

HR 04

Ymchwiliad i hawliau dynol yng Nghymru

Inquiry into Human Rights in Wales

Ymateb gan: Ffederasiwn Cenedlaethol Sefydliadau'r Merched – Cymru

Response from: National Federation of Women's Institutes – Wales

1.1 The WI is the largest women's organisation in the UK with some 220,000 members in over 6,300 WIs across England, Wales and the Islands. In Wales, we have about 16,000 members belonging to 600 WIs.

1.2 The WI is an educational, social, non-party political organisation, established to ensure that women are able to take an effective part in their community, make new friends, widen their horizons, and together influence local, national, and international affairs on issues that matter to them.

1.3 Since its inception, the WI has been renowned for its vigorous campaigning on human rights and equality and for a fairer society. The WI has campaigned for equality between women and men for over 101 years, and in 1943 became one of the first organisations in the UK to call for equal pay for equal work across all professions.

1.4 In 1999, the WI campaigned for women's rights to be upheld. *"This meeting deplors the fact that women's human rights continue to be violated worldwide and calls upon the governments of the world to adhere to the commitments made at the Fourth UN Convention on Women 1995, 'that women's human rights are an inalienable, integral and indivisible part of universal human rights' and to implement policies to this end.*

1.5 In September 2015 the WI celebrated its centenary. To mark the occasion, *The WI at 100* Report was produced to present the views and opinion of current members as well as highlight key achievements from the organisation's 100-year history.

1.6 The findings show that while much has changed for women for the better and there is plenty to celebrate, women continue to face real barriers to achieving their potential with stark inequalities remaining at home and in the workplace. WI members are concerned about the lack of role-models available for the next generation of women. They believe girls are growing up in a society where women are judged to different standards to men, that bringing up children- while still regarded as almost exclusively 'women's work'- is not valued monetarily and culturally, and that women are penalised in the workplace for having children.

1.7 Looking at our health services, members celebrate the remarkable achievements of the NHS, yet many worry (particularly carers) that health and social care services will not be able to meet their needs as they age. While a clear majority believe that over their lifetime the NHS has got better at meeting the needs of women, they believe that services aimed at improving mental health- a key concern for them- are failing.

1.8 Lastly, members continue to express a sense of solidarity with women around the world, showcasing a strong belief that women in wealthier countries have a responsibility to act on issues that affect women in developing countries. Members overwhelmingly believe that equality for women and girls is better for economies and

societies across the globe, but that access to education remains the greatest challenge that women in developing countries face to making the goal a reality.

## **2.0 The impact of the UK's withdrawal from the European Union on human rights protection in Wales**

2.1 Ahead of the EU Referendum, the NFWI did not have a position on whether the UK should leave or remain in the EU. The NFWI wants to ensure that the UK's withdrawal from the European Union does not impact adversely on women's rights.

2.2 Women have benefited greatly from EU membership and legislation in terms of their rights in the workplace such as protection against pregnancy discrimination, maternity rights, fairer pay, pension rights and part-time workers rights. Women have also benefited from European projects to support them to access training and employment opportunities and funding to address issues such as poverty.

2.3 With little detail released by the UK Government to date, it is difficult to predict the impact on equality and human rights. For example, there would need to be clarification that the UK's withdrawal from the EU would not result in pressures on midwifery and midwifery support officers in Wales from potential restrictions on recruitment of EU citizens and consequently impact on women's maternity care

2.4 NFWI wants to see women's rights and protections safeguarded and would want assurances that the current rights and protections currently guaranteed by EU law would not be weakened. The current rights and protections must be guaranteed and we do not want to see a step backwards in terms of women's rights.

2.5 NFWI-Wales is encouraged by recent statements that the UK Government has no intention of withdrawing from the European Convention on Human Rights which is embedded in the devolution settlement and legislation in Wales.

2.6 NFWI-Wales would like to gain clarification on any potential impact from the UK withdrawal from the EU on women's safety in Wales such as women trafficked to the UK for slavery.

2.7 As highlighted in *The WI at 100* Report, WI members believe that there is much more still to do to ensure that women do not face barriers at work, at home, and in wider society. 70% of WI members disagree that women are now equal to men. A majority of members still feel that women do not have the same opportunities as men in the workplace, with 56% believing that they are penalised for having children, and 84% finding it difficult to balance family responsibilities with work.

