

#CEDAW

**United Nations Convention on the Elimination of All
Forms of Discrimination against Women (CEDAW)
Wales Shadow Report January 2019**



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Wales Shadow Report: Updated January 2019

Introduction

The UK and devolved governments have not directly incorporated CEDAW into domestic law and policy. However, several CEDAW rights are given partial effect through the Equality Act 2010, the Human Rights Act and other legislation, policies and programmes. The Wales Act 2017 has devolved more decisions that directly impact on women/girls. However, the constitutional settlement means that funding for devolved matters is still subject to direct Westminster control.¹ The Well-being of Future Generations (Wales) Act 2015, which maps against the UN Sustainable Development Goals, introduced the well-being goal of 'a more equal Wales' for public authorities and presented a fresh opportunity to break down barriers for the 3.1 million people in Wales, 52% of whom are female. The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 also provides some opportunity to address gender inequality through prevention, protection and support of those experiencing this violence and abuse. Despite these opportunities to address the global challenge of gender equality and women's rights, it has not yet delivered greater equality.

Welsh Government's Gender Equality Review² currently underway in Wales is a welcomed opportunity to make real progress on gender equality. It is imperative that the review engages with the recommendations of the CEDAW Committee following the State examination.

Recommendation:

- Welsh Government must incorporate the CEDAW Committee's recommendations into the Gender Equality Review

¹ The Wales Act 2017 does allow for some taxation levies to be devolved to Wales.

² <https://gov.wales/topics/people-and-communities/equality-diversity/review-of-gender-equality/?lang=en>

Article 2: Obligations to eliminate discrimination

Welsh Government's commitment to gender equality is set out in the Government of Wales Act 2006 and in the public-sector equality specific duties (PSED), outlining a unique set of specific duties underpinning the general duty, providing Welsh Government with levers and opportunities to measure progress and set effective targets and actions.³

However, there is a systematic lack of gender-disaggregated data and intersectional data recorded and available across Wales and the UK. This could be addressed if a gender research centre was created to assess and monitor legislation, policy and practice for impact; make recommendations; and hold decision-makers to account.

There is also a need to return to Equality Impact Assessments (EIA) that collect, assess and disaggregate information and statistics on gender, and for stronger legislation that is monitored for impact and implementation.

Recommendations:

- UK Government should incorporate all provisions of CEDAW into UK Law⁴
- Welsh Government should enshrine the principles of CEDAW into Welsh legislation regarding devolved matters
- UK Government should remedy the systematic lack of gender-disaggregated data and intersectional data by introducing a strategy across the UK
- Welsh Government should use Equality Impact Assessments to disaggregate gender and intersectional data, including Wales-specific data
- Welsh Government should set up a gender research centre

Article 3: Guarantee of basic human rights and freedoms

The Government of Wales Acts make explicit the commitment to equality for all. These principles and norms should be incorporated into policies/strategies across Wales. There is some good progress in this regard. Welsh Government has appointed the rights focused Children's Commissioner and Older People's Commissioner, a Future Generations Commissioner for Wales and National Advisor(s) on ending Violence against Women.

³ <http://www.legislation.gov.uk/ukpga/2006/32/contents>

⁴ Either through the Equality Act 2010 or new legislation similar to the Human Rights Act 1998.

However, there is growing concern in the equality and human rights sector in Wales that since the advent of the Wellbeing of Future Generations Act (Wales) 2015⁵ protection of rights has been downgraded under the Act's 'a more equal Wales' goal. Whilst the Act itself is an admirable piece of holistic future-facing legislation, no meaningful accountability mechanism exists as the Future Generations Commissioner has no enforcement powers. The Equality Act 2010 socio-economic duty has been devolved to Welsh Ministers under the Government of Wales Acts and provides an opportunity to alleviate some of the economic uncertainties surrounding 'Brexit'.⁶

Recommendation:

- Welsh Government should enact the socio-economic duty in section 1 of the Equality Act 2010

