Finland than with

⁴⁰ Northern Ireland Assembly Website http://www.niassembly.gov.uk/your-mlas/ministers-and-their-departments/
 ⁴¹ Data extracted from Institute for Democracy in Electoral Assistance (IDEA) Database on Women's representation in Parliament

³⁹ Department of the Taoiseach website

http://www.taoiseach.gov.ie/eng/Taoiseach_and_Government/List_of_Ministers_Ministers_of_State/

either the Northern Ireland Assembly or Dáil Éireann. This is surprising given that the three devolved parliaments and Dáil Éireann use proportional electoral systems which are considered to be more favourable to women's representation than first-past-the-post. This issue is discussed in section 3.1 of this paper.

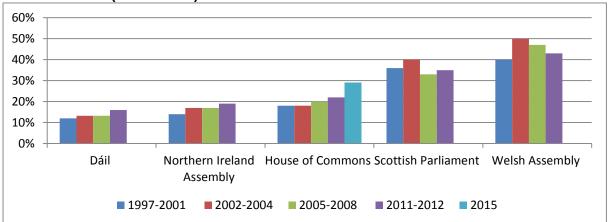


Figure 5: Share of female representation in national and devolved parliaments in the UK and Ireland $(2001 - 2015)^{42}$

European Parliament

Women make up the majority (55%) of the 11 Members of the European Parliament elected from **Ireland.** While 11 members is not a sufficient number from which to draw any significant conclusions, the trend over time has been towards increasing representation of women at a European level.

Northern Ireland has three Members of the European Parliament. While three Members is not a sufficient number to draw any robust statistical conclusions about trends, the seats have moved from all male in 1999, to two male and one female in 2004 and to two female and one male in 2009 and 2014.

⁴² Data is from a number of sources including Institute for Democracy in Electoral Assistance (IDEA) Database on Women's representation in Parliament, Professor Yvonne Galligan, presentation at Institute for British Irish Studies, Annual Conference, *Women in Public Life*, June 2015

2.2 Gender equality in representation at a local level

Ireland

Women's representation on local councils has been consistently low in the decades since their establishment. The trend in female representation had been slowly but steadily upwards until the 2009 council elections when women won 146 City and County Council seats (17%) down from 151 (19%) during 2004-2009.

In the 2014 local elections, for the first time female representation exceeded 20%: 197 of the 949 candidates elected were women, this representing almost 21% of all seats. While this is a record high for women's representation in county and city councils, Buckley and Hofman point out that it is far below the EU average of 32% for women's representation in local politics. Further, they point out that 28 of the 137 electoral areas are represented by male councillors only and no council reached gender parity. Six of the 31 Councils had a female Chair (Lord Mayor, Mayor, Cathaoirleach, Chairperson).

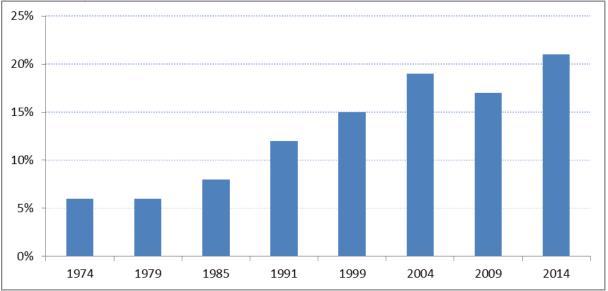


Figure 6: Female share of councillors elected in Ireland (County and City councils) (1974 - 2014)

Source: Buckley and Hofman⁴³

The number of women candidates for local election is also consistently low. Table 1 below shows women as a percentage of all candidates in the 2014 and the 2009 elections in aggregate and per party. The increase in the number of female candidates from 2009 to 2014 for most parties is seen by many analysts as parties' responses to the gender quotas

⁴³ Fiona Buckley and Caroline Hofman (2015) 'Women in local government: moving from the margins' *Administration Vol.63*:2

introduced for general elections by the Electoral Amendment (Political Funding) Act 2012. This is discussed in Section 3 below.

Table 1: Share of candidates who are women in Irish local elections 2009 and 2014					
	2009 Women (as % of all candidates)	2014 Women (as % of all candidates)			
All candidates in local election	17.2	21.7			
Fine Gael	18.1	22.6			
Fianna Fáil	16.9	17.1			
Sinn Féin	22.8	31.6			
Labour	23.1	29.1			
Independents/Others*	10.8	18.3			

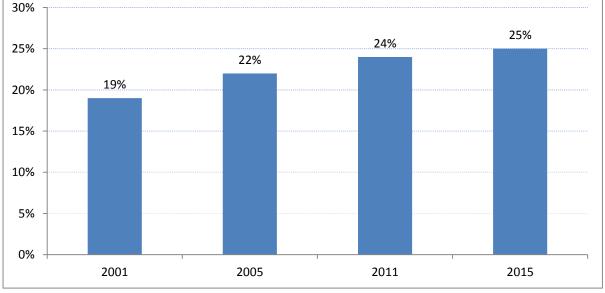
Table 1: Share of candidates who are women in Irish local elections 2009 and 2014

Source: Buckley and Hofman.⁴⁴ *Women were 38.6% of People Before Profit candidates in 2014 and 30% of candidates fielded by the Anti-Austerity Alliance.

Northern Ireland

As with the proportion of women MLAs, there has been a small increase in the percentage of female councillors over time (Figure 7). At the elections in 2014 to the 11 new local councils in Northern Ireland, 25% of councillors were women. The proportion of women candidates in has gradually increased from 16% in 1997, 21% in 2005, to 24% in 2011.





Source: Northern Ireland Assembly Research and Information Service.⁴⁵

⁴⁴ Buckley and Hofman (2015) cited above. P.84.

⁴⁵ Data from Research and Information Service Briefing Note 47/14 Women in Local Councils: Statistical Overview 1 May 2014

⁽http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2014/assembly_exec_review/4714.pdf)

2.3 Women's representation on state boards

The proportion of state-board appointments held by women has increased considerably **in Ireland** from 22% in 1995 to just over 36% (Figure 8) according to the most recent data (December 2013). In 2013 the data covers 248 state bodies and 2,673 positions (967 of which are held by women). In 2005, for example, there were more state boards (366) and far more positions: 4,732 positions, 1,592 of which were held by women). Thus while the absolute number of women on state boards has declined their share of the positions has increased.

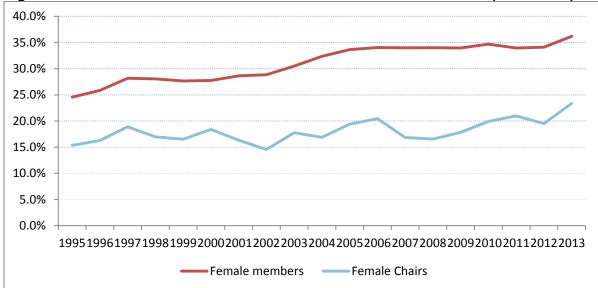


Figure 8: Female share of State Board members and Chairs in Ireland (1995- 2013)

Source: Department of Justice and Equality.⁴⁶ The number of state boards used to calculate these figures varies depending on the year, reflecting changes in the number of state bodies (e.g. amalgamations, dissolutions, new bodies) and the number of positions on their boards.

There has been an overall increase in the proportion of Chairs of state boards who are women since 1995 when 15.4% of Chairs were women to 2013 when 23.4% are women. To put these figures into context, in 1995 31 out of 227 Chairs of state boards were female and in 2013 50 out of 214 Chairs of state boards are women.

The National Women's Council of Ireland examined the most recent figures per sector and report that the proportion of female members of economic state boards within the remit of

and Briefing Note 78/14 Local Elections 2014: Results by Party and Gender 18 June 2014

^{(&}lt;u>http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2014/assembly_exec_review/7814.pdf</u>)⁴⁶ Data supplied by the Department of Justice and Equality, Gender Equality Division, 4 November 2015. Data for 2015 is not yet available.

the Department of Finance is lower than the overall 36% share at 24%. This was also noted by Barry in her report for the European Parliament on Policy on Gender Equality in Ireland.⁴⁷

In **Northern Ireland**, the proportion of women on public boards has remained steady at around **a third** since 2010/2011 (Figure 9). However, women make up only about one-fifth of the Chairs of public bodies and this proportion has remained steady. As such, while one in three members of public boards may be female, women are less represented in positions of leadership.