2.8 Research published in the Equality and Human Rights Commission in Wales report *Is Wales Fairer?* in 2015 found that less than one in four people in Wales felt that they were able to influence decisions affecting their local area with women, older people and disabled people feeling less able to influence decisions than some other groups. *The WI at 100* Report also identified that whilst WI members feel that they have considerable influence over the decisions made in their households, 32% feel that they have a good deal or some influence over decision-making in their local area. In terms of their influence over the country as a whole, 69% feel that they have not very much or no influence.

2.9 We know from our members that legal aid is a vital, lifesaving resource that enables women (and men) who cannot afford to pay for legal advice and representation to get help with a wide range of legal issues. The NFWI campaigned extensively against the major changes to legal aid introduced through the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) as we felt that the proposals were

discriminatory and disproportionately affected women and thus entrenched women's inequality. In December 2011, the NFWI published a report detailing findings from focus groups with survivors in which victims reiterated how access to legal aid secured their safety and protection in often life-threatening circumstances, and that the proposed reforms would be a direct attack against the most vulnerable women when they were most in need of help. The Welsh Government demonstrated its strong stance on human rights and social justice by highlighting its concerns to the UK Government about continued access to legal advice for those vulnerable women and children seeking to escape domestic abuse and also the potential for an adverse impact on much needed, and often inter-linked, advice services in relation to debt and welfare benefits; domestic abuse; housing and children and families. This legislation provides an example of access to a basic human right being removed and impacting the most vulnerable in society.

2.10 It is alarming and unacceptable that up to three million women across the UK experience rape, domestic violence, forced marriage, stalking, sexual exploitation and trafficking, female genital mutilation (FGM) or so-called 'honour'-based violence each year. Violence Against Women is a violation of human rights and both a cause and consequence of inequality between women and men. The NFWI has been pressing the Government to ratify the Istanbul Convention, which guarantees access to services and support for women who have experienced sexual violence, as a matter of urgency.

2.11 We note that the Welsh Government, National Assembly for Wales and all other public bodies in Wales have a duty to comply with the European Convention on Human Rights in the exercise of all their functions. It is embedded in the Government of Wales Act 2006 and legislation in Wales, therefore there is a statutory duty for legislation to be compatible with ECHR rights and Welsh Ministers cannot act incompatibly with these rights.

2.12 Equality and human rights feature strongly in many areas of legislation passed by the Welsh Government in recent years such as the Social Services and Well-being (Wales) Act 2014, Education (Wales) Act 2014, Housing (Wales) Act 2014, the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act.

2.13 The Welsh Government has taken the lead in many areas in taking action to address human rights violations. In 2011, Wales became the first country in the UK to appoint an Anti-Slavery Co-ordinator (previously known as Anti-human trafficking co-ordinator) and awareness raising and delivery of training have been key elements of the work in Wales. The Wales Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and the Well-being of Future Generations (Wales) 2015 demonstrate the commitment of the Welsh Government in focusing on equality and human rights.

2.14 It is vital that human rights and equalities continue to be overarching principles for both the Welsh Government and National Assembly for Wales to ensure that there is leadership and a strong approach in place to address human rights violations such as Violence Against Women and human trafficking and help Wales become a fair and equal society.

### **3.0 Impact of the UK Government's proposal to repeal the Human Rights Act 1988 and replace it with a UK Bill of Rights**

3.1 Should the UK Government decide to bring forward proposals to replace the Human Rights Act 1998 with a UK Bill of Rights, the NFWI would expect the Bill to maintain and protect the existing rights provided to citizens. Human rights protections should

not be weakened in any form. On the contrary, we would call on the UK Government to explore opportunities to enhance and strengthen legislation.

3.2 We would expect a detailed consultation to be carried out on any changes to the protection and promotion of human rights in the UK and would want to ensure that women's voices are strongly heard. The NFWI would want to see mechanisms put in place providing a duty on the UK Government to consult fully with Parliament and the Welsh Government and to be scrutinised before having the power to amend legislation. The Welsh Government should be fully consulted on the UK Bill of Rights on the potential impact of changes in legislation on equality and human rights in Wales and would also like to see a process for consultation with stakeholders. As previously highlighted, it would be important that women have an opportunity to contribute their views. Umbrella women's organisations could be used as a network for consulting with women.

