

# PUBLIC CONSULTATION - CITIZENS' ASSEMBLY ON GENDER EQUALITY 2020

## QUESTIONNAIRE

CA30195	Name: Inclusion Ireland
---------	-------------------------

### **Theme 1: Gender norms and stereotypes**

#### Gender norms and stereotypes as barriers to gender equality

Fixed ideas about what women and men should do in the home or at work are learned by girls and boys in early childhood and throughout their lives. These ideas or gender stereotypes affect their choices in school and as they enter careers and contribute to a lack of progress toward equality between women and men. This limits not only the jobs that women and men consider or are available to them, but also can exclude women and men from social roles and tasks.

- Please outline what you see as the key barriers/ obstacles and challenges to gender equality under this theme in law, policy and practice.

Women with disabilities are often invisible in discourse on gender equality. There has been little attention paid to the intersection of gender and disability or to addressing the specific concerns of women and girls with disabilities. They are often regarded as a homogenous group, yet there are many different identities, among them, migrant, LGBTI, asylum seeker and Traveller.

Where the needs of women and girls with disabilities have been highlighted, it is usually in the context of health issues. This reinforces the medical model, seeing women with disabilities as primarily having health needs rather than an emphasis on their right to participate in the civil, political, economic, social and cultural life of their communities. A report by the National Women's Council in 2008 recommended that policy makers and others need to be more aware of the experiences of women with disabilities based on a social model understanding of disability.

Women with disabilities experience the same inequalities as non-disabled women; however, their situations can be exacerbated by social and cultural attitudes to disability as well as environmental barriers. Many with intellectual disabilities face multiple discrimination and are excluded from everyday social roles, opportunities and life choices many take for granted.

For disabled women with intellectual disabilities there is an assumption that traditional roles as nurturers, mothers, wives, homemakers, and lovers are not considered appropriate for them; instead society perceives stereotypes and portrays them as dependent and asexual individuals (Tilley, 1998). For those women still confined to institutions they face further discrimination and considered to be genderless, asexual beings, with a presumed incapacity or desire to pursue adult

roles, such as establish intimate relationships, have children and mother (Showalter, 1985; Apfel and Handel, 1993; Busfield,1996)<sup>1</sup>

Key barriers identified in the 2009 study affecting women with intellectual disabilities included:

- society's negative attitudes to women with intellectual disabilities becoming pregnant, and caring for their children, resulting in lack of support during pregnancy, childbirth and early motherhood;
- conservative and protective perspectives from frontline caring staff and parents regarding the sexuality of women with intellectual disability, which put women at risk of coercive sterilisation or forced contraception<sup>2</sup>.

Inclusion Ireland has experienced, through its advocacy work, a significant proportion of parents with intellectual disabilities who have had their children removed and placed in care. A 2016 report showed that “a disproportionate number of those facing child protection proceedings suffer from cognitive disabilities or mental health problems”<sup>3</sup>.

Outcomes for women and girls with disabilities in Ireland indicate that they are among the groups that experience multiple inequalities and poorer outcomes than other groups in our society.

Through its work, Inclusion Ireland encounters obstacles that women and girls with intellectual disabilities face. These include:

- Poverty and social exclusion
- Barriers to employment
- Difficulties in accessing health services
- Inadequate protection from sexual offences legislation
- Undue interference with rights to sexual relationships
- Lack of support when parenting
- Barriers to accessing justice

- Please identify the steps to be taken to address the issues raised and who should address them (e.g. the state, private sector, education system etc.)

- Women with intellectual disabilities should be provided with education, information and advocacy support in the areas of sexual and reproductive health; they should also have opportunities to engage in the public

<sup>1</sup> 2009 “Women with disabilities and barriers and facilitators to accessing services during pregnancy, childbirth and early motherhood” Begley et al

<sup>2</sup> 2009 “Women with disabilities and barriers and facilitators to accessing services during pregnancy, childbirth and early motherhood” Begley et al

<sup>3</sup> Childcare Law Reporting Project report on cases where children taken into state care

conversation and debate and to participate in the decision-making process around their reproductive rights. (Department of Education and Skills).