40% 35% 20% 20% 15% 10% 5% 0% 2010/11 2011/12 2012/13 2013/14 Female Chairs Female members

Figure 9: Female share of State Board members and Chairs in Northern Ireland (2010/11-2013/2014- 2013)

Source: Public Appointments and Public Bodies Annual Reports 48

⁴⁷ Ursula Barry (2015) p. 12.

⁴⁸ All data from Public Appointments and Public Bodies Annual Reports 2010/11 to 2013/14: <u>http://www.ofmdfmni.gov.uk/index/making-government-work/public-appointments.htm</u>.

2.4 Women on the boards of private companies

Women make up 10% and men 90% of all members of corporate boards of Irish companies listed on the stock exchange. This compares poorly with most European countries, many of which have seen significant increases in the number of women on corporate boards over the last decade (Figure 10). A global survey (2015) placed Ireland as one of the 'worst performers' in terms of gender balance on corporate boards.⁴⁹

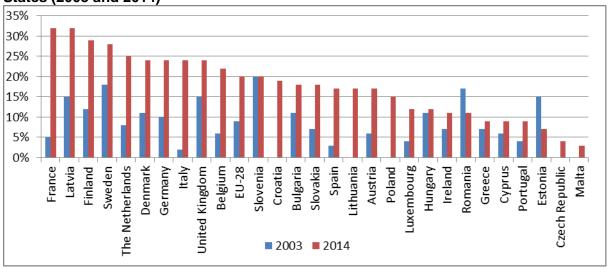


Figure 10: Female share of corporate board members of listed companies in EU States (2003 and 2014)

No corporate board of a listed company in Ireland has a female President or Chair. This is also the case in 7 other EU states, including some with greater gender balance in membership of corporate boards than Ireland such as the Netherlands (25%) and Denmark (24%).

The under-representation of women on boards is considered to be an indicator of their under-representation in the 'pipeline' to senior leadership and especially crucial line management roles.

Many relatively large companies in Ireland are not listed on the stock exchange and are, therefore, not reflected in this data. The percentage of women on boards in Ireland's top 500 companies is lower at 5%; 43% have no women at all on their boards.⁵¹ Business directory, Vision Net, released figures (March 2015) that show women numbering **almost 100,000 or**

Source: European Commission⁵⁰

⁴⁹ National Women's Council of Ireland (2015) Better boards, better business, better society p.24

⁵⁰ European Commission Gender equality database <u>http://ec.europa.eu/justice/gender-equality/gender-decision-making/database/business-finance/supervisory-board-board-directors/index_en.htm</u>

⁵¹ Ursula Barry (2015) p.12

30% of directors of all Irish companies (almost 100,000 women directors out of 317,308 directors). The data includes all companies from large public companies to small family business. The figures show a 20% increase since 2010 in the number of female directors of Irish companies over the last five years (from 84,370 in 2010 and from 43,282 in 2005.

The Institute of Directors, the representative body for board members, senior executives and partners of large Irish companies, reports that 17% of its members are women in 2015.

Studies of company boards across the UK do not cover all private companies and the figures that are available do not disaggregate by region. A study of women on the boards of FTSE 100⁵² companies indicates that 20.7% of the directors of those companies were women in 2014, compared with 17.3% in 2013 and 15% in 2012. However, only 6.9% of executive directors in 2014 were female.⁵³ There are no Northern Ireland companies on the FTSE 100 list.

A survey of the top 100 companies in Northern Ireland shows that 77 of the 499 board members registered at Companies House are women (15.4%). Two of the companies surveyed have more female than male directors, five have gender parity and 42 have boards with no women at all.⁵⁴

The 2011 Census records 23,625 managers, directors and senior officials in Northern Ireland who identified as female. This amounts to 37% of that occupation category.⁵⁵

http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2015/eti/11315.pdf. ⁵⁵ Derived from 2011 Census Tables KS609NI and KS610NI:

⁵² FTSE 100 refers to the 100 top companies listed on the Financial Times Stock Exchange index. FTSE 250 is the top 250, etc.

⁵³ Susan Vinnicombe, Elena Doldor and Caroline Turner (2015), *The Female FTSE 100: Crossing the Finish Line*, Cranfield: Cranfield School of Management, p.10: <u>http://www.som.cranfield.ac.uk/som/dinamic-content/research/ftse/The%20Female%20FTSE%20Board%20Report%202014.pdf</u>.

⁵⁴ Research and Information Service Briefing Note 113/15 Women on Boards of the Top 100 Companies in Northern Ireland, 27 October 2015:

http://www.ninis2.nisra.gov.uk/public/Theme.aspx?themeNumber=136&themeName=Census%202011.

2.5 Women in other positions of leadership including boards of NGOs

Civil Service

Women are very under-represented at senior levels in the civil service in **Ireland**, accounting for only 6% of level 1 (Secretary General) and 24% of level 2 administrators (Assistant Secretary General)⁵⁶ (2014 data).⁵⁷ This ranks unfavourably with other EU states (Figure 11).

In **Northern Ireland**, none of the twelve government departments is headed by a female permanent secretary.⁵⁸ Women make up 31.7% of Grades 3-5 (Director and Deputy Director).⁵⁹

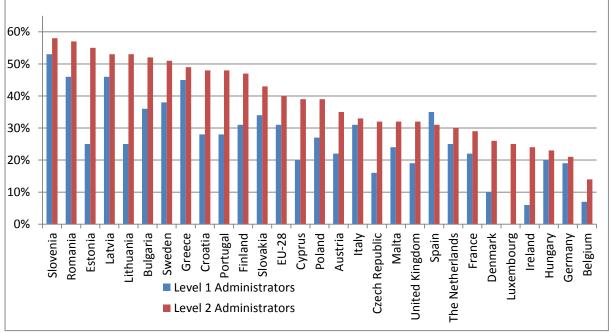


Figure 11: Female share of senior civil servants EU States (2014)

Source: European Commission⁶⁰

⁵⁶ Deputy Secretary and Secondary Secretaries in Department of Foreign Affairs.

⁵⁷ Data from European Commission Database on Women in Decision-making (supplied by Government departments to the Commission).

⁵⁸ Survey of all government department websites, 16 October 2015.

⁵⁹ http://www.nisra.gov.uk/publications/NICS%20Equality%20Report%202013.pdf Table p.37

⁶⁰ European Commission Gender equality database <u>http://ec.europa.eu/justice/gender-equality/gender-decision-making/database/public-administration/national-administrations/index_en.htm</u>

Management in Local Government

In 2015, 6 out of 31 Chief Executives of local authorities **in Ireland** are women (19%). This has increased from 0% in 1988. The 2013 CSO Women and Men in Ireland shows that 30% of persons employed as managers, directors and senior officials in local government are women.⁶¹

In **Northern Ireland**, 36% of the new councils in Northern Ireland have female chief executives.⁶²

Non-profit sector /NGOs

According to research undertaken for the Wheel, a representative organisation for the nonprofit sector in Ireland (2014), three-quarters of those employed in the sector are female. On average, Irish non-profits have boards made up of 12 trustees (board members/ governors/ directors) with more or less equal numbers of men and women. Organisations reported that the most common way to recruit trustees is by invitation (54.7%), by co-option by the Board of an organisation (51%) or by election by the general membership of the organisation (48.4%). 13.8% of organisations reported using external agency nominations and 11.9% sourcing from BoardMatch Ireland.⁶³

In Northern Ireland, while there is no available data on the boards of the voluntary sector, the most recent *State of the Sector Report* shows that seven out of ten employees are female (72%). While the *State of the Sector V* (NICVA, 2008) reported that almost two out of every three chief executives in the Northern Ireland voluntary and community sector were male, the 2010 Salary Survey (NICVA), reports that there is was gender balance - with females now accounting for 48% of these positions.⁶⁴

http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2014/assembly_exec_review/7914.pdf. ⁶³ The Wheel and Crowe Horwath (2014) <u>A Portrait of the Irish Non-Profit Sector</u> p.17

⁶¹ Buckley and Hofman, 2015, 91

⁶² Research and Information Service Briefing Paper 79/14 Who Runs Northern Ireland? A Summary of Statistics Relating to Gender and Power, 19 June 2014, p.6:

⁶⁴ NICVA, <u>State of the Sector</u>

2.6 North-South institutions

The Belfast/Good Friday Agreement (1998) provided that at least 12 subject areas would be identified for co-operation and implementation for mutual benefit under the aegis of the North South Ministerial Council (NSMC)⁶⁵. In many cases a North-South body was set up to actively pursue co-operation in the area.

Table 2 shows the representation of women on the boards of North-South bodies and is derived from a survey of the bodies' websites.