#### **4.0 Public perceptions about human rights in Wales**

4.1 Human rights impacts on everyone. Everyone has a right to be fair and equal society and to be treated with dignity and respect, for example, the right of women to live free from the fear of violence, equal access to services for all and ensuring that people have a voice in decision-making processes that impact directly on their lives.

4.2 It is vital that Wales continues to build on its work in protecting and promoting human rights. We believe that a human rights approach should be undertaken in relation to all decisions and legislation passed by the Welsh Government and other public services.

4.3 As previously mentioned, women in Wales continue to be under-represented in all areas of public life which can result in policies being developed and implemented without women having an opportunity to contribute their views to the decision-making processes. It is vital that the voices of service users are heard. It is important that women's voices are heard in the development and implementation of services to ensure that women are not disadvantaged and that their unique views are taken into consideration. They must be encouraged and supported to contribute to decisions which directly impact on their lives and those of their families and communities.

4.4 Inequalities continue to persist for women in many areas of life - accessing childcare, employment, equal pay, work life balance, access to services. It is evident that further action is needed to address the poverty of opportunity faced by women and other groups in society.

4.5 A focus groups carried out with WI members in October 2016 to gather their views on the Wales they want to see for future generations identified issues such as the importance of early years education, life skills and fostering aspiration in the young generation as means of enshrining the principles of equality, family values and respect from an early age and thus 'Instil a feeling of self worth from cradle to grave' and help remove social isolation.

4.6 In 2014, NFWI-Wales held events in Swansea and Llandudno to gather the views of women in Wales on the Wales they want to see in 2020. Equality was a cross-cutting theme across many areas and a number of issues were identified as barriers to achieving equality. Issues such as low pay, poor transport provision, violence against women, the poor portrayal of women and girls in the media, negative / damaging stereotypes, and access to childcare are impacting on women's equality by, for example, hindering women from accessing employment and positions of leadership. The need for gender parity across all levels of government was also highlighted.

4.7 The NFWI 'Carers Welcome' campaign calls on the Government and the NHS to provide facilities to enable carers to stay with people with Alzheimer's disease and dementia that have been admitted into hospital. The aim is to ensure the rights and freedoms of carers and safeguard the dignity of those with dementia. There is evidence that hospital care is letting people with dementia and their carers down with more than 90% of carers reporting that their loved one with dementia found the hospital environment confusing and frightening. The *WI at 100* Report found that 51% of carers do not think that the NHS is excellent at caring for those with mental health issues.

4.8 We are pleased to note the support of the Equality, Local Government Communities Committee in calling for the delivery of compulsory health relationships education in all schools to form part of the new curriculum currently being developed. This should be based on a gender equality and human rights approach.

4.9 NFWI-Wales notes that the Welsh Government and other public bodies undertake equality impact assessments of their decisions. In taking forward the equality and human rights agenda in Wales, NFWI-Wales would suggest that gender budgeting is used as a tool during policy development and budgetary decisions. Gender Budgeting is a policy tool to analyse the impact of revenue raising or expenditure on men and women. A gender budget approach does not aim to produce a separate budget for men and women, but to analyse resource expenditure, or resource allocation from a gender perspective.

## **5.0 Conclusion**

5.1 NFWI-Wales welcomes the commitment shown in Wales in working towards improving equality and focusing on people's human rights. However as outlined throughout this response, inequalities continue to persist.

5.2 NFWI-Wales wants to see a rights-based approach in the development and delivery of all policies and legislation by public bodies as a means of addressing the inequalities and human rights violations that continue to impact on people in Wales. This would enable the Welsh Government and National Assembly for Wales to show leadership and build on the progress that has already been made. Wales must continue to send a strong message that unequal treatment and human rights violations will not be tolerated and take meaningful action to tackle the issues that are impacting on the lives of women and other groups in society.

5.3 It will be crucial that the Welsh Government and National Assembly for Wales have an opportunity to contribute at early stages to discussions and decisions relating to the potential impact on human rights protection in Wales as a result of the UK's withdrawal from the European Union and also the proposals to develop a UK Bill of Rights.

## **6.0 Further information**

6.1 For further information relating to the above response, please contact the NFWI-Wales Office. Tel: 029 2022 1712 E-mail: [walesoffice@nfwl-wales.org.uk](mailto:walesoffice@nfwl-wales.org.uk)