

Recent developments on gender equality in laws and policy in Ireland

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Hello everyone. Can I say first how very honoured I feel to be asked to speak at the citizen's assembly, and to be speaking to the people who are giving their time and thought to shape a better future on gender and care in Ireland.

I've been asked today to outline recent developments in laws, policy and constitutional provision on gender equality in Ireland. As I have only 15 minutes, I won't be able to cover everything! So I will just concentrate on some key recent developments. And I know that tomorrow you will be looking in more detail at Article 41.2.1 of the Constitution, on the position of women in the home, so I won't say any more about this.

I know that the issues which you will be debating over the next few months are barriers and social norms in relation to gender, women in work, pay inequalities, participation in public life, and caring. So what has been done to progress these in recent years?

In relation to **social norms and attitudes**, work has been done in a number of areas, for example:

- Promoting gender equality in higher education, in science & technology, in sports, arts and the media, to name a few.

There is a Gender Action Plan to address gender inequality in higher education. This initiative arose after a woman lost out on promotion to senior lecturer in NUIG, even though she was more qualified than the man who got promoted, and she took a case which she won. Overall, women make up half of lecturers, but only a quarter of professors, in academia in Ireland, so they are very under-represented in senior positions here.

There are a lot of commitments in the Action Plan to ensure that senior positions are fully open to male and female candidates, such as what is called blind shortlisting – shortlisted CVs without knowing the gender of the person. There is also the recent introduction of 45 women-only professorships in areas of higher education in which they are very under-represented.

The Gender Action Plan also commits to putting a gender dimension into curriculum design, and into research across higher education institutions. This is important - for example, in research, it is only in recent years that it has become common to include women and men in research on drug testing, even though we know that drugs can work in different ways on women and men.

- There is also a Government commitment to increase by 40% the number of girls taking Chemistry, Physics, Technology and Engineering for the Leaving Certificate.
- And there are a number of commitments to address gender inequality in take up of apprenticeships, which are traditionally very male.
- The Social Personal and Health Education Curriculum for children in primary and post-primary school also provides teaching for all age groups on gender stereotyping and its influence. This is important for future relationships and expectations in them.
- There is a Women in Sport Programme, and other important actions to increase visibility of women in sport, including designating the Ladies Football and Camogie finals as events of national importance that must be available for free-to-air broadcasting.

This is one of the commitments in the National Strategy on Women and Girls, which is a broad-ranging strategy with over 130 actions, to create an Ireland where ‘all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life.’

- Equality budgeting

Some of these actions also arise from a process called equality budgeting. This means assessing the impacts of the Government’s budget on different groups, and looking at change that can be made to help promote equality. Some of the actions I’ve outlined here, like more funding women in sport, come from this process, which was committed to by the last Government. In 2018, six policy areas were subject to equality budgeting, and in 2019 45 were.

- Film and television:

To support the increasing visibility of female creative talent in the film industry, Film Ireland is implementing a Gender Equality Six Point Plan and under this has created specific funds to support Female Talent in production and film making. This is important as women are very under-represented in roles in film, both in front of and behind the camera. There is a thing called the Bechdel test, to measure women’s representation in film, fiction etc. It asks whether a film features at least two women who talk to each other about something other than a man. Try it out at home when you’re watching films, TV etc – you’d be surprised by the number of films that don’t have this.

And The Broadcasting Authority of Ireland (BAI) now has a Gender Action Plan, and under this has a number of actions, e.g. requiring the strategic assessment phase of applications under its Sound and Vision programme to have regard to the level of women in a leadership/creative role. It is also putting a particular focus on projects which tell women’s stories. It requires commercial communication (for example ads)

focused at children to avoid gender stereotyping. The Advertising Standards Authority of Ireland has a similar code, requiring that *marketing material should avoid gender stereotyping, and any exploitation or demeaning representation of men or women*. However these seem to be implemented through a complaints process – if someone complains that the ad does gender stereotype, and it is found that it does, then it is taken down. Good that this is there, but is it enough?

- Domestic violence

We have a strategy on domestic, sexual and gender-based violence, from 2016 to 2021, which aims to change societal attitudes to support a reduction in domestic and sexual violence. Gender based violence is particularly likely where norms and attitudes put a low value on women and girls, and a high value on men's control over them. And last year Ireland ratified the Istanbul Convention, which is the Council of Europe Convention on preventing and combating violence against women and domestic violence.

Also the Sexual Offences Legislation from 2017 decriminalised providing sexual services through prostitution, and criminalised those who purchased it.

- We don't have much at all on the other side of the coin, which is attracting men and boys into non-traditional sectors. For example only 7% of general nurses are men in Ireland, only 13% of primary school teachers, and only 1% of childcare workers!. Outside the workforce, men are often reluctant to take part in informal dancing and singing – dancing and choirs are for girls! There was more interest in this I think in the mid-2000s, when there was a report on men in primary teaching. The National Men's Health Policy for 2008-2013 also had a lot to say about how gender stereotypes contribute to poorer male health, for example healthy eating was seen as female, and behaviours which are bad for your health are used to prove masculinity, e.g. binge drinking. However the follow on National Men's Health Action Plan has little emphasis on this. On increasing the proportion of men in sectors where they are under-represented, in Norway an employer can choose a male applicant for a job over a woman in occupations related to child care, where men are underrepresented.