Body	Male	Female	% Female
Food Safety Promotion Board ⁶⁶	6	6	50%
Loughs Agency ⁶⁷	10	2	17%
Foras na Gaeilge ⁶⁸	11	4	27%
Ulster Scots Agency ⁶⁹	4	4	50%
Intertrade Ireland ⁷⁰	8	4	33%
Tourism Ireland ⁷¹	9	2	18%

Table 2: Gender division of board members on North-South bodies (2014)

Source: Individual body's website.72

Nomination to these bodies is the responsibility of the North-South Ministerial Council. Previous analysis of the representation of women on North-South bodies has concluded that the selection of women for these boards is based on their availability and visibility in the sectors in question. In addition, there is no evidence of positive action to increase the gender representation on these boards.⁷³

Other North-South organisations

Apart from the North-South bodies established through the North-South Ministerial Council, there are other structures that operate on a cross-border basis. Examples of these are summarised below.

⁶⁵ About Us, North-South Ministerial Council, accessed 27 October 2015: <u>http://www.northsouthministerialcouncil.org/index/about-us.htm</u>.

⁶⁶ The Food Safety Promotion Board website: <u>http://www.safefood.eu/Home.aspx</u>.

⁶⁷ Lough Agency website: <u>http://www.safefood.eu/Home.aspx</u>.

⁶⁸ Foras na Gaeilge website: http://www.gaeilge.ie/.

⁶⁹ Ulster Scots Agency website: <u>http://www.ulsterscotsagency.com/</u>.

⁷⁰ Intertrade Ireland website: <u>http://www.intertradeireland.com/</u>.

⁷¹ Tourism Ireland website: <u>https://www.tourismireland.com/</u>.

⁷² Websites all accessed 27 October 2015.

⁷³ Yvonne Galligan (2014) North-South Institutions: Mainstreaming Gender Equality?, paper delivered at the

PSAI Annual Conference 2014, Galway, 18 October 2014.

Co-operation Ireland

Formerly known as Co-operation North, Co-operation Ireland was set up in 1979 to improve North-South co-operation and in particular cross-border economic links.⁷⁴ Four of the 19 board members are women (21%).

Centre for Cross-Border Studies

The Centre promotes social, economic and territorial cohesion on the island of Ireland through cross-border research and the provision of services for cross-border networks. The board consist of seven people, two of whom are women (29%)⁷⁵.

Irish Central Border Network (ICBAN)

ICBAN was established in 1995 to promote co-operation and communication between local councils on a cross-border basis on common regional development concerns. The network has three member councils from Northern Ireland and five from the Ireland. The management board consists of appointees from each of the participating councils. Gender representation is set out in the following table. In total, five of 19 board members are women (26%). Four councils have appointed no women.

Annual Otto Developidare and Orainavan		
Armagh City, Banbridge and Craigavon	2	2
Cavan	2	1
Donegal	2	0
Fermanagh and Omagh	3	1
Leitrim	2	0
Mid Ulster	4	0
Monaghan	3	0
Sligo	1	1
Total	19	5

 Table 3: Gender division of board members on ICBAN Management Board, (2015)

Source: ICBAN⁷⁶

⁷⁴ Patrons and Boards, Co-operation Ireland, accessed 27 October 2015: <u>http://www.cooperationireland.org/about/patrons-and-boards/</u>.

 ⁷⁵ About Us, Centre for Cross-Border Studies, accessed 27 October 2015: <u>http://crossborder.ie/about-us/</u>.
 ⁷⁶ ICBAN Management Board, ICBAN, accessed 27 October 2015: <u>http://www.icban.com/About-ICBAN/ICBAN-Board/ICBAN-Mangement-Board</u>.

3. The causes of women's under-representation and policies proposed to address them

This section looks at the causes of women's under-representation in elected institutions and other decision-making roles including the boards of public bodies and private companies. It presents potential policy solutions and progress to date in adopting policies to address women's under-representation in political institutions in Ireland, North and South.

3.1 Barriers to women's representation

Barriers to women's election to parliament and local government in general are considered to occur at three different stages:

- The self-selection stage (the decision to put oneself for selection as a candidate);
- The party selection stage;
- The election stage.77

Barriers to women's appointment to other decision-making positions – to state and corporate boards and senior-level positions – occur at two different stages: at the self-selection stage and the party selection stage or, in this case, the stage at which a company or the body responsible for the appointment to boards selects candidates.

Barriers identified at the **first – the self-selection - stage** tend to relate to the socioeconomic position of women in society. This position is determined by many factors including women's level of education and participation in the workforce, the extent to which gender equality is underpinned in legislation, the attitude in society and by organisations (public and private) towards flexible, family-friendly work patterns for men and women, attitudes of parents and employers towards sharing childcare between parents, and the quality and price of childcare facilities. These barriers similarly affect women's tendency to seek an elected role or other decision-making roles in society.

Barriers **at the second stage** relate to selection by party gatekeepers. For example, does the party leadership, local and national, discriminate either intentionally or un-intentionally against women when selecting candidates? Do parties recruit outside of traditional networks? Similarly, where appointments to state and corporate boards are concerned, do senior company members or the bodies responsible for such appointments discriminate

⁷⁷ Pippa Norris (1997) *Passages to power: Legislative recruitment in Advanced Democracies* Cambridge: Cambridge University Press.

intentionally or un-intentionally against women when seeking candidates and do they recruit outside traditional networks?

A third possible barrier in the case of women's access to electoral office is **at the election stage** – do voters discriminate against women candidates and does this explain their underrepresentation?

The majority of the evidence in Ireland and Northern Ireland suggests that barriers to women's political representation lie at either the first (self-selection) or the second (party selection) stages of the election process and not at the third (the voters) (Box 1).⁷⁸

Box 1: Evidence on barriers to women's political representation

Research for **Ireland** has found that once women are selected as candidates, Irish voters do not tend to discriminate along gender grounds.⁷⁹ Likewise for **Northern Ireland**, McGing concludes that in an electoral context where the relationship between religion and voting remains strong, sex is unlikely to be an important voter cue.⁸⁰ This is consistent with research findings in other developed democracies: the sex of a candidate is of far less importance to the voter than the candidate's party, the policy positions taken by the candidate and his/her party, and whether the candidate is a member of a government or an opposition party.⁸¹

But why have so few women been selected by parties as candidates?

The evidence suggests that the low numbers of women candidates at elections in Ireland and Northern Ireland has been both a supply and a demand issue: fewer women than men present themselves as potential candidates to local and national party selectors and local and national party selectors tend to approach fewer women than men as potential candidates.

The low numbers of women appointed to corporate boards, the slow increase in the numbers appointed to state boards and their under-representation in senior civil service positions has also been presented as both a supply and a demand issue.

⁷⁸ See Buckley and McGing, (2011) 'Women and the Election' in Gallagher and Marsh, edrs., *How Ireland Voted 2011* (2011) p. 225. McElroy and Marsh (2009) <u>http://www.tcd.ie/ines/files/McElroy and Marsh PRQ.pdf</u>, and (2011) 'Electing Women to the Dáil' in *Irish Political Studies* Vol 26, 4 pp.521-534 White T., 2006, 'Why so few women in Dáil Eireann' *New Hibernia Review, 2006.* Buckley, Collins and Reidy (2006) Buckley, F; Collins, N; and Reidy, T. (2006) 'Biased Balloting: An Investigation of the Role of Gender in Voter Choice' In: Rebecca Pelan (eds). *Feminisms: Within and Without.* Galway: Women's Studies Centre, National University College Galway, ⁷⁹ McElroy and Marsh (2013) cited above

⁸⁰ Claire McGing (2013) cited above p.335

⁸¹ Matland, (2004) The Norwegian Experience of Gender Quotas' Paper presented at the *IDEA/CEE Network for Gender Issues Conference*, Hungary, October 2004. <u>http://www.quotaproject.org/CS/CS_Norway-matland.pdf</u>

Analysts sometimes refer to these barriers at both the first and second stages of the selection process, as the 'five Cs':

- Care (childcare and other)
- o Cash
- o Confidence
- o Culture
- Candidate Selection

We consider supply-side barriers (the barriers at the self-selection stage) and demand-side barriers (those occurring at the candidate-selection stage) in turn.

3.2 Supply side barriers and policy solutions

3.2.1 Caring duties

The Department of Justice and Equality's Report (2014) refers to 'traditional gender roles' shaped by attitudes towards caring, the availability of accessible and affordable childcare and care for other dependent groups, the extent of employment protection during maternity leave and the legal provision for paid paternity leave.⁸²

Two aspects of caring duty in particular in Ireland and Northern Ireland make it a potential barrier to women seeking election or appointment to positions of seniority which make them likely to be appointed to state or corporate boards.

