



Consortium for the Regional Support for Women in Disadvantaged and Rural Areas

Response to: Consultation on the creation of a Bill of Rights for Northern Ireland

Issued by: Ad Hoc Committee on a Bill of Rights

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Women's Regional Consortium: Working to Support Women in Rural Communities and Disadvantaged Urban Areas

1. Introduction

1.1 This response has been undertaken collaboratively by the members of the Consortium for the Regional Support for Women in Disadvantaged and Rural Areas (hereafter, either the Women's Regional Consortium or simply the Consortium), which is funded by the Department for Communities and the Department of Agriculture, Environment and Rural Affairs.

1.2 The Women's Regional Consortium consists of seven established women's sector organisations that are committed to working in partnership with each other, government, statutory organisations and women's organisations, centres and groups in disadvantaged and rural areas, to ensure that organisations working for women are given the best possible support in the work they do in tackling disadvantage and social exclusion.¹ The seven groups are as follows:

- ♀ Training for Women Network (TWN) – Project lead
- ♀ Women's Resource and Development Agency (WRDA)
- ♀ Women's Support Network (WSN)
- ♀ Northern Ireland's Rural Women's Network (NIRWN)
- ♀ Women's TEC
- ♀ Women's Centre Derry
- ♀ Foyle Women's Information Network (FWIN)

1.3 The Consortium is the established link and strategic partner between government and statutory agencies and women in disadvantaged and rural areas, including all groups, centres and organisations delivering essential frontline services, advice and support. The Consortium ensures that there is a continuous two-way flow of information between government and the sector. It also ensures that

¹ Sections 1.2-1.3 represent the official description of the Consortium's work, as agreed and authored by its seven partner organisation

organisations/centres and groups are made aware of consultations, government planning and policy implementation. In turn, the Consortium ascertains the views, needs and aspirations of women in disadvantaged and rural areas and takes these views forward to influence policy development and future government planning, which ultimately results in the empowerment of local women in disadvantaged and rurally isolated communities.

1.4 The Women's Regional Consortium appreciates the opportunity to respond to the Ad-Hoc Committee on the creation of a Bill of Rights for Northern Ireland. This is a hugely important issue for all the people of Northern Ireland including women who make up over half of the population who live here. It is also vitally important in the current context of Brexit and Covid19 which are likely to have considerable impacts on human rights protections here.

1.5 Many women's sector organisations, including the Women's Regional Consortium have been campaigning for a Bill of Rights for Northern Ireland for many years and we therefore welcome the opportunity to share women's views on what they think should be included in a Bill of Rights. Throughout this response the Consortium has sought to ensure the voices of women are clearly represented. We believe that it is essential for policy makers and Government to listen to the voices of the people who live here and for whom issues such as a Bill of Rights have such importance.

1.6 The ability to carry out research in a Covid19 environment is limited. Normally the Women's Regional Consortium would have held a number of focus group sessions in local women's centres/women's organisations to sit down and discuss this issue face to face. However, this was not possible and meant that any consultation events had to be held online. This is not ideal given the complexity of this subject area and the fact that online events can sometimes limit conversation and participation. The short deadline for responses also did not help to make this process any easier, taking in as it did the Christmas holiday period. Despite these issues a number of online focus group sessions were organised or attended by the

Women's Regional Consortium as the basis for this response. The comments included throughout in quotation marks are taken from these online focus group events.

2.0 General Comments

2.1 The Bill of Rights Consultation Process

This is a hugely important consultation for everyone who lives in Northern Ireland. It is vital therefore that engagement with this consultation process is as wide as possible so that any potential new Bill of Rights for Northern Ireland can effectively address the needs and rights of all the citizens who live here and provide important protections for future generations.

Despite the importance of this consultation we do not believe that the consultation process has been conducted in such a way as to ensure maximum and effective engagement. We have a number of concerns about the process and format of the consultation as outlined below.

Deadline for Responses

The consultation was launched online on 5th November 2020 with a closing date of just 6 weeks away. This was an incredibly short deadline for an issue of such importance and such a short deadline goes against all existing good practice on consultations: *"When government consults it must build a realistic timeframe for the consultation, allowing plenty of time for each stage of the process."*²

The Women's Policy Group, of which the Women's Regional Consortium is a member, wrote to the Ad Hoc Committee on 10 November 2020 with an urgent request for an extension to the deadline. We are grateful to the Committee for the resulting short extension to the Consultation until 29 January 2021 which allowed us to do some work to canvas the opinions of a number of small groups of women on this important issue.

² nidirect <https://www.nidirect.gov.uk/articles/public-consultations>

A number of other public consultations held during 2020 provide good examples of how consultation deadlines should be extended to enable the voluntary and community sector to respond appropriately given the current climate. Both the Hate Crime Review and the Review into Personal Independence Payment (PIP) extended their consultation deadlines significantly to acknowledge the difficult circumstances during which they were taking place.

We would suggest that given the nature and importance of this Consultation and a range of external factors outlined below that the deadline for responses should have been further extended to properly enable more effective consultation.

Timing of the Consultation Period

While we welcome the extension to the deadline for responses we remain disappointed with the short timeframe for this consultation which included the Christmas holidays. This in effect, shortened the process by at least two weeks given that many of the women's centres and Consortium partners were closed and staff were on leave for this period of time over the holidays. However, we wish to reiterate that both deadline extensions were welcome and allowed the Consortium to carry out some consultation with local women.

It is important to note the message this sends to potential consultees. Combining a short deadline with a holiday period caused some of the women in our engagement events to question how meaningful this consultation exercise really was. They were concerned that their views would not be taken into account and they would not be listened to.

“Will we really be listened to?”
(Participant at Consultation Event)

Context of the Consultation

The Covid19 pandemic has had a huge impact on all our lives and on our ability to work and communicate with each other. The impacts of lockdown have meant that

the ability to carry out normal ways of working have been severely curtailed. This has been particularly challenging for carrying out research work and in trying to gather the views of people in relation to consultation exercises.

In normal circumstances we would have arranged a series of 'focus group' events where we would have invited groups of women to sit together around a table in their local women's centre/women's organisation to discuss what the consultation means to them. This type of informal discussion in a trusted space often provides the best environment for encouraging conversation and teasing out the issues.

However, in a lockdown environment this was simply not possible. This meant that consultation events had to be held over online video calls. While this does allow for participants to get together virtually to discuss the issues it is not ideal for this type of work. We find that we are able to reach less women this way and that conversations are more limited. In essence, you miss the relaxed informality of being able to chat in person. Plus, some women do not feel comfortable expressing their opinions in this online environment which can limit participation.

Despite the fact that this is the environment we are working in the timeframe for responses did not make any allowances for this therefore putting significant pressure on an already over-worked and under-resourced voluntary and community sector.

Format of the Consultation

Despite a focus on plain language and accessibility many public consultation documents contain policy terms and technical language which means very little to ordinary people. WRDA guidance for public authorities on consulting with women³ says that: *"the terminology can create a language barrier or make the respondent feel like they don't know enough to take part."*

³ Women at the Heart of Public Consultation, A guide for Public Authorities and Women's Organisations, WRDA, November 2017
https://wrda.net/wpcontent/uploads/2018/10/WRDA_WomenAtTheHeartOfPublicConsultation.pdf

Unfortunately, some of the language used in this consultation is confusing and not as accessible as it could be. This was the feedback from some of the women we spoke to about the questions in this consultation. There was a sense that it was too “*high level*” for them and they did not feel it was something that they would be able to respond to. We understand it may be difficult to avoid the use of more complex language in a consultation of this nature. However, the guidelines state that when government consults it must: “*make sure the document is as simple and concise as possible.*”⁴

This is a complex area and there is much to read and understand about human rights in general and what a Bill of Rights could mean for the people of Northern Ireland. There can therefore be issues around understanding particularly if the reader does not have a background in human rights or policy work. For some groups especially those who are more marginalised it is difficult to properly consult their views and some may have felt excluded from this process due to a lack of understanding of the issues involved in the consultation.

Furthermore, this is primarily an online consultation. We would suggest that online-only means of consultation are insufficient to reach some people particularly those who are the most isolated and vulnerable. There are issues with broadband access (particularly in rural areas) and cost implications with some the most disadvantaged unable to afford the extra costs associated with internet use. For others there are issues with a lack of digital skills and understanding of the online environment which could preclude them getting involved.

Publicity and Education around the Consultation

Despite the need for meaningful and widespread engagement on this important issue we are concerned that the consultation may not reach those who have vital contributions to make about its proposals. These proposals have the potential to be transformational in the lives of people in Northern Ireland giving them important

⁴ nidirect <https://www.nidirect.gov.uk/articles/public-consultations>

protections around a whole range of rights. It is therefore crucial that as many people as possible are fully engaged in this process and have the opportunity to put their views forward.

In our engagement events it was clear that many of the women had not heard about the consultation taking place and did not know anything about a Bill of Rights. As WRDA guidelines on effective consultation with women's organisations states:

*“There is a barrier to participation in conventional consultation exercises that can often be overlooked and it is the intimidation some people feel when asked for their opinion on a topic that they don't feel well informed about.”*⁵ This was evident in our engagement sessions as there was work to be done in assisting the women to understand the subject area before discussions could take place to engage their views. For some people especially those who are the most marginalised it is difficult to properly consult their views without first supporting them to understand the consultation.

We are concerned about the ability of the wider public to engage with the consultation questions. It assumes a knowledge about existing human rights and the potential for new rights which many who will answer this consultation will not have. While they may support the protection of rights and the possibility of additional rights they are unlikely to be able to list these rights despite their support for them.

In order for the consultation process to be genuine and effective there needed to have been a proper publicity and outreach campaign to inform people about the proposals and help to ensure maximum engagement. We would like to point to the outreach work carried out by a number of recent consultations as examples of how this has been included in the consultation process. The Hate Crime Review carried out by the Review team led by Judge Marrinan in 2020 held a number of public workshops to publicise, explain and discuss the issues contained within the

⁵ Women at the Heart of Public Consultation, A guide for Public Authorities and Women's Organisations, WRDA, November 2017
https://wrda.net/wpcontent/uploads/2018/10/WRDA_WomenAtTheHeartOfPublicConsultation.pdf

consultation. More recently a consultation by the Department of Health on a Mental Health Strategy for Northern Ireland is offering a number of virtual consultation events during its consultation period to help with understanding, awareness and completion of responses.