- Information should be available in plain English and easy to read formats so people can be fully informed and engage in the debate. (All Government Departments)
- Training for policy makers and others to increase their awareness of the experiences of women with intellectual disabilities based on the social model understanding of disability.
- Public awareness / information campaign to address negative attitudes and stereotypes that contribute towards ongoing discrimination of women with intellectual disabilities. (Department of Justice and Equality)

## **Theme 2: Work: Occupational segregation by gender, gender discrimination and the gender pay gap**

Women and men are often concentrated into different kinds of jobs and within the same occupations, women are often in work that is less well paid and has less opportunities for career advancement. Women often work in areas where they can work part-time so as to fit in with their caring responsibilities. While many men work in low paid jobs, many professions dominated by women are also low paid, and professions that have become female-dominated have become lower paid. This worsens the gender pay gap (the average difference between the wages of women and men who are working).

Please outline what you see as the key barriers/ obstacles and challenges to gender equality under this theme in law, policy and practice.

Labour participation rates for people with disabilities are extremely low with only three out of 10 adults with a disability of a working age having a job<sup>4</sup>. Women with disabilities are less likely to be employed than disabled men of the same age group. For example, of people with disabilities aged 35-44, 35% of men are in employment compared to 24% of women<sup>5</sup>.

Rates of employment among those with an intellectual disability are even lower. Data from the Health Research Board (HRB) indicates that only 1% of adults registered with the National Intellectual Disability Database (NIDD) are in open employment<sup>6</sup>.

Only 16% of women with intellectual disabilities of working age (age 20-65) are currently at work (compared to 59% of women in general population)<sup>7</sup>. This can be interpreted as women with intellectual disabilities having limited access to the State contributory pension, as the majority of this cohort are not in employment, compared to women without disabilities. In terms of the principal occupational status of people with

---

<sup>4</sup> 9 CSO. Census 2011

<sup>5</sup> Health Research Board (2015). Annual Report of the National Intellectual Disability Database Committee 2014. Dublin: HRB.

<sup>6</sup> Health Research Board (2015). Annual Report of the National Intellectual Disability Database Committee 2014. Dublin: HRB.

<sup>7</sup> CSO

an intellectual disability, a higher proportion of women are 'looking after home/family' than men; 6% of women with an intellectual disability aged 20-64 are in this category compared to less than one percent of men<sup>8</sup>. This again reduces the chances that women with intellectual disabilities satisfy the criteria for the contributory State pension if not actively engaged in the labour market.

Family responsibilities are a key reason why women with disabilities have lower rates of employment<sup>9</sup>. Other reasons include, availability and suitability of jobs and inadequate training or education.

Historically speaking women are engaged in lower paid and more precarious work<sup>10</sup> it is not known what percentage of women with disabilities and intellectual disabilities work in these jobs. It is known that only 2% of women with intellectual disabilities are noted as working in managerial and director roles in Ireland, compared to 7% of women without disabilities<sup>11</sup>. However, considering that people with intellectual disabilities have lower rates of educational attainment and employment than the rest of the population, women with disabilities may disproportionately fall into the category of low paid precarious work.

Reasonable accommodation is essential for people with disabilities to be encouraged to enter the workforce and to ensure consistency in the labour market. 'Reasonable accommodation' is interpreted as accommodation that will create the conditions to ensure the enjoyment of equal rights in the given situation.

Failure to do so could result in discrimination. It can mean ensuring necessary and appropriate modification and adjustments, not imposing a disproportionate or undue burden, where needed in a particular case, to ensure people with disabilities can exercise their rights and freedoms on an equal basis as others (UNCRPD).<sup>12</sup>

The Committee on the Elimination of Discrimination Against Women stated that women with disabilities should be provided with reasonable accommodation in accessing employment<sup>13</sup>. Similarly, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the Employment Equality Acts 1998–2015 require employers to reasonably accommodate employees with disabilities.

The Irish Human Rights & Equality Commission (IHREC)<sup>14</sup> suggest the following as examples of reasonable accommodations:

---

<sup>8</sup> CSO

<sup>9</sup> Watson, D. & Nolan, B. (2011). The Social Portrait of People with Disabilities in Ireland 2011. A report by the Department of Social Protection and the ESRI. Dublin: DSP

<sup>10</sup> Submission to the Low Pay Commission, TASC, March 2016  
[https://www.tasc.ie/download/pdf/tasc\\_low\\_pay\\_commission\\_women\\_final.pdf](https://www.tasc.ie/download/pdf/tasc_low_pay_commission_women_final.pdf)

<sup>11</sup> CSO

<sup>12</sup> CRPD Article 2, Definitions – 'reasonable accommodation'.