First, survey research for **Ireland** has found that women are responsible for more than 80% of the tasks of family life e.g. childcare, taking care of elderly parents, cooking.⁸³

Second, professional childcare services in **Ireland** are the most expensive in Europe and the second most expensive in the OECD and **Northern Ireland** is the most expensive region in the UK for accessing childcare and the lack of affordable childcare is seen as an impediment to women's participation. A report by Indecon (2013⁸⁴) found that the cost of childcare in **Ireland**, as a percentage of average wages, is second highest in the OECD. The European Anti-Poverty Network (EAPN Ireland) estimates that childcare costs account for 51% of total costs or 30% of disposable income in double income households with two young children.⁸⁵

⁸² See Department of Justice and Equality Gender Parity in Decision Making (2014) pp. 32-3.

⁸³ NWCI (2009) <u>Who Cares? Challenging the myths about Gender and Care in Ireland</u>

⁸⁴ The Indecon report was commissioned by Donegal County Childcare Committee. See <u>presentation to the Joint</u> <u>Oireachtas Health and Children Committee</u> (2014).

⁸⁵ Ursula Barry (2015) The Policy on Gender Equality in Ireland Update 2015 analysis for the European Parliament, Policy Department (Citizens' rights and Constitutional Affairs) for the FEMM Committee. p. 22.

In fact, a recent research report seeking to explain why 79% of chief executives in the public sector in **Northern Ireland** are men, found that:⁸⁶

- Women were more likely to opt out of career progression than men;
- The two most common reasons for opting out were caring for dependent children and long hours culture;
- Among the barriers to progression as an individual, female respondents saw caring responsibilities and lack of awareness of organisational politics as barriers whilst males did not;
- Among the organisational barriers to progression, female respondents saw colleagues' negative reactions to flexible work arrangements, lack of recognition for work life balance, exclusion from informal networks, lack of opportunities to work on challenging assignments and long hours culture as barriers whilst males did not.

While caring is invaluable and carers will always be part of society, policies to ensure more gender equality in caring include:

- Legislation to provide that with the exception of a short post-birth period (e.g. six weeks), paternity leave may be shared by both mother and father for its duration;
- More state-subsidised childcare especially during the early years and then subsidised quality after-school care;
- Policies which support and encourage all places of employment, small and large, to promote flexible, family-friendly working hours for women and men.

In a corporate environment, this type of policy may be developed as part of corporate governance code of conduct. For state boards, this might be reflected in regulations or guidelines which require state bodies to respect certain codes of practice.

In the specific context of parliament and local government, a report by an Oireachtas sub Committee (2009) and a report by NWCI (2013)⁸⁷ proposed that:

- the Oireachtas work more normal business hours and fewer late nights; allow video conferencing and remote voting and entitle all TDs to maternity and paternity leave;
- Parliament and councils conduct a 'family-friendly' audit of rules and procedures regarding time (e.g. discontinue the practice of having late-night council meetings or work with councillors to establish best time for meetings to accommodate those with caring and other responsibilities - disproportionately women)
- Within parliament, a women's caucus should be established to constantly ensure that barriers to women's representation are addressed.

The Northern Ireland Executive and Assembly Committee recommended that:

 ⁸⁶ Joan Ballantine, Graeme Banks, Kathryn Haynes, Meilina Manochin and Tony Wall (2014), *An Investigation of Gender Equality Issues at the Executive Level in Northern Ireland Public Sector Organisations*, Belfast:
 OFMdFM: <u>http://www.ofmdfmni.gov.uk/gender-equality-in-ni-public-sector-report-october-2014.pdf</u>.
 ⁸⁷ National Women's Council of Ireland (2013) <u>A Parliament of all Talents</u>

- The Assembly should establish a working group on a gender sensitive parliament. The working group should have equal membership of male and female MLAs;
- The Assembly should conduct a gender survey across all Members to identify the key barriers and challenges and, based on the feedback received, develop a gender action plan with specific measures to help Members balance family life with their political career;
- The Assembly should undertake a review of voting mechanisms used in other legislatures as a means of facilitating family friendly sittings;
- That following the next Assembly elections, the Assembly should carry out an anonymous survey of all candidates to identify the barriers and challenges encountered.

The current policy and legislation on childcare, maternity and parental leave has a considerable bearing on the barriers described above. They are described below for Northern Ireland and Ireland.

Northern Ireland

Childcare: Northern Ireland does not have statutory childcare provision. However, working parents can receive support in the form of tax credits and tax relief on childcare vouchers and provision.⁸⁸ In addition, funded nursery places may be available through nursery schools or nursery classes in primary schools for the year before starting school.⁸⁹

Maternity Leave: statutory maternity leave in Northern Ireland is 26 weeks Ordinary Maternity Leave and 26 Weeks Additional Maternity Leave (total one year). Statutory Maternity Pay is 90% of average earnings for six weeks and a flat rate for 33 weeks (currently £139.58 per week).⁹⁰

Paternity Leave: paternity leave is one or two weeks. Ordinary Statutory Paternity Pay is £139.58 per week.⁹¹

Parental Leave: parental leave in Northern Ireland is up to 18 weeks per parent for each child under 18 years. Parental leave is unpaid. The Work and Families (Northern Ireland)

⁹⁰ Statutory Maternity Leave, NI Direct website, accessed 11 November 2015:

http://www.nidirect.gov.uk/statutory-maternity-leave.

 ⁸⁸ Childcare benefits, tax credits and other help for working parents, NI Direct website, accessed 11 November
 2015: <u>http://www.nidirect.gov.uk/index/information-and-services/parents/childcare/childcare-benefits-tax-credits-and-other-help-for-working-parents.htm</u>.
 ⁸⁹ Funded Pre-school Education, NI Direct website, accessed 11 November 2015:

⁸⁹ Funded Pre-school Education, NI Direct website, accessed 11 November 2015: <u>http://www.nidirect.gov.uk/index/information-and-services/parents/pre-school-development-and-learning/pre-school-settings/funded-pre-school-education.htm</u>.

⁹¹ Paternity Leave, NI Direct website, accessed 11 November 2015: <u>http://www.nidirect.gov.uk/index/information-and-services/parents/money-and-work-entitlements/work-and-families/paternity-rights-in-the-workplace/paternity-leave.htm</u>.

Act 2015, among other provisions for flexible working for parents, provided that parental leave could be shared between parents.⁹²

Ireland

In Ireland, significant improvements in entitlement to **maternity leave** have been introduced over the last decade. It is paid to women for 26 weeks at €230 per week and a further 16 weeks of unpaid leave can be taken.⁹³ Discretionary top-up-payments are made by employers in many cases. Since July 2013, maternity benefit is subject to taxation. The NWCI advocated that it should only be subject to taxation where a woman is receiving her full salary while on maternity leave.

Parental leave (unpaid) is available entitling each parent to four months unpaid leave per child and includes the right to request flexible working arrangements upon return from leave. The Government recently announced (October 2015) statutory **paternity leave** for two weeks for fathers to commence in September 2016, which is unprecedented in Ireland. It will be paid at €230 per week and PRSI conditions are the same as for maternity benefit.⁹⁴

In terms of childcare, **the Early Childhood Care and Education Scheme**, introduced in 2010, entitles children between 3 and 4 years of age with a free part-time place in a childcare facility, 3 hours a day, 5 days a week, 38 weeks of the year. The Government has recently announced that this will be extended to two years per child (38 weeks of each year).

3.2.2 Cash (economic position) and confidence

Women, for various reasons primarily related to their traditional role in society as carers and their tendency to, on average, earn less than men, have less access to cash needed to run a successful campaign and to support themselves while running an election campaign. This, in turn, lowers confidence, itself lowered for some potential candidates by the lack of role models. Research for the Northern Ireland Assembly found that while men put themselves forward, women usually have to be asked to stand.⁹⁵

This economic inequality also acts as a barrier to women accessing positions of leadership on state or corporate boards as they are less likely to achieve senior positions from which

⁹² Work and Families (Northern Ireland) Act 2015: <u>http://www.legislation.gov.uk/nia/2015/1/contents</u>.

http://www.citizensinformation.ie/en/social welfare/social welfare payments/social welfare payments to familie s_and_children/maternity_benefit.html

⁹⁴ http://www.citizensinformation.ie/en/money_and_tax/budget_2016.html

⁹⁵ Assembly and Executive Review Committee (2015), *Report on Women in Politics and the Northern Ireland Assembly*, Belfast: Northern Ireland Assembly, pp.13-18.

board members are appointed. This is frequently referred to as the **leadership pipeline** and women are less likely to feature in it.