We believe the lack of a public information campaign or outreach work by the Ad-Hoc Committee around the content of the consultation is to the detriment of this process. This could result in many people missing out on the opportunity to find out about and understand what is contained in these proposals and to have their say on how a Bill of Rights might be designed to include important rights and protections for them. This outreach work has been left to the under-resourced and over-worked voluntary and community sector to do but as previously outlined this has been made even more difficult due to the limitations imposed by the Covid19 pandemic.

At consultation events women told us:

“There wasn’t sufficient notice, media coverage, accessibility for women to take part in this conversation. There was no information or media around this. They didn’t take into account Covid and the Christmas holidays and that makes it more awkward and difficult for people to take part. When they first announced this consultation they were only giving us 6 weeks to respond.”

(Participant at Consultation Event)

“This whole process is so anti-people. It’s like something you would give to a group of University students. It could have been completely different.”

(Participant at Consultation Event)

“It all feels like a tick-box exercise. If they cared about what people really thought they would allow people to contribute properly, explain it, extend the timescale, etc.”

(Participant at Consultation Event)

“No one knows about the consultation, there was no ad campaign or anything on such an important issue.”

(Participant at Consultation Event)

“The survey needs to be plain Englished.”

(Participant at Consultation Event)

“Not everyone has digital access or skills.”

(Participant at Consultation Event)

“The format of the survey is not easy for people.”

(Participant at Consultation Event)

“The questions are too vague and general. There wasn’t the opportunity to say what I wanted and also answer the question. My fear is if I do add issues around female health care they won’t be acknowledged as it is not answering the question.”

(Participant at Consultation Event)

“None of us would have heard about this consultation unless we had been asked to this event. People who are making the decisions are politicians on very good wages. They have no concept of the needs of people on benefits, the pressures on single mothers or women as carers. They are not experiencing it so they are talking about things they are not experiencing.”

(Participant at Consultation Event)

We wish to acknowledge the valuable outreach work on this issue carried out by the Human Rights Consortium. The Consortium held a number of online events to explain a Bill of Rights and human rights protections. These events provided a valuable opportunity to understand and discuss the questions in the consultation document.

2.2 Background to a Bill of Rights for Northern Ireland

A Bill of Rights for Northern Ireland was provided for in the Good Friday Agreement and has been mentioned in subsequent agreements since then including the Stormont House Agreement, Fresh Start Agreement and most recently in New Decade, New Approach Agreement. Despite all these mentions of a Bill of Rights and numerous consultations around it, over 20 years later there is still no Bill of Rights for Northern Ireland.

The Good Friday Agreement created the Northern Ireland Human Rights Commission (NIHRC) and tasked it with providing advice on the content of a Bill of Rights with the following terms of reference: *“rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience.”*⁶ The NIHRC delivered their advice to the British Government in December 2008.⁷

The NIHRC advice presented a series of additional economic, social and cultural rights many of which would help to increase women’s equality. These include the right of women and girls to access gender-sensitive appropriate healthcare services and information, the right to enjoyment of just and favourable conditions of work, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work, rights to social security, to an adequate standard of living, etc.

It also added to and strengthened many of the civil and political rights contained within the ECHR, for example, by suggesting a freestanding right to equality, the prohibition of discrimination, to facilitate the full and equal participation of women in political and public life and the right of everyone to be free from all forms of violence and harassment (including domestic violence or harassment, sexual violence or harassment and gender-related violence and harassment).

A Bill of Rights based on the advice from the NIHRC would have provided a mechanism for the realisation of many of the rights contained within international treaties of which the UK is a signatory. In December 2009 the UK Government rejected the majority of the advice from the NIHRC stating: *“it is the Government’s*

⁶ The Belfast Agreement, Northern Ireland Office, April 1998

[The Belfast Agreement - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

⁷ A Bill of Rights for Northern Ireland, Advice to the Secretary of State for Northern Ireland, Northern Ireland Human Rights Commission, December 2008

[bill-of-rights-for-northern-ireland-advice-to-secretary-state-2008.pdf \(nihrc.org\)](http://nihrc.org/bill-of-rights-for-northern-ireland-advice-to-secretary-state-2008.pdf)

view that the introduction of such rights in Northern Ireland alone would either be unworkable in practice, or could give rise to unjustified inequalities across the UK.”⁸

2.3 Women’s Sector Involvement in a Bill of Rights for Northern Ireland

The women’s sector has long been supportive of a Bill of Rights and the need to acknowledge the considerable gender inequalities that exist within the development of a Bill of Rights for Northern Ireland. In late 2006 the then NIO Minister, David Hanson, established the Bill of Rights Forum to progress work on a Bill of Rights. The women’s sector was represented on this Forum and on the Social and Economic Rights Working Group which reported to the Forum.

In looking at the expectations of women from a Bill of Rights at one of the first meetings of the Bill of Rights Forum it is concerning that many of the issues remain the same as they did over a decade ago. Annie Campbell from Women’s Aid Federation highlighted at a meeting of the Bill of Rights Forum on 4 April 2007 in the Europa Hotel, Belfast:

“The women’s sector was diverse, covering issues of age, sexual orientation, disability, socio-economic need and so on, and the issues were wide ranging: the effect of conflict on women, violence against women, health and reproductive rights, socio-economic rights. Poor women were among the most marginalised in society. The Forum must produce the core of an inclusive, aggressive BoR, based on international standards, and then a strategy for its implementation. There was need for a fast learning track on what international human rights. Building respect for rights was part of building peace.”

The NIHR’s initial consultation document ‘Making a Bill of Rights for Northern Ireland’⁹ included a specific section on the Rights of Women. That section drew attention to the necessity for clauses on equality between women and men, the right

⁸ A Bill of Rights for Northern Ireland: Next Steps, NIO, November 2009

<https://cain.ulster.ac.uk/issues/law/bor/nio301109bor.pdf>

⁹ Making a Bill of Rights for Northern Ireland, Northern Ireland Human Rights Commission, September 2001

<https://cain.ulster.ac.uk/issues/law/bor/borconsult.htm>

to reproductive health, freedom from gender-based violence and the right to full, fair and effective participation. However, in April 2004 the NIHRC published 'Progressing a Bill of Rights: An Update' which omitted this separate section for women.

In June 2007 a number of women's sector umbrella organisations prepared a Scoping Paper on women's rights¹⁰ within a Bill of Rights for Northern Ireland making the case for a specific chapter on women's rights. The paper stated:

"We feel strongly that any mainstreaming of women's rights throughout a Bill of Rights will fail to positively address the issues pertinent to women. Women face inequality because they are women – additional identities such as race and disability may result in further additional forms of discrimination but gender of itself requires protection. It is not a case of developing a hierarchy of rights. The Bill of Rights, while setting down legally enforceable rights, is also a vehicle for change at policy, economic, political, civil and social level and as such should send out a strong message as to the type of society the people of Northern Ireland should strive for. A separate section on women would reflect the well established fact that women are discriminated against because of their gender to an extent and at a level no longer acceptable in Northern Ireland."

In more recent times the women's sector has continued to lobby strongly for a Bill of Rights for Northern Ireland. The Women's Policy Group, the Northern Ireland Women's Manifesto¹¹ and the recently published Feminist Recovery Plan¹² have all called for a Bill of Rights and see it is an important way to protect women's rights in the future.

¹⁰ Women's Sector – scoping paper on women's rights in a Bill of Rights for Northern Ireland, Women's Aid Federation NI, Women's Resource & Development Agency, Women's Support Network, Women into Politics, NI Women's European Platform, June 2007
<https://wrda.net/wp-content/uploads/2017/05/Womens-Scoping-paper-for-Bill-Of-Rights-Forum-27-June-2007-1.pdf>

¹¹ Northern Ireland Women's Manifesto, Women's Policy Group NI, 2019

<http://www.womensregionalconsortiumni.org.uk/sites/default/files/Women%27sManifesto2019.pdf>

¹² Covid-19 Feminist Recovery Plan, Women's Policy Group NI, July 2020

<https://wrda.net/wp-content/uploads/2020/07/WPG-NI-Feminist-Recovery-Plan-2020-.pdf>

2.4 The Need for a Bill of Rights for Northern Ireland

*“A Bill of Rights for Northern Ireland remains part of the unfinished work of the Belfast Agreement/Good Friday Agreement. It is still needed, and its absence is felt in the mess that this society is currently in.”*¹³

*“The existence of a formal Bill of Rights indisputably would provide us the ability to enhance human rights protection particularly in a society emerging from conflict.”*¹⁴

Anne Smith and Colin Harvey argue¹⁵ that we cannot and should not neglect the lack of delivery on a Bill of Rights for Northern Ireland for a number of reasons:

- In deeply divided societies where there is division among ethno-national lines a Bill of Rights is an essential safeguard in protecting the rights of all;
- A Bill of Rights could potentially help resolve some of the issues that have resulted in successive political crises and the collapse of the devolved institutions by acting as a check against abuses of power and contributing to good governance;
- The result of the UK leaving the EU will mean that Northern Ireland will lose an array of important human rights protections. A Bill of Rights would therefore take centre stage in providing these human rights protections.

As these quotes show the need for a Bill of Rights for Northern Ireland has never been more felt. It is further compounded by the need to ensure the rights and protections of citizens as a result of a decade of austerity and welfare reform changes, the uncertainties around human rights protections as a result of Brexit and

¹³ Why Northern Ireland still needs a Bill of Rights, Dr Anne Smith and Professor Colin Harvey, October 2019 <https://sluggerotoole.com/2019/10/28/why-northern-ireland-still-needs-a-bill-of-rights/>

¹⁴ Professor Michael O’Flaherty at Bill of Rights Conference: ‘A discussion on a UK Bill of Rights and a Proposed Bill of Rights for Northern Ireland’, University of Ulster Magee, April 2012 [Bill of Rights for Northern Ireland- Where we are now NI Human Rights Commission \(NIHRC\)](#)

¹⁵ What happened to Northern Ireland’s proposed Bill of Rights?, Anne Smith, Ulster University and Colin Harvey, Queen’s University, October 2018 [What happened to Northern Ireland’s proposed Bill of Rights? \(rte.ie\)](#)

the deepening of inequalities as a result of the Covid19 pandemic. This is particularly the case for women who have and will continue to be so adversely impacted by all these issues.

There is no doubt that the current environment provides an unstable situation in the protection of rights. The impact of the pandemic has also resulted in increased awareness of rights. Existing inequalities have been given sharper focus and there is a broadened consciousness of rights and the value of them. However, rights are only worth anything if they are enforceable and we believe a Bill of Rights is an important step in making this happen.