<sup>13</sup> 17 CEDAW/C/HUN/CO/7-8

<sup>14</sup> Irish Human Rights & Equality Commission. Disability and reasonable accommodation: what are my obligations. Available at: <https://www.ihrec.ie/guides-and-tools/human-rights-and-equality>

- adapting the premises or the equipment, for example, installing wheelchair ramps, providing special computers for the visually impaired, installing loop systems
  - Offering flexible working times
  - Providing training or other supports that might help
  - Adjusting an employee's attendance hours or allowing them to work from home
  - Assigning an employee certain tasks, and substituting others for equivalent duties, in consultation with the employee
- Please identify the steps to be taken to address the issues raised and who should address them (e.g. the state, private sector, education system etc.)

- Collect disaggregated data on disability and gender to examine if there are multiple discriminations at play for women with disabilities regarding the gender pay gap. Appropriate policies could be developed by the government to target any underlying unsavoury practices such as discrimination by employers.
- Employers including the public sector should ensure that people with disabilities they employ in their workforce include women with intellectual disabilities, ensuring they are reasonably accommodated, making changes to tasks and structure of a job, as advised by IHREC.
- Public sector employers must equally ensure that discrimination regarding the gender pay gap and those with disabilities is addressed.
- All public sector bodies should undertake their obligations under the Public Sector Duty and ensure women with intellectual disabilities are part of their workforce, thereby meeting the current Government target of 6%.
- Resource implementation of the 'Make Work Pay' report and provide tailored supports for women with intellectual disabilities and carers to access further education, training and employment
- Implement and resource the Comprehensive Employment Strategy.
- There must be learning from the limited roll-out of the Ability Programme, which is being funded by the Department of Employment Affairs and Social Protection. This learning must involve a national roll-out of the programme so women with disabilities across the country can be supported to take up employment.

### **Theme 3. Care, paid and unpaid, as a social and family responsibility**

#### Care -- the social responsibility of care and women and men's co responsibility for care, especially within the family

Women remain disproportionately responsible for unpaid care and often work in poorly paid care work. For working parents or lone parents, balancing paid work with parenting and or caring for older and dependent adults presents significant challenges. Women are most disadvantaged by these challenges, yet men also suffer from lack of

opportunities to share parenting and caring roles. Despite recent legislation and policy initiatives to support early years parental care, inequalities in the distribution of unpaid care continue between women and men. The cost of childcare has been identified as a particular barrier to work for women alongside responsibilities of caring for older relatives and dependent adults.

- Please outline what you see as the key barriers/ obstacles and challenges to gender equality under this them in law, policy and practice.

Around 80% of care across the EU is provided by family and friends. The number of informal carers far exceeds that of the paid care workforce<sup>15</sup>. Where a household contains a family member with a disability who requires care or support, responsibility for caring most often falls to women<sup>16</sup>. Evidence from the CSO indicates that there were 117,000 women versus 22,600 men in care giving roles in 2011<sup>17</sup>. Statistics from the Department of Social Protection show that women made up 77% of those receiving Carer's Allowance in 2015 (14,412 men and 48,590 women)<sup>18</sup>.

In Ireland approximately 84% of people with an intellectual disability live in a private household.<sup>19</sup> Responsibility for caring for a family member with a disability most often falls to women. This has a disproportionate effect on women and impacts negatively on women's ability to work outside the home.

The relationship between gender and caring also applies to adult sibling relationships. In a recent Irish study examining adult sibling's involvement and intentions of future involvement in the lives of their sibling with a disability, 80% of the participants were female<sup>20</sup>. Responsibility for providing care has a disproportionate effect on women and impacts negatively on women's ability to work outside the home.

Adults with intellectual disabilities living at home also play a role in supporting their elderly parents; however this role is often not recognised or documented.

Inclusion Ireland and Technological University Dublin carried out research on educational exclusion (short school days and full suspensions) experienced by children with disabilities and their families in Ireland which highlighted the financial impacts were significantly greater for families headed by women carers parenting

<sup>15</sup> Enabling carers to care. Proposal for an EU-level strategy in support of informal care provision

<sup>16</sup> Leane, M., Kingston, A., & Edwards, C. (2016). Adult Siblings of Individuals with Intellectual Disability/Autistic Spectrum Disorder: Relationships, Roles & Support Needs. Dublin: NDA.