Recent data from the CSO (QNHS) on Ireland shows that the gender gap in the rate of employment (i.e. the percentage of each group in employment) has narrowed since 2008, this largely as a result of the scale of male job losses in particular young male job losses. However, **a gender pay gap persists** and, in fact, has increased over the course of the economic crisis (14.4% pay gap in 2012). The gender-pay gap increases with age: while women's earnings were more than 90% of male earnings before they reach the age of 35, this falls to 71.5% in the 35-44 age group and 61.4% for women aged 55-64.⁹⁶ This is the case despite the fact that the male and female groups, especially those between age 35 and 44, have similar levels of educational achievement.

Further, part-time employment among women was at 35.6% in 2013 and 35% in 2014 compared with 14.3% in 2013 and 13.8% amongst men in 2014. Analysis of the data by Dr. Ursula Barry (UCD) suggests that the growth in male part-time work (up from 11.8% in 2010) has been largely involuntary but that the high rate of female part-time employment is based on women's carrying out of care responsibilities.

In Northern Ireland there are similar patterns of employment amongst women with the workforce being segregated:⁹⁷

- <u>Horizontally:</u> women and men in many spheres of employment work in different sectors, with women predominantly in lower status and lower paid occupations.
- <u>Vertically:</u> women are under-represented in managerial and other senior posts.
- <u>By work pattern:</u> part time work is overwhelmingly undertaken by women, leading to less access to senior posts.

Measures discussed above to promote more gender-equality in caring duties may go some way to address structural economic and financial barriers to women accessing decision-making positions. Other possible measures are outlined below under 'elected institutions' and 'other leadership positions.'

Elected institutions (policy measures)

Further measures in particular aimed at increasing representation in elected institutions include funding specific projects which aim to reduce the barriers associated with finance

⁹⁶ Ursula Barry (2015) cited above pp. 14-16.

⁹⁷ Ibid, p.1.

and confidence by providing advice and training and sometimes, financial resources, to potential women candidates for election. These initiatives are often presented as developing a 'pipeline' for women to candidacy and leadership positions. They are generally run by NGOs and funded under national development plans, gender equality strategies and/or the European Social Fund and there is considerable potential to run them on a cross-border basis.

For example, in Northern Ireland DemocraShe delivered training and capacity building to female politicians and potential political representatives.⁹⁸ Politics Plus currently runs the *Women in Politics Leadership Programme*, exploring strategies for enhancing the influence and authority of women within politics and public life.⁹⁹ LEAD is a Northern-Ireland based project also run by DemocraShe along with the Women's Resource and Development Agency and Women's Information NI, aims to develop the skills of local women to play a greater role in their communities and to empower local women to become democratic and participatory leaders.¹⁰⁰

Women4Election's mission is to inspire and equip women to succeed in political life by offering training, mentoring and support and taking a grass-roots and non-partisan approach. It is part-funded by the Irish Human Rights and Equality Commission. According to its director, 190 of 700 women who have participated in its core programmes contested the local of EU elections in 2014 in Ireland and 50% of women elected in the 2014 local government elections were trained by Women for Election.¹⁰¹

Other leadership positions (policy measures)

Measures proposed for other leadership positions are similar in intent aiming to train and mentor women to seek to achieve the types of positions from which state and corporate board members tend to be appointed. They include:

- The establishment of a Talent Bank or Database of Women with which women can register and which companies can search;
- Mentoring and training programmes in the civil service and, in private sector companies, to ensure that women are 'board ready;

http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2014/assembly_exec_review/10714.pdf ⁹⁹ Women in Politics Leadership Programme, Politics Plus website, accessed 14 October 2014: http://politicsplus.com/programmes/women/women-in-politics-leadership-programme/.

⁹⁸ See Research and Information Service Briefing Paper 107/14 Training and Support Programmes for Women in Politics, 24 October 2014, p.4:

¹⁰⁰ Presentation 'LEAD: Leadership, Equality, Advocacy Democracy Programme' *Women in Leadership North and South* IBIS Annual Conference 2015 *Women in Public Life.*

¹⁰¹ Presentation entitled 'Civic Leaders and the Leadership Pipeline' *Women in Leadership North and South* IBIS Annual Conference 2015 *Women in Public Life.*

• Enhanced transparency in the appointment process, whether public or private, to reduce perceptions that old networks are the route to appointment.¹⁰²

3.2.3 Culture

The report Towards *Gender Parity in Decision-Making in Ireland* for the Irish Department of Justice and Equality highlights the barriers to women accessing leadership positions presented by attitudes and perceptions and gender stereotyping which are partly shaped by societal norms and values which determine that positions of authority and organisations are designed based on the male model.¹⁰³ A Report by the Commissioner for Public Appointments in Northern Ireland on the lack of diversity in public appointments has concluded that perceptions of such posts are a barrier, as they are perceived as being for men with a public sector background.¹⁰⁴

Policy measures to address cultural barriers tend to include the promotion of diversity or gender-awareness training and mentoring within political parties, private sector companies and in the civil service and public bodies, to dispel the perception that senior positions are male. This can be promoted or encouraged by the Government. These policy measures can be slow to take effect and, for this reason, some advocate more radical measures which directly address barriers to women's representation stemming from organisational culture. These are next discussed in barriers at stage 2 (demand side).

3.3 Demand side barriers and policy solutions

3.3.1 Candidate selection

Demand-side barriers are barriers faced by women at the selection (for an election) or appointment (for state or corporate boards) stage. They are described in turn.

Why do parties present few women candidates?

The success rate of women candidates for parliament or local councils is consistently lower than that of men in Ireland and Northern Ireland. This is largely because incumbency is the most important predictor of getting elected and female candidates are far less likely to be incumbents than male candidates.¹⁰⁵

 ¹⁰² Department of Justice and Equality (2014) *Towards Gender Parity in Decision-Making pp66-7*; Davies Report.
 ¹⁰³ Department of Justice and Equality (2014) p33.

¹⁰⁴ Commissioner for Public Appointments (2014), Under-Representation and Lack of Diversity in Public Appointments in Northern Ireland, Belfast: CPANI, p.3

¹⁰⁵ According to Marsh and McElroy (2011) there is 'clearly a strong incumbency bias that militates against large changes in the overall profile of TDs.' McGing Claire (2013) 'The STV and Women's Representation' *Irish Political Studies* Vol.28.3 322-340 p.335. For example, in Northern Ireland, 90% of office holders were returned in the 2011 election. In Ireland, in spite of the 'earthquake election' of 2011, 65% of incumbents were re-elected (McGing (2013) p.335

As such, the value of incumbency and previous political experience are clearly part of the explanation for selecting few women candidates. Party activists want to select the most electable candidate; therefore, the 'tried and tested' incumbent candidate tends to be favoured at selection conventions. For example, in the Fine Gael party only one incumbent failed to be selected in a convention by party members in 2011.¹⁰⁶ The extent to which the introduction of gender quotas in **Ireland** has affected this practice is discussed briefly below.

Others point to PR STV as an explanation. Proportional representation (PR) with its multimember constituencies is considered to offer more scope for the selection of women candidates than first-past-the post systems. List PR systems with large multi-member districts, whether open or closed lists, are considered most favourable as the number of candidates from any one party tends to be large. However, the relatively small district magnitude in some Irish constituencies (e.g. 3 seat constituencies) and the candidatecentred nature of PR STV reduces this scope somewhat.¹⁰⁷

The advantages of the greater scope for the selection of women offered by 6-seat constituencies in Northern Ireland are partly offset by the consociational system of power-sharing which has been criticised for prioritising identities associated with the conflict, in this case unionist and nationalist, to the detriment of other identities, including gender.¹⁰⁸ The Northern Ireland Women's Coalition, which did not take a position on the constitutional question, gained two seats in the 1996 Northern Ireland Forum elections and two seats in the subsequent Northern Ireland Assembly elections in 1998. These seats were lost in the 2003 elections and the party has not contested Assembly elections since. Their single local council seat was lost in 2005.

Other factors which explain why so few women are selected as candidates generally pertain to the organisational culture and tradition of parties. In **Ireland**, female membership of all political parties is higher than the number of female candidates, and far higher in some cases. McGing and Buckley note that women are far less likely to be nominated as

¹⁰⁶ Theresa Reidy, (2011) 'Candidate Selection' in *How Ireland Voted* opcit.