We also believe in the symbolic power of a Bill of Rights and that this can lead to improved knowledge and consciousness of rights. People can become aware of their rights in a Bill of Rights in a way that they would never under international human rights law. In addition, it would provide a central place to find information about their rights and protections as citizens. At present many people do not know where to find their rights and indeed these rights can be scattered in many different places. Where there is confusion about rights it leads to lack of knowledge of rights, loss of rights and exploitation. The Bill of Rights would therefore be an important tool in strengthening the promotion and protection of human rights in Northern Ireland.

3.0 Specific Questions

1. Views on Human Rights

This first set of questions looks at your general view on human rights.

a. To what extent do you agree that everyone in Northern Ireland today enjoys the same basic human rights?

- | | |
|-------------------------------|-------------------------------------|
| A. Strongly agree | <input type="checkbox"/> |
| B. Agree | <input type="checkbox"/> |
| C. Neither agree nor disagree | <input type="checkbox"/> |
| D. Disagree | <input type="checkbox"/> |
| E. Strongly disagree | <input checked="" type="checkbox"/> |
| F. Don't know | <input type="checkbox"/> |

b. Why do you feel this way?

We find the wording of this question confusing. What does the word 'enjoy' mean in this context and for some people understanding what is meant by 'basic human rights' may also be difficult? There is no explanation of either term which could lead to different interpretations of what this question actually means. Some people may agree because they understand the question to relate to whether human rights laws apply to everyone in Northern Ireland. Others may interpret the word 'enjoy' differently to mean the actual realisation of these rights in practice which may not always be the case and therefore they may disagree with this question.

The mere existence of rights does not necessarily mean the enjoyment or realisation of those rights. For example, women may have the same right to work under the International Covenant on Economic, Social and Cultural Rights (ICESCR) but evidence suggests a range of factors which disproportionately impacts on their ability to enjoy or realise this right, not least of these being accessible, affordable childcare.

In addition, a range of international Human Rights Standards apply to everyone and so everyone in Northern Ireland could be described as enjoying the rights contained within them. However, the actual realisation of these rights may not always be possible meaning that the enjoyment of those rights in many cases may be in name only.

We wish to point out two examples in terms of women's human rights. The first is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The UK ratified CEDAW in 1986 and by doing so committed to the articles, rights and procedures within it.¹⁶ CEDAW is an international human rights treaty which requires State Parties to undertake legal obligations to respect, protect and fulfil women's human rights. In its Shadow report for the most recent examination of the UK by CEDAW, the Northern Ireland Women's European Platform (NIWEP) highlighted how progress on the implementation of the Convention has been poor with the UK Government consistently using devolution to justify the uneven application of the Convention obligations across the UK.¹⁷

The most recent Concluding Observations (2019)¹⁸ have listed concerns and recommendations for the UK Government to address until the next monitoring round in March 2023 and many of these reference concerns about Northern Ireland. These include recommendations on incorporating the provisions of the Convention into legislation including:

- assessing the impact of the UK's withdrawal from the EU on the rights of women including women in Northern Ireland;
- taking measures to address the low representation of women in political and public life in Northern Ireland;
- adopting legislative and policy measures to protect women from all forms of gender-based violence including Northern Ireland;
- measures to ensure the effective participation of women in post conflict reconstruction and peacebuilding processes in Northern Ireland;
- ensuring the provisions of gender pay gap reporting are brought into effect in Northern Ireland; and
- ensuring the availability of affordable/accessible childcare particularly in Northern Ireland.

The second example is The Council of Europe Convention on preventing and combating violence against women and domestic violence, better known as the Istanbul Convention.¹⁹ The Convention aims to prevent all forms of violence against women, protect those who experience it and prosecute perpetrators. To date the UK

¹⁶ Convention on the Elimination of All Forms of Discrimination against Women
<https://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#intro>

¹⁷ Shadow report for the examination of the UK by the Committee on the Convention to Eliminate Discrimination against Women, NIWEP, January 2019
<https://blog.niwep.org/un-convention-elimination-discrimination-against-women-cedaw>

¹⁸ Concluding observations on the eighth periodic report of the United Kingdom of Great Britain and Northern Ireland, March 2019
<https://undocs.org/CEDAW/C/GBR/CO/8>

¹⁹ Council of Europe Convention on preventing and combating violence against women and domestic violence
<https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>

Government has signed, but not ratified, the Istanbul Convention. Ratifying it would commit the UK government to following a strong set of minimum standards in combatting violence against women and girls. So while the UK has signed the treaty and expressed its intention to comply with it this expression of intent in itself is not binding.

In answering this question we have interpreted the word 'enjoy' to mean not only the application of human rights to everyone in Northern Ireland but their ability to realise those rights in practice.

In carrying out engagement exercises with local women on a Bill of Rights for Northern Ireland they highlighted a range of issues around this question which are summarised here:

- Poverty is an issue that prevents many people realising their rights – including rights to education, work and adequate standards of living;
- Rights are not applied in the same way to everyone with the acknowledgement that it is harder for people from lower income/disadvantaged backgrounds to exercise their rights;
- In terms of low income/disadvantage an example is children's access to education during lockdown because of issues with access to the internet. It is both a low income and geographical issue;
- Digital inequality is a major issue which has been made more obvious due to the pandemic and is a particular issue in rural areas;
- So much of Government information is now online but not everyone has access to the internet;
- Some of the international human rights standards are available here but there are others that are not such as the Istanbul Convention and UN Security Council Resolution 1325;
- There are particular issues for the BAME community and for migrant workers in accessing human rights;
- There are huge issues around mental health and access to rights in Northern Ireland;
- Mental health is a big issue for women. There is a lot of isolation especially if they have young children at home. Often there is very little they can do except for courses in the community or if they are involved with their local women's centre. The isolation and mental health issues are huge and lockdown has not helped with this.
- Rights on paper don't mean much without access to rights in reality;
- There are groups of people who cannot participate in the same way – carers including those providing unpaid care and childcare. Many carers are struggling to survive on very low amounts of money;

- The pandemic has not affected everyone equally, it has made life much harder for carers;
- There are many barriers to access to rights for women (including for access to training and education) – these include childcare, transport, digital access as well as the cost and timing of courses;
- The right to maternal mental health services, Northern Ireland has some of the worst provision in this area;
- Issues around how women are treated in the criminal justice system – the lack of opportunities and assistance they are given when they come out of prison;
- There needs to be a proper challengeable rights based framework so that Government have to take responsibility for these rights and it is not always up to the voluntary and community sector to mitigate the effects of a lack of access to rights through taking whatever action they can to help people;
- Issues around data and statistics – how difficult it is to advocate for people to have basic rights when there is no data broken down by gender. How can Government know how the decisions they are making are affecting people if there is no access to this data?

At consultation events women told us:

“Women are often forced out of education/training/work – it often looks like a choice but it is not. They get stuck with a meaningless right but with no way to exercise it.”

(Participant at Consultation Event)

“I feel that there is almost a discrimination there between those who care for people who are mentally ill compared to those who are physically ill. I feel that those with mental illness are discriminated against and treated like it is less.”

(Participant at Consultation Event)

“Only 6% of the health budget is spent on mental health. Yet we have more mental health issues here and despite this there is less spent on it.”

(Participant at Consultation Event)

“NI lags behind the UK in support for carers. The Bill of Rights would help to give carers more rights.”

(Participant at Consultation Event)

“Carers fall under Section 75 – they should not be discriminated against because they have dependents. But in reality that is not the case. The number of cases with the Equality Commission for NI that involve carers is evidence of this – carers are being discriminated against because of their caring role.”

(Participant at Consultation Event)

“If carers had a Bill of Rights it would provide a safety net for them to fall back on if they had issues with the Health Trusts, Government, etc.”

(Participant at Consultation Event)

“All those providing unpaid care – they don’t get to participate in society in the same way.”

(Participant at Consultation Event)

“Lots of people say my son doesn’t look like he has a disability. He is autistic. I’m fighting all the time for his education in school. It’s always a fight, I’m always having to explain myself because his disability isn’t obvious. People who care for people with mental health issues go through the same thing. It’s very hard when a disability is not obvious. I am constantly having to advocate on behalf of my child.”

(Participant at Consultation Event)

“Every day I fight for my son. I love him and wouldn’t change him but there is a need for more education in schools around autism and other disabilities. We’re all different.”

(Participant at Consultation Event)

“It takes energy and a massive fight to get a diagnosis and services. If it’s not picked up when they’re young they are not given the support they need at school.”

(Participant at Consultation Event)

“We do not have the same assessments in NI as they do in GB to assess things like autism. The services don’t exist here and there is a lack of understanding of people’s needs and this makes carers lives difficult – no one understands.”

(Participant at Consultation Event)

“I’m over 80 and live along with my son who has mental health issues and I care for him. I have friends who live alone and they get a discount on their rates. I care for my son (unpaid) and I don’t qualify for the discount because my son lives with me. That’s not fair.”

(Participant at Consultation Event)

“Women don’t have equal rights and Covid has highlighted a lot of that. Women are struggling with homeworking, looking after children and working at the same time. Men’s jobs are seen as more important.”

(Participant at Consultation Event)

“Covid has shown that more than ever we really need a Bill of Rights. All the countries in the world who are trying to get a grip on fairness in society start off with the basis of a Bill of Rights – it makes it that bit fairer for everyone.”

(Participant at Consultation Event)

“We have to keep knocking on doors and fighting for our rights. Women bear the brunt of a lot of issues. In families it is women who are fighting for rights.”

(Participant at Consultation Event)

“We need a set of laws specific to NI to be able to hold MLAs accountable.”

(Participant at Consultation Event)

2. Protections

In your view, do people in Northern Ireland need more protection for their human rights in relation to any of the following areas?

Choose as many as you like.

