

HR 11

Ymchwiliad i hawliau dynol yng Nghymru

Inquiry into Human Rights in Wales

Ymateb gan: Fair Treatment for the Women of Wales (FTWW)

Response from: Fair Treatment for the Women of Wales (FTWW)

***About us:***

Fair Treatment for the Women of Wales (FTWW) is a third sector girls' and women's health and equality organisation set up to support, inform, educate, and advocate for those living in Wales who are suffering a range of health conditions and who are not receiving adequate (or fair) treatment.

FTWW aims to empower women to speak up with confidence amidst a medical and societal environment which often tends to privilege the male experience.

FTWW is a constituted third sector, not-for-profit organisation, registered with Community & Voluntary Support Conwy (CVSC) part of the Wales Council for Voluntary Action (WCVA).

1) A significant part of FTWW's work is the provision of an online support group. Through that mechanism, we can actively engage with our several hundred members, including advising them on equality discrimination and (UN) rights to health care. From those discussions, it seems that the majority of FTWW members do not necessarily have an in-depth understanding of human rights. Whilst they might have a general grasp of what those rights *'should'* be, they lack detailed knowledge, particularly as those rights pertain to their own circumstances.

As with most people in the UK, we imagine, the concept of human rights is something citizens may well take for granted. Certainly, they do not seem to be covered in any great depth in schools, as part of personal, social, and health education (PSHE). One would assume that human rights history, theory, and legislation would be covered in citizenship lessons (a subject introduced to the curriculum in the late 90s) but it seems that Welsh

education authorities do not routinely incorporate citizenship into their provision.

Furthermore, when it comes to 'women's (human) rights' there appears to be an intrinsic connection to feminism, ie the forceful articulation and challenging of discrimination against women – and, arguably, in recent years, there has been something of a cultural backlash against the term 'feminist'. This can be seen very clearly on social media with women who align themselves with feminism being targets for abuse. Consequently, increasing numbers of women have publicly denounced the feminist movement, perhaps not aware of its history and role in 21<sup>st</sup> century female lives. Again, schools have a role to play: there needs to be much more of a focus upon women's role(s) throughout history, including female suffrage, significant female figures through the ages (and against the odds) – and, perhaps, most importantly, discussion of WHY it is that women are often airbrushed out of history.

2) Generally, it would seem that most Welsh women don't see the direct relevance of human rights. The socio-economic situation in much of rural Wales (or, indeed, simply areas outside of Cardiff) is such that most girls and women in the region are focused purely on survival. Poverty, ill health, domestic abuse, lack of local infrastructure, are of significant and immediate concern to women in Wales (ironically making them even more in need of the protections afforded by human rights legislation). However, understandably, there is a perception that such things are theoretical / academic concepts, far-removed from the everyday reality of most Welsh women.

Up until the existence of organisations like FTWW, where women can both share their physical / mental health / domestic issues, and learn how to deal with them on a practical level, many of our members felt very much disenfranchised, detached from how the political (and legal) system worked and could be utilised in their favour. To that end, the online community / support group approach adopted by FTWW has considerable potential to empower women in a way that is appropriate for them and unique to the individual: we spend a great deal of time tailoring our guidance to each

one's personal circumstances. This is a useful – and powerful – model but there is no getting away from the fact that it is hugely labour intensive.

It would make a big difference to the amount of personalised support required if all girls / women in Wales were made far more aware of the real-life relevance and application of their human rights from the moment they start school and in any other appropriate public forums (within medical settings, council offices, community centres, etc).

It is perhaps also worth mentioning that the loss of legal aid has been a big blow to those women in Wales who may have wanted to pursue discrimination cases, for example, but whose financial circumstances now make that virtually impossible. As such, the right to a fair trial, and protection from discrimination in respect of that right, are already at risk under the current system without the prospect of further diminution.

3) Within FTWW, the consensus appears to be that leaving the EU could indeed have potentially negative impacts on women in Wales.

The concern is that those rights put in place by the EU could be eroded; a wholly legislatively independent UK would give our government (whatever its political persuasion) the capacity to dilute or diminish various rights, such as those currently seen within the workplace.