¹⁰⁷ See Larserud and Taphorn, (2007) *Designing for Equality* Stockholm, IDEA and McGing Claire (2013) for a discussion of PR STV and the scope for electing women representatives.

¹⁰⁸ For example, Bernadette Hayes and Ian McAllister (2012), 'Gender and Consociational Power-Sharing in Northern Ireland' in *International Political Science Review* 34(2), 123-139; Cera Murtagh (2008), 'A Transient Transition: The Cultural and Institutional Obstacles Impeding the Northern Ireland Women's Coalition in its Progression from Informal to Formal Politics', *Irish Political Studies* 23(1), 21-40.

candidates to contest conventions.¹⁰⁹ Party organisations are themselves affected by the position of men and women in society:

- o Localised networks are highly gendered e.g. GAA and IFA;
- There are fewer women than men in local political life and in key internal party structures;
- *Traditional* male lifestyle is more suited to building up a network of support necessary to get selected.¹¹⁰

In fact, McGing concludes that the internal culture within parties in **Ireland and Northern Ireland**, and the ways in which specific party selectorates utilise the opportunities of the electoral system, are important in helping or hindering women's advancement in politics. She concludes that the key to achieving a critical mass of women TDs and MLAs lies in reforming internal party selection processes to accommodate equality between the sexes better.¹¹¹ This type of reform would also address some of the barriers at the self-selection stage – if parties are actively recruiting women, barriers associated with 'culture' and 'confidence' are likely to decrease.

Why do companies not seek to appoint women to corporate boards and why are appointments of women to state boards still below 40%?

Where appointments to state boards are concerned, the lack of transparency around appointments in the past, along with the perception that the job is for a man with public-sector experience, have been cited as a barrier to women's appointment (see above).

Further reasons are cited in the Davies Report into company boards which found that the lack of corporate expertise among women and informal networks combined with a lack of transparency in the process were barriers to women's participation.¹¹²

This paper now addresses the questions of what types of policies are likely to break down these barriers associated with the candidate selection process for elections and with the candidate selection process for appointment to public and corporate boards? Are they being implemented in Ireland and Northern Ireland?

¹⁰⁹ Figures provided by McGing and Buckley, PSAI Seminar, December 2011 *opcit.* The parties supplied the authors with the figures with the exception of Fine Gael. The authors calculated the figure for Fine Gael themselves. In *Fianna Fáil*, 22% of 114 people formally nominated to contest a convention were women for the 2011 elections; in *Fine Gael*, approximately 18% of 158 people formally nominated to contest a convention were women; in the *Labour party* 25% of 95 contesting nominees were women; *Sinn Féin* held only one contested convention and it was between two men.

¹¹⁰ Buckley and McGing, (2011) PSAI Seminar, opcit. Traditional here describes a lifestyle with few household and child-care duties.

¹¹¹ McGing (2013) p. 337

¹¹² Lord Davies (2011), <u>Women on Boards</u>, London: HM Government:

3.3.2 Policies addressing demand-side barriers (elected institutions)

Measures aimed at promoting women's representation in elected institutions by directly targeting candidate selectors include:

- Adopting electoral systems which offer more scope for the selection of female candidates;
- The adoption of legal quotas requiring that either a certain proportion of seats are reserved for women or a certain proportion of candidates must be women/men (e.g. the 30% quota introduced in Ireland in 2012);
- Agreement/commitment by parties to meet agreed targets, which directly aim to affect the numbers in parliament/local government. For example, in the first elections to the Scottish Parliament and the Welsh Assembly, the Labour Party, the Scottish National Party and Plaid Cymru in Wales imposed candidate quotas which were very effective in leading to far higher levels of female representation than at Westminster or local elections.

The application of quotas to parliamentary elections is discussed below in the context of Northern Ireland and Ireland.

Over the course of its *Review of Women in Politics*, the **Northern Ireland** Assembly Executive and Assembly Committee considered, but could not agree on, the introduction of quotas and legislation in respect of financial penalties for political parties should they fail to meet an agreed gender quota.¹¹³ The report included a number of recommendations designed for political parties, including that:

"Political parties may wish to consider the introduction of measures to increase the number of female candidates being put forward for election. However, the Committee recognised that the decision on which, if any, measures to introduce remained a decision for the political party."¹¹⁴

It also included a number of indirect measures which would help parties to achieve this aim.

In **Ireland** in 2012, in line with a commitment in the Programme for Government, the Irish government published a Bill, subsequently enacted to provide for a type of gender quotas for elections to the Dáil. The *Electoral Amendment (Political Funding) Act 2012* provides that political parties will lose half of the exchequer funding to which they are entitled under the *Electoral Acts* if they do not reach a candidate quota of 30% (male/female) in the next general election. This quota is set to rise to 40% seven years after the 2016 General Election.

¹¹³ Assembly and Executive Review Committee (2015), *Report on Women in Politics and the Northern Ireland Assembly*, 17 February 2015, p.1.

¹¹⁴ Assembly and Executive Review Committee (2015), *Report on Women in Politics and the Northern Ireland Assembly*, 17 February 2015, pp.2-3.

The legislation was welcomed by advocates of greater gender equality in parliament including the National Women's Council of Ireland and the '50-50 Group' a voluntary lobby group established to pursue this goal.

Effect of quotas at local elections

The quotas were criticised by some analysts and politicians as they applied to general, and not also to, local, elections. This was most likely for practical reasons; the 30% quota is tied to exchequer funding which is provided and allocated under the *Electoral Act 1997 (as amended)* depending on the result at the previous general election.

Yet as local politics is one of the best predictors of entry to national politics, some predicted that the quotas would affect candidate selection at the subsequent (2014) local elections. Buckley and Hofman have since argued that the considerable improvement in the numbers of women elected at a local level, from 146 in 2009 to 197 in 2014, can, in part, be explained by the effect that the impending introduction of gender quotas at a national level had on party's selection of candidates. The four main parties adopted gender targets for candidates at the 2014 local elections: 25% in the case of Fine Gael, 30% in the cases of Labour and Sinn Féin and 33% in the case of Fianna Fáil. The smaller parties also exceeded 30% female candidacy. While gender targets have been adopted in the past, they have been more successful in 2014 arguably because of the impending quotas for the subsequent general election.

Effect on selection of candidates for 2016 General election

The legislation has achieved its immediate goal: the number of female candidates running in the 2016 election will be significantly higher than in any other general election in Ireland with women candidates numbering 129 of 413 candidates selected to date (31.23%). The Table below outlines the situation as of November 2015 and demonstrates that most parties are achieving close to the requirement of at least 30% female and 30% male candidates.

Table 4: Women candidates as % of total (2011) and selected to date (November 2015)¹¹⁵

February 2011

November 2015

¹¹⁵ Data from Buckley Fiona, presentation at IBIS Annual Conference July 2015 and updated with data from Adrian Kavanagh, *Irish Elections (Blog)* <u>'Officially declared candidates for the 2015/6 election'</u>[accessed 10 November 2015]

	Women candidates %	Women candidates % (selected to date)	Number of candidate selections completed (Nov 2015)
Fine Gael	15%	28% (22 of 82)	40 out of 40
Fianna Fail	15%	30.2%(19 of 63)	38 of 40
Labour	26%	37.1% (13 of 35%)	33 of 40
Sinn Féin	20%	36% (18 of 50)	40 of 40
Non-Party		26.8% (22 of 82)	
People before Profit Alliance		42.9% (9 of 21)	20 of 40
Anti-Austerity Alliance**		36.4% (11 candidates in total)	
Green Party		26.1% (6 of 23)	22 of 40
Renua Ireland		25.7% (of 15 candidates in total)	15 of 40
Social Democrats		42.9% (of 14 candidates in total)	14 of 40

**The People before Profit Alliance and the Anti-Austerity Alliance announced in September 2015 that they will be a merged Dáil party. The proportion of women candidates in this combined party is 40.6% of those selected (13 of 32).

Are quotas likely to increase women's representation in parliament?

Gender quotas have led to remarkably rapid increases in women's representation in some cases. However, quotas have been disappointing for their proponents in other cases.¹¹⁶ In a study of their effect Dahlerup, Freidenvall et al conclude that, in order to be effective, a quota system must be compatible with the electoral system in place.

As outlined above, List PR electoral systems, with large multi-member districts, are considered most suitable to the successful application of gender quotas. Yet even when applied to PR List electoral systems, it is recommended that quota rules (of 30% or 40% per women on candidate lists) be supplemented with rules concerning rank order of women and men.¹¹⁷ This is to prevent women being placed in unwinnable seats in order to meet a quota (i.e. placed far down a list).