- | | |
|-------------------------------------|-------------------------------------|
| A. Age | <input checked="" type="checkbox"/> |
| B. Caring responsibilities | <input checked="" type="checkbox"/> |
| C. Community background | <input type="checkbox"/> |
| D. Criminal record | <input checked="" type="checkbox"/> |
| E. Cultural background | <input checked="" type="checkbox"/> |
| F. Disability | <input checked="" type="checkbox"/> |
| G. Economic status or income | <input checked="" type="checkbox"/> |
| H. Ethnic group | <input checked="" type="checkbox"/> |
| I. Family or civil status | <input checked="" type="checkbox"/> |
| J. Gender | <input checked="" type="checkbox"/> |
| K. Health status | <input checked="" type="checkbox"/> |

- | | |
|--------------------------------------|-------------------------------------|
| L. Language | <input checked="" type="checkbox"/> |
| M. National identity | <input checked="" type="checkbox"/> |
| N. Political or other opinion | <input checked="" type="checkbox"/> |
| O. Pregnancy and maternity | <input checked="" type="checkbox"/> |
| P. Property | <input checked="" type="checkbox"/> |
| Q. Religion or belief | <input checked="" type="checkbox"/> |
| R. Sexual orientation | <input checked="" type="checkbox"/> |
| S. Don't know | <input type="checkbox"/> |
| T. None of the above | <input type="checkbox"/> |
| U. Other | <input checked="" type="checkbox"/> |

If you selected 'Other', please let us know what other areas you think should be included:

Some of the areas listed above already have protection in domestic law through the Human Rights Act 1998 which incorporated articles of the European Convention on Human Rights. The Good Friday Agreement provided for a Bill of Rights for Northern Ireland which would add supplementary rights which taken together with those in the European Convention on Human Rights would form a Bill of Rights for Northern Ireland. This would essentially create protections for many of the rights listed above.

In addition, there are a number of international human rights treaties which form an international legal framework that the UK is bound by namely CEDAW, ICESCR, CRC, ICERD, ICCPR, CRPD and CAT.²⁰ However the important protections that these treaties provide have not been adopted in domestic law meaning that citizens of Northern Ireland are unable to access these rights directly. These treaties provide important protections for many of the areas of rights listed above and we believe that they should be incorporated into a Bill of Rights for Northern Ireland. We have ticked 'Other' to reflect the full range of rights included within these international standards.

²⁰ Convention on the Elimination of Discrimination Against Women, International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, Convention on the Rights of Persons with Disabilities and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

All the terms listed above can be related to existing human rights standards except for 'community background'. Without a definition of what this means we have not ticked this box.

Gender

We are firmly of the belief that women need more protection for their human rights. A decade of welfare reform/austerity changes which have impacted more on women, the predicted worsening of existing inequalities as a result of the Coronavirus pandemic and the likely adverse impacts of Brexit particularly in Northern Ireland gives rise for concern about the erosion of equality and human rights for women. Women's voices have been largely absent from Brexit negotiations and from recovery planning as a result of the pandemic. This will only serve to ensure that women, their rights, needs and aspirations are not effectively represented in future policies and decision-making and will have undoubted negative impacts for gender equality into the future.

Statistics on gender representation in decision-making positions in Northern Ireland show that women are less likely than men to hold positions of power in both political life and public appointments.²¹ This has certainly been reflected in the underrepresentation of women's voices on the Brexit debate at local, national and EU levels. It is vital that women have a platform to have their voices heard so they can influence both local decision-making which will impact on women's rights in Northern Ireland and also the UK-wide decisions of the Westminster government. A gender-neutral approach to policy and decision making has been the standard across Government and this has not served women well as it fails to take account of the different experiences of men and women as a result of existing gender inequalities. A failure to account for these gender dynamics means that the design of policies and budgets can aggravate existing gender inequality and may not benefit women and men equally.

The CEDAW Committee has also cautioned on the dangers of gender neutrality. CEDAW calls for substantive equality²² to go beyond paying lip service to gender mainstreaming and demonstrate the meaningful integration of an equalities perspective into all systems and policies. It states that a purely formal approach is

²¹ Who Runs Northern Ireland? A Summary of Statistics Relating to Gender and Power in 2020, Northern Ireland Assembly, January 2020
http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2017-2022/2020/assembly_exec_review/0120.pdf

²² General Recommendations Adopted by the Committee on the Elimination of Discrimination against Women, Thirtieth session (2004), General Recommendation No 25
https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_37_33_E.pdf

not sufficient to achieve women's equality with men and requires that women are given an equal start and empowered by an enabling environment to achieve equality of results. *"It is not enough to guarantee women treatment that is identical to that of men. Rather, biological as well as socially and culturally constructed differences between women and men must be taken into account."*²³ The issue of gender neutrality is a significant barrier to women's equality and this issue must be recognised in a Bill of Rights.

Gendered social norms restrict and limit women's roles in the economy, thereby contributing to women's economic disadvantage relative to men.²⁴ Women are more likely to be in receipt of social security benefits, more likely to be in low-paid, part-time and insecure work and also more likely to be providing care either for children or other family members which limits their ability to carry out paid work. This contributes to keeping women's incomes generally lower over their lifetimes and therefore means they are more likely to be dependent on men or the State through social security benefits. This lack of economic independence can make women more vulnerable to poverty and abusive relationships.

Added to this the impact of a decade of austerity and welfare reform policies that have disproportionately impacted on women. Research by the House of Commons Library shows that 86% of the savings to the Treasury through tax and benefit changes since 2010 will have come from women. It shows that, by 2020, men will have borne just 14% of the total burden of welfare cuts, compared with 86% for women.²⁵ Research by the Women's Regional Consortium on the impact of austerity²⁶ and on the impact of Universal Credit²⁷ on women shows the extent to which changes to the social security system have worsened their ability to provide for their children and families and made them more vulnerable to financial hardship and poverty.

Concerns about austerity measures and about the way Universal Credit is paid have been raised internationally by the CEDAW Committee. Following its recent examination of the UK, the CEDAW Committee recommended that the UK

²³ Ibid, paragraph 8

²⁴ Violence against Women and Girls and women's economic inequality, Eva Neitzert, March 2020 <https://wbg.org.uk/wp-content/uploads/2020/07/Violence-and-womens-economic-equality.pdf>

²⁵ Estimating the gender impact of tax and benefit changes, Richard Cracknell, Richard Keen, Commons Briefing Papers SN06758, December 2017 <http://researchbriefings.files.parliament.uk/documents/SN06758/SN06758.pdf>

²⁶ Impact of Ongoing Austerity: Women's Perspectives, Women's Regional Consortium, March 2019 <http://www.womensregionalconsortiumni.org.uk/sites/default/files/Impact%20of%20Ongoing%20Austerity%20Women%27s%20Perspectives.pdf>

²⁷ The Impact of Universal Credit on Women, Women's Regional Consortium, September 2020 <http://www.womensregionalconsortiumni.org.uk/sites/default/files/The%20Impact%20of%20Universal%20Credit%20on%20WomenRevised.pdf>

government “*undertake a comprehensive assessment on the impact of austerity measures on the rights of women and adopt measures to mitigate and remedy the negative consequences without delay.*”²⁸ The Committee also highlighted its concerns about the single payment of Universal Credit stating “*the payment of the universal credit.....into a single bank account.....risks depriving women in abusive relationships of the ability to gain access to necessary funds and trapping them in situations of poverty and violence.*”²⁹

Addressing women’s disadvantage in the economy requires action to ensure that women are able to be economically independent not only through paid work but also including through a properly supportive social security system which provides a safety net when women are not able to work. It is important that any Bill of Rights for Northern Ireland recognises these inequalities and disadvantages that women have experienced and continue to experience both structurally and economically so that their rights can be better protected.

We believe that there must be recognition in the Bill of Rights of the impact of the conflict on women in Northern Ireland a fact which is rarely taken into account and which must be afforded better protection. This lack of recognition and protection for women has been illustrated recently in relation to the ‘Troubles Pension’ a planned compensation scheme for victims of the Troubles. A report by Allison Morris in the Irish News³⁰ highlighted how women have been discriminated against by these payments. Those who suffered serious psychological damage as a result of an event or loss will be entitled to apply for the payments but only if they were at the scene of the attack. “*The Westminster legislation rules out ‘secondary trauma’ suffered by those who did not witness their loved one’s death. Currently no specific scheme to support this bereaved group the vast majority of which are women – the wives, siblings and children of those murdered. 91% of those killed during the conflict were men and boys, the women who survived had to deal with the trauma and dealing with a legal system that failed them.*”

At consultation events women told us:

“There needs to be a fund to encourage women to become politicians.”
(Participant at Consultation Event)

²⁸ Concluding Observations on the eighth periodic report of United Kingdom of Great Britain and Northern Ireland, CEDAW/C/GBR/CO/8, March 2019 (para 17)
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GBR/CO/8%20&Lang=En

²⁹ Ibid, para 52

³⁰ <https://www.irishnews.com/news/northernirelandnews/2020/10/12/news/troubles-pension-plan-unduly-penalises-female-victims-2094525/>

“We need job share politicians and that would help get women involved.”

(Participant at Consultation Event)

“What we need to get across is that we don’t want rid of men – that would make me no better than them if they were not around the table. What we want is to be at the table to challenge them.”

(Participant at Consultation Event)

“The model is based on straight, able-bodied, cis, white men and everything is sellotaped on badly instead of being built into the model. There are so many issues for women and other marginalized people based on this model.”

(Participant at Consultation Event)

“Women are punished for not adhering to the norms demanded by the patriarchy. Abortion, single parenthood, career choices.”

(Participant at Consultation Event)

“It’s a real hard time for everyone especially women.”

(Participant at Consultation Event)

“Women, the elderly and disabled are consistently at the bottom of the pile in terms of their importance and value.”

(Participant at Consultation Event)

“I think women don’t really have rights. My sister took her own life because she was being mentally abused by her partner and it got too much for her. There is not enough legislation around this. I have also had issues with domestic violence. I had to get a non-molestation order but it’s not worth the paper it’s written on. The first one I got didn’t cover the kids schools so I had to go back and get another and then he just moved somewhere else. I had to go to court three times to get three different orders.”

(Participant at Consultation Event)

“I’ve been doing this work for many years. Trying to get the voices of women heard and listened to. What more can you do? I’ve tried everything within the filing cabinet in my head – what more can you do to ensure the voices of women are heard?”

(Participant at Consultation Event)

“I’ve been working at the grassroots and there is a lot happening in local communities but very few women around the table. There are a lot of men involved, some are ex paramilitaries and they are making decisions for local communities. For example, there was a meeting about Bonfires and there were no women on the panel. When I raised this question all the men said we couldn’t do it without the women yet their voices were not being represented.”

(Participant at Consultation Event)

“If they are talking about anything that affects women there has to be a gender balance. Same with issues that impact on the elderly, disabled, etc – then they need to be around the table. Strive to have that equity rather than discussing concerns that impact on women with no women around the table that are affected.”