<sup>17</sup> Central Statistics Office (2011). Women and Men in Ireland 2011. Dublin: CSO.

<sup>18</sup> Department of Social Protection (2016). Annual SWS Statistical Information Report 2015.

<sup>19</sup> CSO (2012). Census 2011, Profile 8, Interactive table CD824

<sup>20</sup> Leane, M., Kingston, A., & Edwards, C. (2016). Adult Siblings of Individuals with Intellectual Disability/Autistic Spectrum Disorder: Relationships, Roles & Support Needs. Dublin: NDA. 17 CEDAW/C/HUN/CO/7-8

alone<sup>21</sup>. For the duration of their children's school exclusions, most women carers were regularly expected to be available to remove their child from school at very short notice and were often telephoned by school staff while at work. Both practices caused considerable distress to many carers. More than 30% of carers (mostly women) found that they could not continue to work outside of the home as a direct result of exclusionary practices relating to their child's schooling and more than 40% had to reduce working hours for the same reason.

Almost 40% of carers in the study reported that their career progress/prospects had been negatively impacted. Mothers parenting alone were more likely than others to try to remain in employment but still reported that their families experienced considerable financial hardship, generally due to the carer having to reduce her working hours. Mothers parenting alone also reported experiencing greater health impacts, and those in rented accommodation were significantly more negatively affected on all measures of health, workplace difficulties and family finances than any other group. It is recognised that it is likely that many women carers, parenting in couples or alone, give up employment outside of the home for other reasons related to their children's disabilities, meaning that career and financial losses for women carers are probably considerably greater than those found in this study<sup>22</sup>.

Article 41.2 of the Constitution recognises the role of women in the home and undertakes not to force them to take up paid work to the neglect of those duties. Such provisions are outdated and perpetuate gender stereotyping; instead such work should be recognised in a gender neutral way, as recommended by the Constitutional Convention<sup>23</sup> as well as recognising the diversity of carers within and outside of the home.

Please identify the steps to be taken to address the issues raised and who should address them (e.g. the state, private sector, education system etc.)

- Provide appropriate financial and social supports to carers until such time that children with disabilities are fully included in mainstream education<sup>24</sup>. (Dept. of Education & Skills)
- Recognise and document the role played by adults with intellectual disabilities living at home who play a role in supporting elderly parents.

---

<sup>21</sup> Brennan, D., Browne, H. (2019). Education, behaviour and exclusion: the experience and impact of short school days on children with disabilities and their families in the Republic of Ireland. Inclusion Ireland/Technological University Dublin. doi:10.21427/ydac-px30

<sup>22</sup> Brennan, D. (2019) 'The burden of educational exclusion on mothers of children with disabilities', Towards a Refreshed National Carers Strategy - From Research to Policy, University College Dublin, 14 November. Available from: <https://www.youtube.com/watch?v=teK4r>

<sup>23</sup>Second Report of the Convention on the Constitution (i) Amending the clause on the role of women in the May, 2013 <https://www.constitution.ie/AttachmentDownload.ash?mid=268d9308-c9b7-e211-a5a0-005056a32ee4>

<sup>24</sup> Brennan, D. (2019) 'The burden of educational exclusion on mothers of children with disabilities', Towards a Refreshed National Carers Strategy - From Research to Policy, University College Dublin, 14 November. Available from: <https://www.youtube.com/watch?v=teK4r>

- Amend Article 42.1 of the Constitution in order to either delete or replace it with gender neutral language and the diversity of carers working within and outside the home .

#### **Theme 4: Women’s access to, and representation in, public life and decision making**

##### Ensure women’s participation and representation in decision-making and leadership in the workplace, political and public life

Women are systematically underrepresented in leadership in economic and political decision-making. Despite the introduction of a candidate gender quota (through the system of party funding) for national political office, and initiatives to support women’s access to corporate decision-making roles, men continue to dominate leadership positions. There are also issues to be considered around how media represents women and men.

- Please outline what you see as the key barriers/ obstacles and challenges to gender equality under this theme in law, policy and practice.