Yet quotas are considered to be least effective when constituency size is small (as in some PR STV systems) and there is no equivalent to 'rules concerning rank order' in PR STV systems. As such, the way parties allocate candidates to winnable seats will have a significant part to play in whether or not more women candidates leads to a more gender-

¹¹⁶ Drude Dahlerup and Lenita Freidenvall et al. *Electoral gender quota systems and their implementation in Europe*, Brussels, European Parliament,2008. Available at: http://www.europarl.europa.eu/document/activities/cont/200903/20090310ATT51390/20090310ATT51390EN.pdf

http://www.europarl.europa.eu/document/activities/cont/200903/20090310ATT51390/20090310ATT51390EN.pdf ¹¹⁷ Drude Dahlerup and Lenita Freidenvall¹¹⁷, opcit.

balanced Dáil.¹¹⁸ In other words, in applying the quota parties face choices which affect the extent to which the intention behind the provision will be realised. The possibility that their application would lead be more control by the centre of local selection processes was raised in 2012¹¹⁹ and has been borne out for some parties and has been a source of friction.¹²⁰

Constitutionality

During the debate prior to the enactment of the 2012 law, the constitutionality of the proposed legislation was questioned by some legal commentators, including former Minister for Justice Michael McDowell. Freedom of association, as opposed to equality, was considered the most relevant constitutional concern regarding the Bill.¹²¹

The quotas are currently the subject of a legal action. In November 2015, papers launching a legal challenge to the legislation were lodged with the Chief State Solicitor's Office by Fianna Fáil activist, Brian Mohan. Mohan was excluded from a selection convention in Dublin Central as the party's National Constituency Commission determined that a female candidate must be chosen.¹²² He is being represented by Michael McDowell.

3.3.3 Policies addressing demand-side barriers (state and corporate Boards)

State boards

In Northern Ireland, one of the strategic objectives of the Gender Equality Strategy is to achieve a gender balance, on all government-appointed committees, boards and other relevant official bodies¹²³

In 2011, the Irish Government renewed a commitment to its target of 40% female representation on Irish state boards, a goal which had been set in 1993.¹²⁴ Since 2011, it has released proposed action steps, guidelines and monitoring measures to work towards this goal which are outlined below.¹²⁵

Policies and measures designed to achieve these goals include:

¹¹⁸ See Oireachtas Library and Research Service, Spotlight on Gender Balance in EU Parliaments p.12.

¹¹⁹ Discussions at the PSAI Gender Quota Workshop, December 2011

¹²⁰ 'Michael McDowell heading legal team to challenge gender quota system' *Sunday Independent* 8 November 2-15

 ¹²¹ Eoin Daly, "Gender quotas and freedom of Association", Human Rights in Ireland Blog, 4th June 2011.
 ¹²² Harry McGee, Mary Minihan *Irish Times*, 7 November 2015 'Fianna Fail member takes legal action over gender quotas'

¹²³ Office of the First Minister and deputy First Minister (2013), *Gender Equality Strategy 2006 – 2016 Review*, Belfast: OFMdFM, p.34.

¹²⁴ 2011-2016 Programme for a National Government (2011 –)

¹²⁵ NWCI (2015) Better Boards, Better Business, Better Society p. 56

- The application of gender targets for each Department (with or without compliance costs);
- The application of legislative quotas for each Department (with sanctions for non-compliance);
- Supporting Departments to meet these targets by encouraging leadership pipeline / talent databases with which qualified women can register and network;
- Opening up the transparency of the process of appointments to public boards.

In Northern Ireland, appointments to public bodies are made by government departments, overseen by the Office of the First Minister and deputy First Minister (OFMdFM)¹²⁶ and regulated by the Commissioner for Public Appointments.¹²⁷ Guidance on public appointments issued by OFMDFM does not mention the encouragement of women. The guide does not refer to gender other than to state that gender, ethnic origin, community background and disability are monitored in public appointments.¹²⁸

The Code of Practice for Ministerial Public Appointments, issued by the Commissioner for Public Appointments, refers more to the need for diversity rather than measures to increase the numbers of women appointed to boards¹²⁹ although some advertisements may contain phrases to encourage women applicants.¹³⁰

In 2014, the Commissioner for Public Appointments in **Northern Ireland** published a report on under-representation and lack of diversity on public boards, noting that figures for women's participation were not improving. Of the 26 recommendations, one referred to women.¹³¹

"It should be made clear to Departments and the public that the intention is to change the culture of the public appointment process with the aim of improving diversity and eradicating under-representation on public boards. Also, the culture and practices of individual boards should be examined to ensure that they are conducive to women and other under-represented groupings serving on them."

¹²⁶ Public Appointments, OFMdFM website: <u>http://www.ofmdfmni.gov.uk/index/making-government-work/public-appointments.htm</u>.

¹²⁷ Website of the Commissioner for Public Appointments: <u>http://www.publicappointmentsni.org/</u>.

 ¹²⁸ OFMdFM (undated), *Make your Mark: A Guide to Public Appointments in Northern Ireland*, Belfast: OFMdFM, p,20: <u>http://www.ofmdfmni.gov.uk/make-your-mark-nv.pdf</u>.
 ¹²⁹ Commissioner for Public Appointment s (2015) Code of Practice for Ministerial Public Appointments in

<u>il1_september_2015.pdf</u>. ¹³⁰ See Research and Information Service Briefing Paper 114/14, *Women and Public Appointments in Northern Ireland*, 12 November 2014:

http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2014/assembly_exec_review/11914.pdf ¹³¹ Commissioner for Public Appointments (2014), *Under-Representation and Lack of Diversity in Public Appointments in Northern Ireland*, Belfast: CPANI, p.12: <u>http://www.publicappointmentsni.org/under-</u> representation_and_lack_of_diversity_in_public_appointments_in_northern_ireland.pdf.

In October 2015, the new Commissioner for Public Appointments, Judena Leslie, called for government departments to set targets of 50% women for appointments to state boards.¹³² In **Ireland**, the Government has recently approved new measures to promote gender balance on state boards, reaffirming its commitment to achieve the target of 40 per cent representation of each gender on all state boards within the lifetime of the current Programme for Government. They include:¹³³

- Requiring each Government Department to plan how it intends to achieve this, subjecting these plans and targets to closer monitoring, with each Government Department to report on a six-monthly basis on their progress. These are set out in Section 16 of the new Guidelines for Appointments to state boards;
- Supporting Departments in their sourcing of suitably qualified female candidates with a pilot project to develop a talent bank of women who would be prepared to serve on state boards, as a resource to be made available to Ministers and other nominating bodies in meeting this target. This was recommended in the 2014 Report by the subcommittee for the National Women's Strategy which was adopted by the Government. The **Talent Bank** is to be developed by the Department of Justice and Equality, with EU Progress funding and with the assistance of the <u>Public</u> <u>Appointments Service</u> (PAS) through its existing resource <u>www.stateboards.ie.</u> The National Women's Council of Ireland has urged the Government to consolidate all talent banks and urges the Gender Equality Unit to work with the Department of Public Expenditure and Reform for these purposes;¹³⁴
- Reform of the system of appointments to state boards began in 2011 with a view to introducing more transparency and openness to the process: It was required that all appointments to state boards must be advertised openly on the state boards portal at <u>www.stateboards.ie</u>, which is operated by the Public Appointments Service and expressions of interest can be registered on <u>www.stateboards.ie</u> at any time and the database will be used when filling appointments
- Under further reforms announced in the 2014 Guidelines on Appointment to state boards appointments must be advertised openly on the state boards portal, meet specific and detailed criteria as determined necessary by the Minister for the effective performance of the role and be processed by way of a transparent assessment system designed and implemented by the Public Appointment Service. The aim is to widen the pool of potential candidates.

Corporate boards

Representation of women on corporate boards is not directly mentioned in the Gender Equality Strategy for Northern Ireland. The National Women's Strategy for Ireland (2007-

¹³² 'Public appointments watchdog Judena Leslie wants targets to improve women's representation', *BBC News* 15 October 2015: <u>http://www.bbc.co.uk/news/uk-northern-ireland-34541229</u>.

¹³³ Information from the <u>Gender Equality Unit, Department of Justice and Equality.</u>

¹³⁴ National Women's Council of Ireland (2015) p.60.

2016) includes measures to achieve greater balance on corporate boards broadly under objective 14 – to enhance women's representation in decision-making.