(Participant at Consultation Event)

“When you benefit women you benefit the family not just the woman.”

(Participant at Consultation Event)

“Women are the biggest percentage of people here but unfortunately we are not given priority.”

(Participant at Consultation Event)

“In the NI Assembly they are gender neutralising everything. They don’t want to address women’s issues, they don’t want to open doors for women, they don’t see across the different types of women. They want to remove women from things – if they do something for women then they have to do it for men. They don’t see the impact of Universal Credit, Covid, etc on women.”

(Participant at Consultation Event)

“Women have to travel to England and go through more trauma to access abortions including people who have been raped or sexually assaulted. They are not letting women be women and have rights over their own bodies.”

(Participant at Consultation Event)

“We need to make sure women are front and centre in these conversations.”

(Participant at Consultation Event)

“No flag and no drum can keep us from taking part and thank goodness for that. We’re women trying to make a better life in our own communities.”

(Participant at Consultation Event)

“I don’t know of any woman who doesn’t have an issue of some sort they are trying to handle alongside their everyday life.”

(Participant at Consultation Event)

“In work once you had children you tended to move to another job. In the office I worked in unless you had no children you couldn’t be promoted in the office. They assumed that your children came first. You would never have been offered a partnership as a woman with children. Only women with no children and men got those jobs. There is still a lot of discrimination if you have children.”

(Participant at Consultation Event)

“In terms of political rights I think there should be at least 50/50 representation for women.”

(Participant at Consultation Event)

“Sometimes it is a confidence issue and sometimes men are keeping women away. There should be educational programmes for women and girls encouraged to be equal and to go for STEM subjects. Education is a big issue.”

(Participant at Consultation Event)

“Men here have a Victorian attitude – they think women don’t understand and they speak for us.”

(Participant at Consultation Event)

“I hate it when men pat you on the head or say would you be a wee darling and make me a cup of tea when you are in work. These kinds of stereotypes hold women back.”

(Participant at Consultation Event)

Caring responsibilities

In discussing this question at engagement exercises with local women the issue of care came up time and time again. This is an important issue for women given the fact that the majority of carers in Northern Ireland are women. Of the 220,000 carers in Northern Ireland, 64% are women and 36% are men.³¹ A summary of the issues

³¹ <https://www.carersuk.org/northernireland/news-ni/facts-and-figures>

discussed relating to care shows the extent to which this area needs more protections:

- Unpaid care is not recognised or valued and is often invisible with carers just expected to get on with it without support despite the amount of money it saves the Government;
- Women are still expected to provide care and there is the assumption that a woman will do this work where it is needed;
- The pandemic has shone a light on the importance of this unpaid care but that must be translated into proper support for carers;
- Carer's Allowance is one of the lowest paid social security benefits which shows the extent to which care is not valued by Government;
- There is a lack of transparency in care systems so that it is not easy for carers to find out how the system works so they can access the help they need with their caring responsibilities;
- There is a lack of joined up services and continuity of services in relation to care which makes it harder for carers and the person they are caring for and often lengthens the time it takes to sort out issues around care;
- Women talked about the need to always have to fight to get the care they need for their children and the adults they look after. It is a constant fight all the time to get a diagnosis, to get treatment and healthcare, access to education and help with their caring responsibilities;
- Women felt that mental health issues were not given the same importance as physical health issues and that this translated into service provision;
- Care doesn't stop when a child turns 18. There is no help for adults with mental health issues who need ongoing support from family/carers. Many of the support services in place for children stop when a child turns 18 passing the burden to their carers;
- It is often difficult to work and provide care as there is little or no support for carers in this situation;
- There are many issues around young women's mental health, for example, anorexia. There is no unit to treat this in Northern Ireland, sufferers have to travel to England to get specialist help;
- The system for providing paid care is all wrong. These paid carers are given so little time to look after someone which provides no protection for either the worker themselves or the person they are caring for. It is undignified and in some cases abuse;
- There are too many private companies in the care industry. They need to provide better pay, conditions and training for their staff and provide more consistency of care.

At consultation events women told us:

“The country relies on full time carers. They are not appreciated the way they should be.”

(Participant at Consultation Event)

“One of the greatest pressures in being a carer is that the authorities do not respect your time. I’ve had to spend hours and hours on forms and red tape. Hours that I do not have!”

(Participant at Consultation Event)

“So many people don’t see themselves as carers it’s just something they do every day.”

(Participant at Consultation Event)

“Caring mostly falls to women, it’s a big issue for women.”

(Participant at Consultation Event)

“It is just expected that a daughter will take on a caring role.”

(Participant at Consultation Event)

“You are always having to fight for the things you need to care for someone. You get a different reaction when you ask for things as a woman compared to a man.”

(Participant at Consultation Event)

“As a carer you are trying to keep people at home and help the system but you are left with no backup. I asked for equipment to help me care for my father and was left waiting 6 weeks to get it.”

(Participant at Consultation Event)

“I have concerns once kids get to 18. There is a duty of care to these kids until they are 18 but after that where do you go? There needs to be more done around that to protect children with conditions/disabilities after they turn 18.”

(Participant at Consultation Event)

“It always falls to the mother. I had a job share when I had my son but when he was 6 I had to take a career break as he had that many appointments. I ended up giving up the job and haven’t worked since. It all does fall to the mother.”

(Participant at Consultation Event)

“My 23-year old son has autism and I had a very hard fight to keep him in special schools. I ended up having to take a career break from work and eventually left work to care for him. After he turned 18 he did a course with the Princes Trust but that ended. Things always end for kids like him. He is not able to care for himself or get a job or do things his peers can do. There are no services available to him – there is no autistic centre. When he was under 18 he had access to services/help but after 18 there is no help there, there are no services.”

(Participant at Consultation Event)

“My sons have Asperger’s and they are 43 but there is no support available for them. I worry about them every day. It’s always the women who have to pick up the pieces.”

(Participant at Consultation Event)

“If you have a rare health condition you can’t go to anyone. GPs don’t know about it. If you go for support or help where is it? You always end up having to go back to family for support/help.”

(Participant at Consultation Event)

“Women who provide care are totally undervalued, the training is so basic, there is no career path and they are not classed as important as the elderly and disabled are not important. Women who provide care are not seen as important – we need to start to value these women. They really need valued and paid properly.”

(Participant at Consultation Event)

“How much do women save the economy? On this call there are 12 women and each of us have talked about the care we provide or have provided. If we priced it the figures would be scary. We need to value this unpaid care.”

(Participant at Consultation Event)

“There is often a focus rightly on kids with health conditions and mental health but what happens to them when they become adults? Where do they go when they are older? Where are the services for them?”

(Participant at Consultation Event)

“There is still the assumption that it is women who will provide care. If there is care needed it is assumed that women will provide it whether for parents, children or grandchildren. Women are expected to care yet there are not the services there to support them.”

(Participant at Consultation Event)

“Where is the care for mothers? We are all fighting to get stuff to help our children but are coming up against a lack of resources.”

(Participant at Consultation Event)

“My sister was a carer for my parents and ended up looking after my dad and her own grandchildren. Her GP described it to her as the ‘sandwich generation’ whose parents are living longer so women are looking after their own parents as well as their grandchildren. That has just become acceptable yet the services haven’t risen to support these women.”

(Participant at Consultation Event)

“I am a carer for my son and they were expecting me to buy all the equipment he needed but it was expensive as I am on benefits. It would be good if parents weren’t forced to buy expensive equipment that their children need to help them. If you worked in an office environment they would have to provide you with equipment through health and safety.”

(Participant at Consultation Event)

“I would like to have my caring responsibility recognised at work and have a feeling that my job is secure.”

(Participant at Consultation Event)

Other issues that were raised at consultation events around this question are summarised here:

- There was an agreement that there were certain groups of people who needed extra protections – carers, those in poverty, those with mental health issues, those with disabilities and those living in border and rural areas of Northern Ireland;
- Rural women don’t have the same access to services as their urban counterparts;
- Lone parents were badly affected by austerity/welfare reform and now they are being badly affected by the pandemic.
- There was general agreement that women needed extra protections and this included intersectional protections including for poor women, trans women, disabled women, BAME women, etc;
- There is a stigma around poverty and people on benefits. Those on low-incomes and on social security benefits who are suffering from poverty often have difficulty accessing their rights because of this;
- There is a great need for greater investment in female specific health services that deal with issues like maternal mental health, endometriosis, periods, menopause, etc;

- There are issues of discrimination for migrant workers and people from other communities who feel their issues are ignored as they do not belong to either of the two traditions in Northern Ireland;
- Many migrant workers don't have the language skills necessary to understand things. This has been made worse by lockdown and homeschooling children. Many of them don't have the language skills necessary to help their children with school work as it is often the children who speak English and act as translators for the family;
- There are huge issues getting the education needed for children with special educational needs, there are difficulties getting statements of special educational needs which are a means to getting access to the education these children need. Mothers of these children face a constant battle to get the education they feel their children need;
- The cost of living is very high in Northern Ireland and food is very expensive. There was a sense that people are nearly penalised for living here;
- There is a lack of services/resources to deal with the mental health crisis we are facing in Northern Ireland;
- The social security benefits system puts too much pressure on women without the structures in place to support them to work such as childcare, transport and suitable job opportunities;
- The systems for dealing with domestic violence, especially if it is not physical but mental abuse, do not work for victims. It is very difficult to prove coercive control and sometimes the authorities do not give this sufficient attention and priority;
- Non-molestation orders are not worth the paper they are written on. Abusers just move on to the next place. This causes stress and anxiety for victims and their children;
- It is still not right that access to abortion in Northern Ireland is not widely available. Women are still being harassed and intimidated when trying to access abortions and more support services are needed for women around this whole issue.

At consultation events women told us:

“You have these rights in theory but you can’t go to court for them – like access to health, education, etc.”

(Participant at Consultation Event)

“Poverty has been normalized with foodbanks in workplaces. Accommodating poverty is a real failure.”

(Participant at Consultation Event)

“It is not just the case that everyone should be entitled to an education. It is that everyone should be entitled to an education for their own educational needs.”

(Participant at Consultation Event)

“Non-molestation orders are not worth the paper they are written on. The police asked me if he had hit me. Do I have to be found dead before they take this seriously?”

(Participant at Consultation Event)

“After my sister committed suicide I went to my GP about my mental health issues as I was in crisis but I couldn’t get help straight away I had to wait 6 weeks. I was in crisis and had no support. I had to end up getting support through the community until the health service support eventually came through. When you are in a mental health trauma/crisis you shouldn’t have to wait.”