In relation to **pay inequalities, women in work, and participation in public life**, we have a history of legislation, starting in the 1970s, to combat gender inequality at work. This includes the laws which gave women the right to work, and to earn equal pay for work of equal value. More recently, there have been a range of commitments and legislation on the following:

- The gender pay gap.

The gender pay gap, which is the difference in gross hourly wages paid to women and men, was 14% in Ireland in 2014. This is below the EU average of 16 per cent, so we are doing better than others on this. The previous Government committed to bringing in

measures to reduce the gap more, and had a public consultation on it in 2017, followed by the Gender Pay Gap Information Bill which was presented to the Dail in 2019. This Bill required employers to publish information relating to the gender pay gap among their employees and, where there is a gap, to explain the measures being taken to reduce it. The Bill had gone through several stages on its way to being passed, but it has lapsed following dissolution of the Dáil in January 2020. However there are commitments to this in several party manifestos for the election so hopefully it will be re-introduced.

- Work to combat low pay

Ireland established its National Minimum Wage in 2000, and has set up the Low Pay commission to review it each year, and make recommendations to Government on the what the national minimum wage should be. It is now €10.10 an hour. It makes a big difference to women, who make up most of the low paid.

- Legislation on hours of work

The Employment (Miscellaneous Provisions) Act passed last year restricts the use of zero hours and 'if and when' contracts, as employers must give employees details of the number of hours which the employer reasonably expects the employee to work, within five days of starting work. Employees who don't have a contract detailing weekly hours can request to work within a "band" of hours corresponding to the average number of hours they worked in the previous year. Women are the most likely to work in part-time jobs with variable hours, so this is likely to have most impact on them.

- Gender balance on state boards:

Irish Governments first committed to increasing the membership of state boards to at least 40% women in 1993. These are important boards that make decisions affecting you, like the Low Pay Commission, Social Welfare Appeals Tribunal, Pensions Authority. Over time the proportion of women on state boards has increased, and in July 2018, the 40% target was met for the first time when women's membership was averaged over all state boards. Unfortunately, more than half (52%) of individual Boards had not met the 40% target. But it's been successful in increasing women's representation on state boards, and there is now a new target of 45% female membership on boards.

- Gender balance in the civil service

There is an aim to have 50/50 gender representation in senior appointments in the civil service, and the number of women in senior positions in the civil service has increased over the past 30 years, due to commitments on this.

- Gender balance on boards of large companies

In relation to the boards of large listed companies in Ireland, the proportion of women on them is 16 per cent, which is well below the EU average of 23%. In July 2018, the Taoiseach launched the '**Balance for Better Business**' initiative. This is an independent business-led Review Group established by the Government to improve gender balance in senior business leadership in Ireland. The Review Group has set a target for companies quotes on Irish stock exchange to increase the number of women directors in these companies to 33% of the total by 2023. This is useful as it increases the visibility and role of women in business, but it does only affect a small number of women.

Interestingly we have a lot of women on the boards of charities in Ireland, they are 37% of the board members.

- Gender balance in the Dail.

In 2012 the Government introduced new legislation (the 2012 Electoral (Amendment) (Political Funding) Act) stating that qualified political parties will have their State funding reduced by half if they do not have at least 30% women and 30% men candidates at the next Dáil. This figure is to rise to 40% women and 40% men candidates after 7 years.

This is a significant piece of legislation, and only 8 other countries in the EU have legislated quotas. I know there are different views on quotas, but they do have a good reputation in increasing women's representation in political office. So Ireland can be congratulated on introducing this. It also helped to increase women's participation in Dail from 23% before the quota to 29% after the next election in 2017. It has brought our number up to just below EU average. Prior to that there had been no improvement in the proportion of women in the Dail since 1992.

A number of researchers would like to see this provision also applying to local elections, as a lot of candidates cut their teeth in local elections before moving on to national campaigns.

In relation to **caring**, we have

- paid paternity leave

This legal provision was introduced in 2016 and provides two weeks of paid leave for new fathers. In 2017, over 26,000 new fathers availed of the leave and benefit and the DEASP is working on increasing the take-up as it is not as high as it could be. Other countries have found that the more the payment replaces the pay of the father the more likely they are to take it up, and the pay in Ireland is quite low, so this may be something to look at.