With 10% of corporate board members (of listed companies) in Ireland women, and an estimated 15% of the boards of Northern Ireland's top 500 companies being women, what can affect change quickly to progress both Government's general commitment to the policy of enhancing women's access to decision-making positions?

Measures used to directly address the under-representation of women on corporate boards include:

- The application of mandatory/legislative quotas (with or without sanction for non-compliance). For example, legislative quotas for corporate boards (40%) were introduced in Norway in 2002. By 2009 40% of positions were held by women, the speed of this change in part explained by other favourable factors (such as a tradition of full female labour market participation and strong family supports including sharing of caring by partners). In Germany, gender quotas for corporate boards (30%) have recently been adopted by law.¹³⁵
- The application of voluntary targets generally through corporate governance codes (often with incentives for non-compliance). Corporate governance codes are increasingly used to promote gender equality on company boards. For example, in Sweden, Spain, the Netherlands, Belgium, Austria, Luxembourg, Germany, France, Denmark and the UK corporate codes have clauses in their corporate codes concerning gender equality on corporate boards. In some cases, such as Slovenia, an award is made to companies (50+ staff) which achieve 30% female representation in managerial and top-decision making roles.¹³⁶

The National Women's Council of Ireland argues that legal quotas for corporate boards are a viable option. According to NWCI, quotas have real merit as a mechanism for overcoming the type of structural inequality described above for Ireland and Northern Ireland. It points to the 2012 Directive of the European Parliament and of the Council on Improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures which obliges listed companies to favour the under-represented sex *where all else is equal* until 40% of each gender is reached. NWCI notes that Germany has recently introduced gender quotas obliging corporate boards to reach 30% by 2016 and that several other European countries have adopted legislative quotas to enhance gender equality on corporate boards.¹³⁷ NWCI recommends a 40% quota for non-state boards and a three year implementation period.

¹³⁵ Department of Justice and Equality (2014) p. 66

¹³⁶ Department of Justice and Equality (2014 p. 63

¹³⁷ NWCI (2015) p.63.

In the UK much progress has been made through voluntary quotas. A review of women on corporate boards in the UK by Lord Davies of Abersoch in 2011 noted that, on the supply side, too few women were progressing to senior management positions and therefore the selection of individuals for board positions was limited. The review made the following recommendations:¹³⁸

- Chairs of FTSE 350 companies should set out the percentage of women they aim to have on their boards in 2013 and 2015; FTSE 100 companies should aim for at least 25% women on their boards;
- Quoted companies should be required to disclose each year the proportion of women on the board, senior executives and female employees in the whole organisation;
- The UK Corporate Governance Code should be amended to require listed companies to establish a policy regarding boardroom diversity;¹³⁹
- Companies should report on the matters in the above recommendations in their 2012 Corporate Governance Statement;
- A separate section of the annual report should describe the work of the board nomination committee.

The recommendations are reviewed every year. The 2015 review notes:¹⁴⁰

- Women's representation on FTSE 100 company boards is 23.5%, almost double the 12.5% of 2011;
- Women's representation on FTSE 250 boards is 18%, more than double the 8.4% of 2011;
- There are now no all-male boards on FTSE 100 companies and 23 all-male FTSE 250 boards.

The Cranfield School of Management offers an Integrated Diversity Management Checklist to assist companies increase female representation in leadership.

Whether companies are obliged by quotas or encouraged by voluntary codes of conduct to appoint more women to boards, the report of the Department of Justice and Equality *Gender Parity in Decision Making* found that other factors facilitate the success of these measures. They include:

 Encourage/incentivise/force state bodies or companies to increase transparency around the appointment process;

¹³⁸ Lord Davies (2011), <u>Women on Boards</u>, London: HM Government:

¹³⁹ The current version of the Code, revised in 2012, includes a requirement to disclose a diversity policy for appointments to boards, including gender: Financial Reporting Council (2012), *The UK Corporate Governance Code*, London: FRC: <u>http://www.frc.org.uk/Our-Work/Publications/Corporate-Governance/UK-Corporate-Governance-Code-September-2012.pdf</u>.

¹⁴⁰ Lord Davies (2015), *Women on Boards Davies Review Annual Report 2015*, London: HM Government: <u>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415454/bis-15-134-women-on-boards-2015-report.pdf</u>.

- Databases or talent banks with which women can register and which companies can search;
- o Mentoring and training programmes to ensure that women are 'board ready';
- Codes of practice (for companies) designed to facilitate family-friendly hours and to make it acceptable for men, as well as women, to avail of them;
- If broad support is not in place for the quota, resources to promote and explain the policy are needed.¹⁴¹

The report for the Department of Justice by the sub-committee on the National Women's Strategy (2014)¹⁴² recommended voluntary targets rather than legislative quotas. It recommended that the Government encourage major companies to develop a Corporate Governance Code which includes a commitment to gender equality in appointment to its board and at senior decision-making levels. However, it also recommends that failure to achieve progress within a 'reasonable time frame' might lead to mandatory targets.

It also recommends that a training and mentoring programme be developed on a pilot basis for 'board ready' women with the support of ISEQ and other large scale companies and state boards.

¹⁴¹ Department of Justice and Equality, sub-committee on the National Women's Strategy (2014) pp. 66-7

¹⁴² Department of Justice and Equality, sub-committee on the National Women's Strategy (2014) pp. 66-7

4. Opportunities for North-South co-operation on women's empowerment

There may be opportunities to jointly develop and implement responses to the out-standing issues regarding gender equality in decision making through the formal mechanisms for North-South cooperation.

Areas which might be suitable for cooperation include:

- The development of *Talent Banks/Leadership pipeline* initiatives for both the private and public sectors (see Section 3);
- The development of training and mentoring programmes alluded to in Section 3;
- The sharing of lessons learnt and best practice with the application of quotas or targets to elections or to State or corporate boards;

The development of mechanisms to address the under-representation of women also has cross-border significance. Cross-border research from 2005 found that there was a considerable lack of women in leadership roles North and South and recommended that training tools be used to develop the capacity to use gender mainstreaming tools on both sides of the border.¹⁴³

Consideration was given to the use of party election candidate quotas in Northern Ireland, as has been introduced through legislation by the Oireachtas. While the Committee could not agree on quotas for Northern Ireland Assembly elections, the mechanisms by which parties in the Irish Republic meet their quotas were of interest to parties in Northern Ireland wishing to increase the representation of women.

Evidence from Women for Election was used in the deliberations of the Assembly and Executive Review Committee (AERC) of the Northern Ireland Assembly in its review into women in politics.¹⁴⁴ In this case, programmes used to increase political participation by women were considered as equally applicable in both jurisdictions.

¹⁴³ Marie Crawley and Louise O'Meara (2005), *Balances along the Border: A Gender Audit in Northern Ireland and the Six Southern Border Counties*, Belfast: WRDA, p.55.

¹⁴⁴ Assembly and Executive Review Committee (2015), Report on Women in Politics and the Northern Ireland Assembly, Belfast: Northern Ireland Assembly, pp.540-1: http://www.niassembly.gov.uk/globalassets/documents/reports/assem_exec_review/women-in-politics.pdf.

Apart from the formal North-South structures mentioned in Section 2, there are many informal links on a cross-border basis, for example for business purposes.

In addition, cross border co-operation has been encouraged through the development of projects, such as for economic development through the EU Interreg programmes or for peacebuilding in the region, for example those funded though the EU Peace Programme, International Fund for Ireland or the Irish Government's Reconciliation Fund.¹⁴⁵

Projects supported by these funds may have gender-related elements or may be projects entirely focussed on women's empowerment. For example, the Positive Relations project funded through the Peace III Programme has brought together women from 23 organisations on a cross-border basis for activities relating to peacebuilding and empowerment. Activities have included:¹⁴⁶

- o Advice/Guidance
- Personal Development & Confidence Building
- o OCR Level 2 Reconciliation course
- o OCR Level 3 Peace & Reconciliation course
- o Introduction to Political Leadership Skills course
- Dialogue training & Events
- Networking events cross-community/cross-border

However, beyond the actions of the project itself, the links created offer opportunities for women's groups to interact on a cross-border basis to address common issues relating to women's representation and leadership.

¹⁴⁵ Ruth Taillon (2014) 'Cross Border Cooperation and Peacebuilding in Ireland', *Journal of Cross-Border Studies in Ireland* 9, 91-99.

¹⁴⁶ About the Project, Positive Relations, Training for Women Network, accessed 27 October 2015: <u>http://www.twnonline.com/positive-relations/about-the-project</u>.