(Participant at Consultation Event)

“I still feel that all this will come down to money even if there is a Bill of Rights. In the end it will just come down to the money.”

(Participant at Consultation Event)

“The benefits system forces women with children to go out to work. But there is a lack of jobs available and the jobs that are available are often the lowest paid which means that women can’t afford childcare or you end up paying to work.”

(Participant at Consultation Event)

“It would be better if there was a decent amount of benefits to let women stay at home and look after their kids if they want to not this constant pressure to work.”

(Participant at Consultation Event)

“It took a long road to get my child the mental health support he needs. It is the hoops they make you jump through when you have a child with a condition.”

(Participant at Consultation Event)

“My grandson needs to go to a special school but you need a statement and it is very hard to get this. They are thinking about the money and not what is best for the children.”

(Participant at Consultation Event)

“It is always a battle for women to get rights for their children when they have additional needs and for the rights to education for these children.”

(Participant at Consultation Event)

“People don’t understand the mental health issues around abortion. It has to be someone’s choice at that time. They may not be able to cope and carry on with that pregnancy.”

(Participant at Consultation Event)

“I am Polish and I want to know where my place is in this Bill of Rights? I am a migrant worker who has been working here for 15 years but a lot of things are changing now due to Brexit. I’m struggling with discrimination. I feel like I can speak out and use my voice but I am discriminated against and made to shut up and be quiet. I am being made to feel that I shouldn’t have a voice.”

(Participant at Consultation Event)

“There is a lot of talk about equality/diversity. I’m not Irish or British but Polish and I am being discriminated against and not being listened to. I suffer intimidation in my house but I’m being minimised because I’m not a Protestant or Catholic. I was asked if I was having a problem with paramilitaries but when I say I’m not the police don’t even give it a second glance. My kids feel like this is their home but what’s the future for them?”

(Participant at Consultation Event)

3. Values

In your view, which of the following values, if any, would make appropriate foundations for rights in Northern Ireland?

Choose as many as you like.

- | | |
|---|-------------------------------------|
| A. Community | <input checked="" type="checkbox"/> |
| B. Human dignity (everyone deserves respect) | <input checked="" type="checkbox"/> |
| C. Fairness | <input checked="" type="checkbox"/> |
| D. Freedom and democracy | <input checked="" type="checkbox"/> |
| E. Justice | <input checked="" type="checkbox"/> |
| F. Mutual respect (respect for each other) | <input checked="" type="checkbox"/> |
| G. Parity of esteem (valuing all traditions equally) | <input checked="" type="checkbox"/> |

- | | |
|---|-------------------------------------|
| H. Respect for culture, identity, traditions and aspirations | <input checked="" type="checkbox"/> |
| I. Peace and reconciliation | <input checked="" type="checkbox"/> |
| J. Don't know | <input type="checkbox"/> |
| K. Other | <input checked="" type="checkbox"/> |

If you selected 'Other', please let us know what other foundations you think should be included:

We believe that the above values are important foundations for a Bill of Rights not least of these human dignity. We believe that human rights should enable people to live lives with dignity. However, we wish to stress the difference between values as a foundation for a Bill of Rights and the rights themselves which would have protection in law. Values should not be a replacement for fundamental rights and there is a danger of confusing these values with actual rights. We can see no value in a Bill of Rights that is aspirational. What people need is rights that they can rely to make a change in their lives and to enable them to live with dignity.

We have some issues with the text in brackets which while appearing to explain the value further are in danger of leading to misinterpretation. For example, human dignity (everyone deserves respect) – an elderly woman may be respected but would be unable to live her life with dignity if she was unable to access a decent pension income due to gender norms which have meant that women's pension contributions are considerably smaller than those of men.

In discussions with women at consultation events there was great concern that values would replace rights or that rights would be aspirational only. There was agreement among the women that rights cannot be visionary or unenforceable and that they would be unlikely to support anything like this as it would not make any real change in their lives.

In carrying out engagement exercises with local women they highlighted a range of issues around this question which are summarised here:

- Equality should be added as a foundational value;

- Equality is important but it must be noted that a gender neutral approach to policy making and resource allocation in the name of equality continues to create problems for women's equality. There remains a lack of understanding that equality of opportunity is not the same thing as equality of outcome;
- Mutual respect should be on the basis of gender, cultural identity, economic status, education, political opinions;
- There must respect for diversity;
- Respect for people must include respect for people on low incomes and on social security benefits;
- Self-autonomy should be added as a foundational value – self-autonomy for your own body not just in terms of reproductive rights but in all issues;
- There is a need for openness, accountability and transparency within Government and within Governmental systems and these should be core values of these systems;
- A proper safety net for people would provide dignity for people. This safety net should not be looked at as a punitive thing (for example, the free school meals hampers in England) it should feel like a safety net and not punishment;
- Parity of Esteem (valuing all traditions equally) – this should be wider and reject the notion of the traditional two traditions in Northern Ireland to include BAME communities.

At consultation events women told us:

“Values are good and have a place but also need concrete rights so people can see change in their lives.”

(Participant at Consultation Event)

“There has been a normalization of how people on low incomes are treated as a benefit scrounger mentality.”

(Participant at Consultation Event)

“In Northern Ireland there is a real danger around the way we view what equality looks like. If this side gets this then the other side needs to get it too. They will always go to the lowest common denominator – if you get £x for that then I need £x for this.”

(Participant at Consultation Event)

“There needs to be more openness about what Government is doing and how money is spent. There needs to be openness, transparency and accountability.”

(Participant at Consultation Event)

“Values are theoretical almost philosophical, people can get around them.”

(Participant at Consultation Event)

“I have a lack of confidence in the ability of our Government/politicians to be able to produce anything with value with the power behind it to implement it. We can have a Bill of Rights but it’s useless unless it can be implemented. There has to be a way to make it happen.”

(Participant at Consultation Event)

“Party politics and the way the system is set up is diluting everything. We have to find a way for the Bill of Rights to take this out of it. For it to be right it has to be across the board and all politicians need to be on the same page and not on opposite pages about this. If you start going into party politics and make it about votes then it just waters things down.”

(Participant at Consultation Event)

“I do my work in the community, there’s no red tape. We do things outside the box. We’re not in Stormont they are too stuck between orange and green and about social class. These things are not a barrier to me as a woman, none of that comes into it for me.”

(Participant at Consultation Event)

“One of the values could be self-autonomy. Everybody man/woman, girl/boy have control over their own body, not just in terms of reproductive rights but all issues of the body. Not about states/agencies having control over you.”

(Participant at Consultation Event)

“Laws remove grey areas. Guidance is a cop out in Northern Ireland. Look at the issue of restraint/seclusion in schools. Instead of putting in place legislation to protect children they are saying they will issue guidance. Guidance allows every reader to take away their own view of it.”

(Participant at Consultation Event)

4. Bill of Rights

Human rights are freedoms and protections belonging to everyone. A bill of rights contains human rights protections for everyone - it is a list of the laws a country agrees to make to protect all the people who live there.

a. How important, if at all, do you think a bill of rights is for Northern Ireland?

- | | |
|-------------------------|-------------------------------------|
| A. Very Important | <input checked="" type="checkbox"/> |
| B. Important | <input type="checkbox"/> |
| C. Moderately important | <input type="checkbox"/> |
| D. Slightly important | <input type="checkbox"/> |
| E. Not important at all | <input type="checkbox"/> |
| F. Don't know | <input type="checkbox"/> |

There was overall support among the women we spoke to at engagement events around the need for and importance of a Bill of Rights for Northern Ireland. Many felt the need to ringfence the protections a Bill of Rights could provide due to threats from Brexit and concerns around the impact of the pandemic.

There was a feeling that Brexit would add to the problems that people have in Northern Ireland including increasing poverty levels. It was acknowledged that people just want a better standard of life for themselves and their families and that there was a need to provide protections in these areas.

At consultation events women told us:

“The importance of a Bill of Rights is that politicians would have to follow what it says. If they don’t adhere to it then you have somewhere to go.”

(Participant at Consultation Event)

“If we are going to have a Bill of Rights we need to make sure it is resourced.”

(Participant at Consultation Event)

“We need to get away from the orange and green in a Bill of Rights. We have a mixed society and all needs should be reflected. A Bill of Rights should be for everybody. Everyone is entitled to the same rights as part of our community and adding to our society. We need to tackle this through a Bill of Rights – it has to be for everyone.”

(Participant at Consultation Event)

“The Bill of Rights has to look after us after Covid. They brought in the £20 uplift to Universal Credit as a result of Covid but they are not committing to keep it.”

(Participant at Consultation Event)

“Our situation in NI is unique because of Brexit. A Bill of Rights is really necessary to support NI. Really important a Bill of Rights is put in place and can actually protect people. Because NI is unique in this situation it is really important.”

(Participant at Consultation Event)

“The Bill of Rights is a way we can try and do something about poverty issues, the spread of foodbanks. We can use it to try and ensure fewer people slip through the net and have better lives for themselves, their children and families.”

(Participant at Consultation Event)

“There are changes with Brexit and a lot of our equality laws came from the EU. I’m worried about equality legislation when we are out of the EU. We need a Bill of Rights to protect these.”

(Participant at Consultation Event)

“We need a right to information. Where can we access the information about what rights we have, what we don’t have. People on high are making the decisions and not taking into account people at the grassroots. Even the format of this consultation excludes people.”

(Participant at Consultation Event)

b. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should set out an aspirational vision based on guiding or foundational values?

- A. Strongly agree ☐
- B. Agree ☐
- C. Neither agree nor disagree ☐
- D. Disagree ☐
- E. Strongly disagree ☒**
- F. Don't know ☐

We find this question confusing and it is really difficult to understand the meaning behind it. The question is not clear and it is loaded with terminology that is not defined and that many members of the public may not understand. In reading this out to women at consultation events the women were genuinely confused as to what it meant. A question like this should therefore not appear on a public consultation as there is no guidance around how it is meant to be interpreted in order to provide an answer.

In discussing this question with women there was a definite 'no' to having any kind of aspirational rights. Women were strongly against the notion that a Bill of Rights would be aspirational in any sense. Most disagreed with aspirational rights that just amounted to words on a page rather than any actionable rights and they queried whether having aspirational rights would just amount to some kind of tokenistic gesture. There was general agreement among the women that they needed to have rights they could rely on to make a real change in their lives and therefore they would not be supportive of anything which was merely aspirational in nature.