Article 4: Temporary special measures

In the political arena in Wales all political parties have taken a different approach – some working positively to increase numbers of women Assembly Members (AMs) and Members of Parliament (MPs). The Labour Party instigates all-women shortlists, and this has helped to result in the 47%⁷ women AMs in Wales. In the 2016 Welsh Assembly election, Plaid Cymru required gender balance for the top two positions on its Assembly regional lists.⁸ The Liberal Democrats, UKIP and Conservatives do not use any form of positive action to ensure more women candidates. The use of quotas and other measures was endorsed by the recent Expert Panel on Assembly Electoral Reform in Wales.⁹

Recommendations:

- UK Government should use temporary measures of gender quotas to accelerate the presence of women in positions of authority and power in political and public life
- Welsh Government should endorse the recommendations of the Expert Panel on Assembly Electoral Reform in Wales, including legal quotas, and ensure gender balance throughout Welsh politics

⁵ <https://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

⁶ The Wales Act 2015, s. 45.

⁷ Increased from 42% at the 2016 National Assembly for Wales elections due to by-elections and replacements in proportional seats.

⁸ <http://www.bbc.co.uk/news/uk-wales-27665486>

⁹ http://www.assembly.wales/en/abthome/about_us-commission_assembly_administration/panel-elec-reform/Pages/Assembly-Electoral-Reform.aspx

Article 5: Roles based on stereotypes

In January 2018, Welsh Government launched 'This is Me'¹⁰, a public awareness campaign to challenge gender stereotyping in society, forming part of the ongoing campaign to tackle violence against women and girls. The messaging of this campaign needs to be embedded across Wales to support people across a variety of sectors.

The media and the advertising industry play a huge role in tackling or perpetuating stereotypes. The BBC has recognised this and has put in place a target of women/men presenters to be 50:50 by 2020 and to close their gender pay gap.¹¹ More initiatives are needed elsewhere, for example, current Advertising Standards Authority (ASA) regulations regarding the perpetuation of stereotypes in marketing of products should be legally binding.

Recommendations:

- UK Government should make ASA regulations legally binding
- UK Government should provide sustained, long-term funding to tackle issues of gender stereotyping across the UK
- Welsh Government must tackle gender stereotyping in curriculum changes and across society, and evaluate the impact of the 'This is Me' campaign for future learning

Article 6: Trafficking and prostitution

Wales is a transit and destination country for human trafficking: in 2017, 193 people were referred into the National Referral Mechanism.¹² Multi-agency working on human trafficking was established in 2007 and entails collaboration between the Anti-Trafficking Coordinator, awareness raising¹³, Welsh Government's Anti-Slavery Leadership Group seeking to improve collaboration between devolved and non-devolved organisations in Wales, as well as support for survivors.¹⁴ The launching of the Wales Hotelier Modern Slavery training Ethical Employment in Supply Chains Code of Practice¹⁵ and a recent conference on ways to combat modern slavery and human trafficking are welcomed.

¹⁰ <http://livefearfree.gov.wales/campaigns/this-is-me?lang=en>

¹¹ http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/gender_equality_bbc.PDF

¹² National Crime Agency Statistics, 2017

¹³ Creating an awareness raising Wales-specific logo (Dewi) and video campaigning:
<https://gov.wales/topics/people-and-communities/communities/safety/anti-slavery/?lang=en>

¹⁴ <http://gov.wales/topics/people-and-communities/communities/safety/anti-slavery/what-we-are-doing/?lang=en>

¹⁵ <https://gov.wales/topics/improvingservices/bettervm/code-of-practice/?lang=en>

However, there is a need for immediate recourse to legal and social protection for women who are potential victims, and women involved in prostitution must be supported by Welsh Government, including provisions to support those who choose to exit prostitution.

Oxfam Cymru's 2011 research¹⁶ highlighted that asylum-seeking women and women with no recourse to public funds are vulnerable to sexual exploitation. There is evidence that these exploitative practices are becoming mainstreamed with the rise of homelessness, particularly amongst young women. Women are also more likely to experience 'hidden homelessness' and as a result are harder to reach to offer support, particularly around issues of exploitation and abuse.¹⁷

Alarming, Shelter Cymru found that 3% of women private tenants¹⁸ in Wales had been asked for 'sex for rent' in the last five years.¹⁹ We welcome Welsh Government's commitment to clamping down on 'sex for rent' in Wales by amending the Code of Practice for landlords. More needs to be done across Wales and the UK so women have safe and equal access to housing.²⁰