- paid parent's leave specifically for each parent

We also introduced paid parent's leave, with leave specifically set aside for fathers, in 2019. It is currently two weeks per parent to be taken during the child's first year of life, but there are plans to increase it to 9 weeks each. Like paternity leave, this leave is not

very highly paid, but still, this is a big change. These two schemes, paternity leave and paid parent's leave, are the first time paid leave for childcare has become available to fathers, which says quite a lot about the extent to which the state expected men to be involved in care of their children. Childcare was seen as women's work! In 2019 new legislation was also passed to allow parents to take 8 more week of unpaid parental leave, until their child is aged 12. This can be taken one week at a time, which is very significant for allowing those on lower pay to take it. Employers can also only refuse it once.

We were also the last almost in EU to introduce paternity leave. So we're doing better on getting women into public life than men into private!

And we do have long maternity leave, greatly increased in the early 2000s, but the pay rate is low compared to other countries in Europe.

- National Childcare Scheme

Another recent change is the introduction of the National Childcare Scheme (pretty late, but very significant). People have different views on this, some prefer to look after their children themselves. However it's a further acknowledgement that care of children is not something which is only provided by the family, and usually by the mother. We don't know exactly how the impacts of the NCS will pan out. Hopefully it will help increase our poor after-school and out-of-term services. We can see some issues already, e.g. the fact that many childminders are not covered by the scheme, and we are not sure whether the most disadvantaged will benefit as much as they do under current supports. But for the first time many parents with children in childcare will get some direct support for this care.

- Social welfare

Some changes have also made to PRSI recently, recognising women's role as carers and workers. One is the home caring periods scheme, which allows you to use periods spent caring full-time to count towards eligibility for a PRSI pension. Another is the provision for spouses and partners of the self-employed to pay their own PRSI and so have independent access to PRSI benefits. Before 2014 they couldn't pay for or access PRSI supports in their own right.

There is also a commitment in the new Roadmap on Social Inclusion to look at the feasibility of individualising welfare payments. Currently in a household where both adults are unemployed, they can both claim Jobseeker's Allowance if they are both available for and seeking full-time work. If one is not available for and seeking full-time work, then the other adult is the 'main claimant' and is paid the full welfare allowance. This creates a dependent relationship between the main claimant and the other adult, who is called a qualified adult. The qualified adults also find it more difficult to access many supports for training and employment. There are almost 90,000 people under 65

in this position, and most are women. So it is good that the Roadmap is going to look at what can be done on this.

- Carer's Strategy

We also have a Carer's Strategy, published in 2012, which aims to support carers to maintain their own health and well-being; and to participate as fully as possible in economic and social life. The Strategy was published during the recession was to be cost-neutral. Many of the commitments made in it have implemented. Recently those receiving Carer's Allowance were allowed to work for 18 and a half hours a week, up from 15. This makes it easier for carers who wish to have more economic independence and a balance of care in their life to work more easily. Those on Carer's Allowance and Benefit now receive a GP only card, and there is also now a commitment to establish a statutory homecare scheme, which would outline more clearly the conditions under which home care services would be allocated

Despite the existence of Carer's Allowance and Benefit it would be fair to say however that our care system is underfunded, works under a postcode lottery, and is very reliant on unpaid or low paid family care. Those who provide paid care also get low pay.

- What do we not have?

There are some things which we still don't have, which are interesting to consider. E.g. there is no right to part-time work when have young children, which is available in some EU countries, although not all. (Under Carer's Benefit you can work part-time). There is also a commitment to consult on more flexible work in Future Jobs Ireland. It is good to look at this, although it remains to be seen where this goes – on its own a consultation is not a strong commitment.

We have no short-term leave from work specifically to care for sick children, which seems to only be available in Nordic countries. This is something which is interesting to consider, as it is typically mothers who take time off here to look after sick children, so this means they are seen as less committed to work. This practice is linked to pay – usually whoever gets paid less in a family takes time off to look after ill children, and this is usually the mother, as women get paid less.

As I've said earlier, despite the existence of Carer's Allowance and Benefit it would be fair to say however that our care system for older people and people with a disability is very reliant on unpaid or low paid family care. Those who provide paid care also get low pay.

Another thing to bear in mind is the poverty rates of lone parents, who are mostly women, in Ireland. Their poverty rate is 2.5 times higher than that of the general population (14% vs 34%). This is a group particularly affected by low income and pay, and the high cost of

childcare in Ireland, and it means they are very economically dependent. Action focused on them could help to address this.

FINALLY, I will just summarise some of what you could call the key 'levers for change' which I've outlined in this brief talk. These include

- legislation (e.g. the electoral quotas),
- strategies (national strategy for women and girls; Gender Action Plans),
- funding schemes/ positive action (funding schemes for women in film),
- codes of practice (the broadcasting and advertising ones),
- training and awareness raising (the school curriculums),
- working with the private sector (for women on boards of big companies),
- broadening access (allowing women more access to PRSI benefits in their own right),
and
- data, monitoring and analysis (this forms part of equality budgeting but it is really important for all new programmes introduced – you need to monitor what's happening to see if they work as you want).

Thank you for your time on this, and I hope it has helped to give you a flavour of some of the main policy and legislative changes in the last few years.