At consultation events women told us:

"It's very woolly, it really doesn't mean anything to me. It doesn't say anything. I have no clear idea of what they are saying here."

(Participant at Consultation Event)

"It sounds like something to fob you off in the future."

(Participant at Consultation Event)

"This is a form of gatekeeping – if you don't understand the question you could stop filling in the survey."

(Participant at Consultation Event)

“This makes it sound like it’s just symbolic.”

(Participant at Consultation Event)

“Aspirational – is that a get out clause?”

(Participant at Consultation Event)

“We need to have rights that we can rely on not aspirations.”

(Participant at Consultation Event)

“You would hate to think that your daughter would have to go through the same things you did as nothing has changed. We don’t want our children to go through the wrongs we went through.”

(Participant at Consultation Event)

“We don’t want this to be like many of the agreements over the years – just signed and put on the shelf and not enforceable so that it doesn’t make any difference to people.”

(Participant at Consultation Event)

“It needs to be actionable, measureable and make a real difference to people’s lives. You can’t live on aspirational visions.”

(Participant at Consultation Event)

c. Civil and political rights can include freedom from discrimination; the right to privacy; freedom of expression, assembly, religion and movement; and the right to a fair trial. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include civil and political rights?

- | | |
|-------------------------------|-------------------------------------|
| A. Strongly agree | <input checked="" type="checkbox"/> |
| B. Agree | <input type="checkbox"/> |
| C. Neither agree nor disagree | <input type="checkbox"/> |
| D. Disagree | <input type="checkbox"/> |
| E. Strongly disagree | <input type="checkbox"/> |
| F. Don’t know | <input type="checkbox"/> |

In discussing this question at engagement events there was confusion over what this actually means to members of the public. What does the term ‘civil and political

rights' mean? Those who work in policy or in equality/human rights have an understanding of what this term means and can therefore provide an informed answer to this question. However, for the public there is no guide or explainer to go along with the consultation so some may feel unable to answer this question. It is to the detriment of this consultation if the language used and the way questions are worded puts people off providing an answer when they could potentially have important inputs to make.

We are in agreement with the need to include civil and political rights within a Bill of Rights for Northern Ireland. In discussion this at engagement events most of the women also felt that civil and political rights should be included.

At consultation events women told us:

“What does civil and political rights mean – this is very legalistic, people don’t understand.”

(Participant at Consultation Event)

“How would a person on the street know what this means?”

(Participant at Consultation Event)

“We don’t have peace, we have the Good Friday Agreement to try and get peace but we don’t have peace in communities at grassroots level.”

(Participant at Consultation Event)

“In terms of Northern Ireland people need to understand both viewpoints. I still hear people going back to 100 years ago. Most people want to move forward and deal with the situation we are in. We have to make the best for people in our communities and respect each other and each other’s cultures.”

(Participant at Consultation Event)

“In terms of politics you should be able to be Irish, British or Northern Irish. People should be able to be what they feel they are – it is your entitlement to be what you want.”

(Participant at Consultation Event)

d. What, if any, political and civil rights would you like to see in a bill of rights for Northern Ireland?

We would like to see all the relevant international standards protected in a Bill of Rights for Northern Ireland. This would include the provisions of the International

Covenant on Civil and Political Rights (ICCPR). As previously outlined we believe that the commitment to replicate ECHR rights within a Bill of Rights for Northern Ireland should be implemented. The ECHR rights are largely civil and political and provide important protections in Northern Ireland as they apply through the Human Rights Act. Given the political attempts to undermine the Human Rights Act it is important that any Bill of Rights for Northern Ireland would include and protect these important rights into the future.

e. Social and economic and cultural rights can include rights around standards of living, health, social security, victims, education and language. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include social, economic and cultural rights?

- A. Strongly agree ☒
- B. Agree ☐
- C. Neither agree nor disagree ☐
- D. Disagree ☐
- E. Strongly disagree ☐
- F. Don't know ☐

Similar to our answer at 4c we believe the language used in this question is really unhelpful for most people. For those who work in policy and in the field of rights we can understand what this means but for many it is exclusionary. Despite the way this question is framed there is a lot that those who took part in our consultation events had to contribute in this area even though they had difficulty understanding the question.

Most of the discussions that were held with women at the consultation events involved rights that could be included under this heading. Many of the discussions focused on issues such as social security, education, poverty, health and having an adequate standard of living to provide for their families. All of these rights were vitally important to these women yet the question is inaccessible. This has the potential to put many off answering it due to a lack of understanding but not a lack of support for these rights and valuable input in this area.

This is particularly concerning as women are often those who would benefit the most from stronger social, economic and cultural rights. We would point the Committee to the range of opinions expressed by women throughout this consultation response

the majority of which refer to social, economic and cultural rights. Discussions at engagement events on this question highlighted the following issues:

- Many people can't enjoy their rights if they are suffering from poverty or live in a poor area and suffer from social isolation;
- The pandemic is highlighting inequalities in society, for example, the digital divide. It is showing up the haves and have nots;
- Groups from paramilitary backgrounds on single identity work often get funding for education. Yet education in the women's sector is declining due to a lack of resources for this important work which is often cross community;
- Women who access abortion have the right to privacy, healthcare and dignity and this has to be balanced by people's right to protest. With rights come responsibilities and people need to be educated around all these things;
- Shared housing is an important issue for Northern Ireland. There is a focus on the importance of shared education but then people go back to live in their silos again. There is a need for more choice so that people are not forced back into divided areas again. Shared housing and integrated education brings communities together;
- Welfare reform has had a huge impact. Social security benefits do not allow people to live a life of dignity and provide them with enough money to live on;
- By the time people on low incomes pay off their bills for rent, electricity and gas they have very little left for anything else. The benefits system does not help people it just pushes them into poverty;
- Domestic abuse is a long and difficult process. Many women need support to leave and it can take a long time. There are not adequate support services in place to help support women suffering from domestic violence including financial help, help to move out and support;
- Schools do not have the resources to deal with children who have additional needs. Children who are able and have no issues in school will get on well but if a child has issues there is very little support available in schools and they suffer as a result;
- The levels of mental health problems in children are worrying. There are many children waiting on referrals for mental health issues. If these are not dealt with properly there are going to be lots of mental health issues in the future;
- Mental health problems are such a huge issue in Northern Ireland especially for women. There is not enough help or specialists in this area to help people;
- Caring is an important issue for women and it comes with a lot of worry and stress as many have to fight so hard to access the services and help they need;

- There are very low levels of financial help for carers and in general carers have few rights – there is little support for carers who work and for older carers. The only right that carers have is to a Carers Assessment but there is no duty to deliver on what it says so effectively it is worthless.

At consultation events women told us:

“There is a chilling effect of this language.”

(Participant at Consultation Event)

“Using language like this puts people off. People have the answers and they know what to say but framing it like this, using this language can put people have and make them think they can’t answer these questions. It is a framing issue.”

(Participant at Consultation Event)

“The social security system does not allow people to live lives with dignity.”

(Participant at Consultation Event)

“I agree with equality in terms of cultural rights – you should not be discriminated because of your culture whether that is Catholic/Protestant or any of the new cultures that live here.”

(Participant at Consultation Event)

“Education for women has been cut in the last 10 years and reduced away to nearly nothing. Things need to be resourced.”

(Participant at Consultation Event)

“My children have disabilities. My son has high functioning autism but was basically left on his own. It was a fight for 9 years to get some support for him.”

(Participant at Consultation Event)

“My daughter suffers from anxiety and depression. She is quite and not disruptive but in school she got nowhere as there was no support available for her as they didn’t have the resources. I ended up having to take her out of school because there was no support available for her there. I got her into the local women’s centre but it is only because I have connections in the local community. There needs to be more resources for schools for the children that are able to go to mainstream school but find it hard to manage.”

(Participant at Consultation Event)

“20 years after the Agreement there is a need for a right to a safe home. A mixed couple came to be recently to ask where they could safely live in Belfast. It should be a basic human right to have a safe home.”

(Participant at Consultation Event)

“The benefits system doesn’t help people to go out and seek work. The jobs women do are often the lowest paid. If they leave benefits for low paid work they just end up getting further into the poverty trap.”

(Participant at Consultation Event)

“Even before Covid there were lots of people reliant on foodbanks because of Universal Credit, the 5-week wait, 2 child limit, etc. These things only push people into poverty. UC is not fair to people it just penalizes people. I feel there are not the right benefits in place.”

(Participant at Consultation Event)

“We need to be looking at mental health. We don’t have enough specialist mental help available. It’s not just about the conflict it’s about all mental health issues. There needs to be somewhere for sufferers to go. Putting them in a waiting room in a hospital isn’t good it’s not the right environment for people.”

(Participant at Consultation Event)

“The mental health situation has got worse and needs addressed. Without my Prozac I wouldn’t be sitting here. All these mental health issues are driven by the world we live in not just our local society. We are attacked on all sides and it’s not helping anyone.”

(Participant at Consultation Event)

“There needs to be better care for mental health issues. I had issues with my mental health and without being able to be referred by my work to places for support I wouldn’t have got anywhere in the normal health sector. Mental health is a bigger problem for women, it comes at women from more directions than men.”

(Participant at Consultation Event)

“You worry all your life when there are issues with your children. If you are able to get things done quickly and get them assessed quickly then issues get resolved quicker.”

(Participant at Consultation Event)

“The costs of have someone in a nursing home or in prison are extortionate, costing so many thousands. Yet how can they equate that with the level that Carer’s Allowance is paid. If it costs that much to look after someone in those settings how come it is not recognised in another?”

(Participant at Consultation Event)

“Everyone should be entitled to a basic living allowance whether they are a carer or disabled. The bottom line is that people should have a decent income.”

(Participant at Consultation Event)

“There’s not enough financial support or working rights for carers which really disadvantages them.”

(Participant at Consultation Event)

“If you are a pensioner you get nothing for caring you are ruled out of Carers Allowance. It is not only people who are working that are discriminated against. It is not the case that if you turn 65 you are no longer a carer!”

(Participant at Consultation Event)

“The only right carers have in NI is the right to have a Carers Assessment. There is no statutory duty on the Trust to deliver on what is in the Carer’s Assessment so it is of absolutely no use to me.”

(Participant at Consultation Event)

f. What, if any, social, economic and cultural rights would you like to see in a bill of rights for Northern Ireland?