Recommendations:

- UK Government must implement a human rights and criminal justice joined-up approach to human trafficking that broadens its focus from border control alone
- UK and Welsh Governments must provide immediate recourse to legal and social protection for women who are potential victims of human trafficking or sexual exploitation
- Welsh and UK Governments must implement a coordinated strategy to bring an end to 'sex for rent', including ensuring amendments to the Welsh Code of Practice for Landlords are effectively enforced
- UK and Welsh Governments must effectively tackle all types of homelessness, and support and adequately fund exiting programmes for those who wish to leave prostitution

¹⁶ [Coping with Destitution](#) Survival and livelihood strategies of refused asylum seekers living in the UK, 2011, Oxfam Policy and Practice.

¹⁷ [Women's Hidden Homelessness](#), 2018, Homeless Link.

¹⁸ An estimated 6,900 women

¹⁹ Shelter Cymru's survey of private tenants carried out by YouGov in 2017.

²⁰ <https://www.24housing.co.uk/news/sex-for-rent-landlords-risk-licences-in-wales/> & <https://www.landlordtoday.co.uk/breaking-news/2018/5/welsh-government-to-clampdown-on-sex-for-rent-landlords?source=othernews>

Article 7: Women's Representation in Political and Public Life

18% of council leaders²¹; 27.5% of MPs; 28% of councillors;²² 6% of chief executives or equivalent of top 100 businesses; in Wales are women.²³ LGBT, disabled, working-class and BME women face additional barriers to accessing power and representing themselves in Welsh political and public life. Disabled or BME people hold less than 4% of public appointments,²⁴ although data is inadequate to fully understand the experiences of BME and disabled women. The Welsh and UK Governments must effectively dismantle barriers to those currently underrepresented in the political and public spheres.

Despite Access to Elected Office Funds for disabled candidates in Scotland²⁵ and England²⁶, Wales remains without any initiatives. Welsh Government must establish a 'Door to Democracy Fund'²⁷ without delay to enable disabled women in Wales to stand by 2021 in the next Assembly and local elections.

Research finds that in the UK, greater gender diversity on a senior management team corresponds to higher performance with an increase in financial performance.²⁸ Research also shows that women AMs are much more likely to raise issues, ask questions and intervene on equal pay, domestic abuse, women's health and child care.²⁹ However, despite Welsh Government's new gender balanced cabinet and 47% of AMs being women, the Assembly's Equalities, Local Government and Communities Committee that scrutinises the Welsh Government on these issues currently has just two women (25%)³⁰, in addition to one AM previously sanctioned for transphobic hate-speech within the chamber.³¹

64% of women across the UK have reported that they have experienced sexual harassment in public places³² and 1 in 5 people working in the UK Parliament have been subjected to

²¹ Who Runs Wales? 2017, EHRC Wales

https://www.equalityhumanrights.com/sites/default/files/wrw_2017_english.pdf

²² <https://www.electoral-reform.org.uk/wp-content/uploads/2018/07/New-Voices.pdf>

²³ [Who Runs Wales? 2017, EHRC Wales.](#)

²⁴ Ibid

²⁵ Access to Elected Office Fund run by Inclusion Scotland supported disabled people to stand in the 2017 Scottish local elections and provided assistance to 39 candidates of which 15 were elected

<http://inclusionScotland.org/what-we-do/employability-and-civic-participation/access-to-politics/aeofs/>

²⁶ EnAble Fund in England, funded by UK Government.

²⁷ <https://beta.gov.wales/action-disability-right-independent-living> (pp13)

²⁸ Diversity Matters, Hunt, Layton and Prince, McKinsey & Company, 2015

<https://www.mckinsey.com/~media/mckinsey/business%20functions/organization/our%20insights/why%20diversity%20matters/diversity%20matters.ashx>

²⁹ Women and policy-making: Devolution, Civil Society and Political Representation. Paul Chaney, 2016

³⁰ <http://www.assembly.wales/en/bus-home/committees/Pages/Committee-Profile.aspx?cid=447>

³¹ <https://www.bbc.co.uk/news/av/42340420/ukip-s-gareth-bennett-told-to-apologise-for-transgender-comments>

³² YouGov/End Violence Against Women poll 2016.

sexual harassment.³³ In the National Assembly for Wales, the well overdue Dignity and Respect policy is currently being developed for AMs, though progress is slow.