Some progress has been achieved in the numbers of women in leadership positions. Gender quotas have resulted in more female TDs and there are more women in leadership positions in the judiciary. The new system for appointments to state boards is welcome, as is the requirement that the Public Appointment Service (PAS) will be asked to take account of diversity and balance.

Women with disabilities, however, remain absent from all levels of decision-making from the community up to regional and national levels. Indeed, one of the areas of policy making in which women with disabilities are most invisible is in policies aiming to advance women’s equality in decision-making.

Multiple barriers exist for women with disabilities which inhibit their participation, and for women with intellectual disabilities the barriers are much greater. The CRPD highlights these and draws particular attention to situations of multiple and intersecting discrimination which includes the ability to participate politically<sup>25</sup>.

A report published by the National Women’s Council of Ireland (NWCi) in 2008 highlighted the absence of women with disabilities in decision-making processes, policy making and political structures of government at all levels. The report recommended that policy makers and others need to be more aware of the experiences of women with disabilities based on a social model understanding of disability<sup>26</sup>.

<sup>25</sup> UN General Assembly Situation of women and girls with disabilities and the Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.

<https://www.un.org/development/desa/disabilities/news/dspd/women-and-girls-with-disabilities-crpd.html>

<sup>26</sup> NWCi (2008), Disability and Women in Ireland: Building Solidarity and Inclusion. Dublin: NWCi.



The additional challenges facing women with intellectual disabilities in participating in decision-making and leadership roles needs particular attention. Specific supports and capacity building programmes tailored to meet the needs of this specific group are essential.

While some individuals may not have the capacity or wish to take up leadership roles they should be supported to make decisions that affect their own lives, and participate in processes where their voice is heard and they have opportunities to inform and influence. The full implementation of the Assisted Decision-Making Act is an important element in the provision of such supports.

While some statistics are available relating to health issues, there appears to be no data on disabled women's representation or participation in decision-making and particularly women with intellectual disabilities. This knowledge gap greatly impacts on progress on policies and measures that could be developed to address the barriers women with disabilities face. In addressing such gaps it is important to recognise the diversity of women with disabilities and not view them as a homogenous group.

Please identify the steps to be taken to address the issues raised and who should address them (e.g. the state, private sector, education system etc.)

- Fully commence the Assisted Decision-Making Act (2015) and resource the office of the Decision Support Services (Dept. of Justice & Equality).
- Ensure policies focused on advancing women's equality in decision-making include women with intellectual disabilities (All Government Departments)
- Ensure the inclusion of women with intellectual disabilities when the PAS is taking diversity into account on appointments to State boards
- Develop capacity building and leadership programmes to support women with intellectual disabilities to participate in local decision-making structures.
- Resource the implementation of the HSE's ' Plan for the Effective Participation of People with Disabilities in Decision-making' which will provide opportunities for disabled women's inclusion in local structures. (HSE)
- Provide supports to women's organisations and networks to ensure the inclusion of women with intellectual disabilities in their organisations
- Recognise and support the inclusion of more diverse groups of disabled women and the range of views and perspectives that they would bring to the political arena. (Political parties)
- Undertake research on the intersectionality between disability and gender, socio-economic status and other identities that disabled women and girls have.
- Address the significant information gaps on women with intellectual disabilities by gathering and publishing comprehensive gender-specific, disaggregated data that is regularly updated.

(CSO, government departments, HSE, the Courts, An Garda Síochána, Tusla and other relevant agencies). This should be done in line with human rights and equality principles and in consultation with civil society organisations<sup>27</sup>.

## 5. Where does gender inequality impact most?

To conclude we would be interested in your response to the following question: In which area do you think gender inequality matters most?

Please rank the following in order of importance, 1 being the most important:

- Paid work -----
- Home & family life -----
- Education -----
- Politics and public life -----
- Media -----
- Caring for others -----
- Other – please elaborate -----

➤ Please outline the reasons for your answer below:

Gender equality cuts across all of the above themes, they are interlinked and therefore don't consider it a useful exercise to rank them.

➤ Please include any further comments or observations you may have here.

<sup>27</sup> National Women's Council of Ireland (2017). Shadow report in advance of the examination of Ireland's combined sixth and seventh periodic reports under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Dublin: NWCI.