We are once again concerned that people would be unable to list the rights they would like to see in answer to this question despite their desire and support for the strong protection of social and economic rights. We have already stated a number of times that the way these questions are worded and the lack of definitions to accompany them may lead some people to believe they cannot answer this question. In actual fact many people, particularly women, have significant input in this area as strong protections around social and economic rights are likely to have greater impacts for women.

We refer to the Committee to the points made in answer to Question 4e which lists the issues discussed with local women at engagement events and their direct quotes on this issue. It is abundantly clear from this evidence the degree to which women want to see social and economic rights included in a Bill of Rights for Northern Ireland. These include rights in relation to care, mental health, social security, an

adequate standard of living, education, domestic abuse, reproductive rights, housing, etc. These are the rights which matter in these women's lives and which they believe need more protection.

We would like to see the current International Standards incorporated into a Bill of Rights for Northern Ireland. This would include the social and economic rights protections provided for in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the other covenants that have economic and social rights contents such as CEDAW, CERD, CRC, CRPD and others.

As a Consortium representing women we would particularly like to see the full implementation of CEDAW. As a state party to CEDAW the UK is required to take action on gender equality yet progress on the implementation of the Convention has been poor. CEDAW is often referred to as the Women's Bill of Rights as its protections include a wide range of women's rights including rights in public and political life, rights in marriage and family life and rights to education, employment and health. Therefore the protections afforded by CEDAW must be an important consideration within the development of a Bill of Rights for Northern Ireland.

We believe the incorporation of these International Standards in a Bill of Rights for Northern Ireland would provide protections for many of the areas that women highlighted to us in this consultation. In terms of the impact of Brexit we also recommend that the provisions of the Charter of Fundamental Rights is incorporated into a Bill of Rights as it will no longer be available in Northern Ireland. Many of the rights in the Charter provide social and economic rights protections.

g. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include the right to a healthy environment?

- | | |
|-------------------------------|-------------------------------------|
| A. Strongly agree | <input checked="" type="checkbox"/> |
| B. Agree | <input type="checkbox"/> |
| C. Neither agree nor disagree | <input type="checkbox"/> |
| D. Disagree | <input type="checkbox"/> |
| E. Strongly disagree | <input type="checkbox"/> |
| F. Don't know | <input type="checkbox"/> |

The environment is central to the way we live our lives, acting as not only our home but providing everything that keeps us alive from the food we eat, the water we drink

to the air we breathe. It is therefore crucial that we care for the environment and use the resources it provides in a sustainable way to safeguard it for future generations. There is an undoubted climate emergency and it is a challenge that cuts across all areas of our lives. The impacts of the climate emergency are not equally felt with socially vulnerable groups such as older people, the very young, people in poor health and people in low incomes tending to be the worst affected.³²

It is therefore important to include protections to a safe, clean, healthy and sustainable environment in a Bill of Rights for Northern Ireland. Many of the rights already discussed throughout this consultation response, particularly the social and economic rights, are dependent on the right to a healthy environment. This is already recognised in Article 12(2) of ICESCR³³ which cites environmental measures as essential in the realisation of the rights to the enjoyment of the highest standard of physical and mental health.

The Commission on a Gender-Equal Economy have proposed the creation of a 'Caring Economy'³⁴ based on gender equality, wellbeing and sustainability as a way to build back better after the Covid19 pandemic. This call to action highlights that central to feminist ecological economics is the principle that gender equality must not be achieved at the expense of ecological degradation, and at the same time, environmental sustainability must not be achieved by exploiting feminised labour, particularly unpaid care.

A Caring Economy would prioritise care for each other and for the environment in which we live. *"A caring economy simultaneously ensures achievement of gender equality, sustainability and wellbeing. While these three objectives can, to some extent, be achieved separately, a caring economy allows them to be achieved together. For example, investment in paid care services improves wellbeing through ensuring that people's care needs are met; it improves gender equality because it raises the overall employment rate and reduces the gender employment gap (which are particularly crucial as we seek to counter the looming jobs crisis), and it is sustainable because care jobs are green."* There is the potential for a Bill of Rights to support the development of a caring economy and we believe that this should be an important consideration for the Committee.

³² <https://www.climatejust.org.uk/socially-vulnerable-groups-sensitive-climate-impacts#:~:text=Older%20people,%20the%20very%20young,to%20others%20in%20the%20populati on>

³³ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

³⁴ Creating a Caring Economy: A Call to Action, Commission on a Gender-Equal Economy, Women's Budget Group, October 2020
<https://wbg.org.uk/wp-content/uploads/2020/10/WBG-Report-v10.pdf>

The New Decade, New Approach Agreement³⁵ has committed to “*tackle climate change head on with a strategy to address the immediate and longer term impacts of climate change.*” Northern Ireland is currently the only part of the UK that does not have its own legislation dealing with climate change. A public consultation on the Northern Ireland Executive’s first Climate Change Bill was launched in December 2020 with the hope that the Bill will revolutionise the approach to climate change, cut greenhouse gas emissions, protect the environment, create jobs and sustain the economy.³⁶ Including the right to a healthy environment within a Bill of Rights for Northern Ireland would contribute to these commitments.

Feedback at consultation events showed that most women felt that the right to a healthy environment was an important consideration but that it must not be an “add on” or carried out in a tokenistic way.

At consultation events women told us:

“This question is about environment washing. Someone thought it would look good to include this but what does it mean?”

(Participant at Consultation Event)

“You don’t see too many women involved in decisions about the environment.”

(Participant at Consultation Event)

“It is a bit tokenistic the actions that are taken on the environment, nothing is integrated, eg, cycle lanes. It needs to be done better to encourage more people to use them instead of cars.”

(Participant at Consultation Event)

“In making planning decisions they are not consulting local communities, we need women to be there at these decisions, they have knowledge about the issues and should be able to have their say and participate.”

(Participant at Consultation Event)

“They don’t consult people in local areas and ignore objections to things.”

(Participant at Consultation Event)

³⁵ New Decade, New Approach Agreement

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/856998/2020-01-08_a_new_decade_a_new_approach.pdf

³⁶ [Poots launches public consultation on Climate Change legislation | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](https://www.daera-ni.gov.uk/news/poots-launches-public-consultation-on-climate-change-legislation)

h. Do you have any other comments?

In speaking to women at consultation events there was overwhelming support for a Bill of Rights for Northern Ireland. However, there was caution that any Bill of Rights must contain rights that are enforceable and that these rights and protections should be able to make a real difference to their lives.

Women also stressed the need for an outcome from this consultation process. A Bill of Rights has been consulted on several times in the past but nothing has happened. This has also happened with other consultations such as the consultation on a Shared Future. It was responded to a number of times but has been largely forgotten. Women were of the opinion that while there may be difficult issues to consider as part of this process that this should not deter progress and this consultation should not be shelved again.

In addition to the issues already described throughout this consultation response the following issues were also discussed:

- Childcare must be acknowledged as one of the biggest barriers that women face in being able to fully participate in all areas of life;
- There are particular issues for rural women in accessing their rights many of which relate to access to services such as childcare, transport, etc;
- One of the biggest issues for women is care and the lack of value given to this type of work despite its importance. This is very linked to stereotypical attitudes of women as care givers and the assumption that women will do this work;
- Care is such a huge issue that there were suggestions for a bigger section of a Bill of Rights to be devoted to this issue;
- Women's lives are varied, they do not just experience life as a woman but as many different types of woman – there is a need for an intersectional approach that takes in all the issues that women have;
- The ability to access reproductive healthcare including telemedicine must be implemented in Northern Ireland;
- Education work is needed on the ground and in communities around people's prejudices;
- Issues with access to women's healthcare and that women's health issues are not really acknowledged so there is a need for greater focus in these areas, for example, maternal mental health;
- Gendered inequalities have existed for a long time and there has been very little progress. There is a real need to be able to take action on these issues to make genuine improvements for women;
- There are issues around lack of access to information and this can keep people from finding out/accessing their rights, taking part in things and having

their say. This information needs to be in a format that people can understand so that people are enabled to do these things.

At consultation events women told us:

“Childcare is one of the key things for women. It is one of the biggest barriers women face to taking part socially, politically and economically.”

(Participant at Consultation Event)

“Need to take account of rural need. All new policy is supposed to but I’m not sure that there is an understanding of what that should look like. It needs to be accessible, affordable and resourced for rural women.”

(Participant at Consultation Event)

“The value of care, care work and all the stuff normally done within the home. At the root of everything and why women can’t participate properly. Caring work is not valued in society and is the bedrock of everything. Emphasise the circular relationship between not valuing care work and undervaluing women. It is undervalued because it is something that women do – there is underlying misogyny.”

(Participant at Consultation Event)

“We should all go on strike! We saw what happened with Covid in the emergency responses women were always sidelined. There is a need to value what women do. Women are always the add on at the end and it’s totally frustrating.”

(Participant at Consultation Event)

“A normal human being is seen as being white, able-bodied and male. We need to challenge this in what we know is a more diverse experience of life.”

(Participant at Consultation Event)

“The inequalities in society are the same areas as they were years ago – they affect women and children. Educated society is discussing these issues but there has been no progress on them.”

(Participant at Consultation Event)

“It would be a good idea to have a specific Bill of Rights for Carers or a specific section for carers.”

(Participant at Consultation Event)

“The biggest thing regardless of the issue is lack of access to information. You can’t get involved in anything if you don’t know what is happening, you can’t have your say if you don’t know about it.”

(Participant at Consultation Event)

5. About You - Section 75

This section contains Section 75 questions. These questions allow us to ensure that we are carrying out our work with due regard to the need to promote equality of opportunity and good relations in respect of religious belief, political opinion, gender, race, disability, age, marital status, dependants and sexual orientation.

You do not need to complete this section but the more information we can collect the better we are able to monitor our responses.

All information will be kept completely anonymous and confidential. If you choose to provide contact details they will not be linked to your responses.

Only complete this section if you are happy to answer the Section 75 questions.

We have not completed this section as this response is an organisational response from the Women’s Regional Consortium.

7 - Are you willing to be contacted again (for example, to take part in further consultation)?

Y. YES ☒

N. NO ☐

If ‘Yes’, please enter your email below. We will only use your email to contact you in relation to the work of the Ad Hoc Committee on a Bill of Rights.

If you need any further information, please contact Siobhán Harding who has written this response on behalf of the Women’s Regional Consortium:

Tel: 07764 224 360

Email: policy@wsn.org.uk