As the UK seeks to make itself an attractive place for global trade after leaving the EU, its approach may well be to reduce the tax and legislative burden on big businesses. This could mean:

a) watering-down employee rights which currently cost companies money to implement (such as reasonable adjustments for the chronically ill / disabled; maternity leave / pay; protection for part-time workers, most of whom are female;

b) requiring employees to work longer hours to keep their jobs, diminishing the right to have private and family life respected. With women tending to be responsible for the majority of household and caring duties, and working part-time to accommodate those duties, they may well experience a more pronounced detriment than their male counterparts;

and c) less by way of tax revenue to pay for those services which give the UK citizen some means of human rights protection (such as the availability of social housing, the avoidance of poverty, or a minimum income, legal representation / aid, etc). For girls, who already are more likely than their male counterparts to be unpaid carers for older relatives, the right to an education might be seen as less pressing than ensuring public monies are saved in the social care sector.

In terms of girls' / women's right to 'good quality' sexual and reproductive healthcare as per UN / CEDAW, Wales already lags behind in terms of provision, namely because of the system put in place by Welsh government. This prohibits women from exercising free choice when it comes to accessing care. Whilst certain restrictions are unavoidable, the fact that the NHS in Wales doesn't routinely allow patients to seek treatment outside of their own health board (let alone across the border, in England) means that women living in Wales suffer a very real detriment when compared to their English equivalents.

Despite the right to 'start a family', specialist treatment for gynaecological conditions is not often available and waiting times for associated services can far exceed recommendations. A postcode lottery inevitably exists and is perpetuated by the nature of the system in Wales. In turn, this feeds into the gender-based health inequalities our members report, ie if a service doesn't exist within a region then it can't be necessary, and if it isn't deemed necessary by those designing services then that must be because it isn't justified, ie girls / women don't 'really need it' – from whence stems the misconception that females tend to exaggerate their problems (or physical symptoms). Many members report feeling 'degraded' in this regard, despite there being a right to the contrary.

Currently, patients in Wales *can* access care in the EU (if they know how to go about it). That facility will no longer be available to patients. Leaving the EU may also have implications for the UK being able to participate in the latest EU-funded medical advances and innovations in treatment. For women in

Wales who, as explained, already suffer a detriment in terms of quality and availability of specialist care, this may well widen the gap. With women in Wales already being at higher risk of chronic co-morbidities (and young women in Wales at higher risk of self-harm than the rest of the UK and much of Western Europe) anything which has the potential to reduce still further our capacity to access gold-standard medical treatment in a timely fashion can only serve to entrench inequality and suffering.

In short, unless there is an absolute commitment on the part of Westminster to make up the financial short-fall Wales will experience upon leaving the EU (ie by re-evaluating the Barnett Formula) it seems inevitable that services in Wales will suffer (including healthcare) – this will be reflected in Government commitment to human rights. Cynically, there would seem to be an argument for saying that we're only entitled to human rights if the money is there to enforce them.

4) FTWW considers it potentially very dangerous when individual governments, with their various political agendas and priorities, have the power to create their own 'version' of what should be absolutes in terms of human rights. As mentioned already, we believe that money can and will be a huge factor in deciding what it is to which governments commit in terms of services – and they will undoubtedly design any proposed Bill of Rights with those services in mind. For example, if the government agenda is to reduce the corporate tax burden, services will have to be cut back – and human rights diminished accordingly – if only to ensure government cannot be held accountable for not meeting them.

Whilst government might pay lip-service to the consultative process, the recent findings by the UN on harms done to the disabled through austerity measures (ie implementation of PIP) demonstrated how, despite third sector / disability organisations being ostensibly involved in consultation, their arguments were set aside. This creates a worrying precedent in terms of UK (and devolved) governments' disinclination to put human rights at the forefront of policy.

Furthermore, any dilution of the rights to free expression, assembly and association would make peaceful protest (something both women and the disabled have had to utilise in the past) less likely to take place or be effective, thereby reducing the capacity to draw attention to discrimination and resulting in its continuance.