Apart from the health and education sectors, women in Wales remain largely absent from positions of power and underrepresented in areas of decision making and budget allocation. In terms of public appointments, whilst 47% of the 2015-2016 appointments were women, there is still gender segregation³⁴

Recommendations:

- New sexual harassment policies across all of UK politics must be of international standard to hold abusers to account and to eliminate unacceptable behaviour
- UK Government should appoint a gender balanced cabinet and Welsh Government ensure its cabinet continues to be gender balanced in the future, while committing to long-term funding to increase the representation and active participation of BME, LGBT, disabled and working-class women into political and public life in Wales and the UK
- Welsh Government should set up a 'Door to Democracy' fund in partnership with the voluntary disability sector in Wales to increase equal representation of disabled people in Welsh politics

Article 8: Women as International Representatives

Immediately after of the EU referendum, hate crime offences recorded by the UK police in July 2016 was 41% higher than the previous year³⁵ and hate crimes against Muslim women were estimated to have increased by over 300%.³⁶ In Wales, there was a 76% rise in racist hate crime in the summer of 2016,³⁷ which must be tackled. Leaving the EU will mean that women from Wales have less influence over EU legislation and fewer opportunities to push for greater gender equality. The impact of 'Brexit' could also mean a roll-back of legal rights

³³ <https://www.independent.co.uk/news/uk/politics/westminster-sexual-harassment-one-five-report-leaked-mps-lords-staff-a8199401.html>

³⁴ [Who Runs Wales? 2017, EHRC Wales.](#)

³⁵ H. Corcoran & K. Smith, 'Hate Crime, England and Wales, 2015/16' Home Office, 2016, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/559319/hate-crime-1516-hosb1116.pdf, (accessed 7 February 2017)

³⁶ 'If 'Brexit means Brexit' what will that mean for women?', Women's Budget Group, [website], 2016, <http://wbg.org.uk/analysis/brexit-meansbrexit-will-mean-women/>, (accessed 7 February 2017)

³⁷ Reported by Race Council Cymru from Victim Support Cymru hate crime reporting figures

for women, reduced funding for women's organisations and put extra pressure on specialist VAWG services.³⁸

No longer being a signatory to the EU Charter of Fundamental Rights³⁹ will create gaps in human rights protection. For example, it includes 'a free-standing right to non-discrimination, protection of a child's best interests and the right to human dignity.' It will also mean there is less power to protect women's rights.

Losing the protection and arbitration of the Court of Justice of the European Union (CJEU) will mean an end to current safeguards to equalities legislation. EU equalities legislation that has not been finalised or incorporated into UK law will be lost, for example evolving EU legislation on parental leave, flexible working and breastfeeding at work. It will also limit Wales' ability to stay at the forefront of global equalities legislation and policy as Wales will no longer be taking an active role to help shape EU equalities law and automatically incorporating this within UK law.

Wales is set to lose £680 million funding from the EU annually which will have a disproportionate effect on women.⁴⁰

Recommendations:

- UK Government must maintain its international standards of human rights protection by abandoning plans to create a Bill of Rights to replace the Human Rights Act 1998
- UK Government must enshrine the rights of women, currently protected in EU legislation, into domestic law to guarantee that no women's rights or human rights will be lost post-'Brexit'
- Welsh and UK Governments must effectively tackle the increased hate crime, racism and xenophobic discrimination across the UK, following the EU referendum and actively mitigate the negative impacts of 'Brexit' likely to disproportionately affect women
- Welsh Government must ensure relationships with Europe are maintained in Wales post-'Brexit' and that women are involved in positions of influence in these continuing international relationships

³⁸ <http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/WWA-Future-of-equality-and-human-rights-in-Wales-consultation.pdf>

³⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

⁴⁰ Welsh Government and Plaid Cymru, 'Securing Wales' Future' White Paper, January 2017

Article 9: Nationality

The financial criteria placed on couples wanting to be together in the UK discriminates against women who are UK nationals with a foreign/non-EU spouse. The law currently requires UK residents to have an annual income of at least £18,600 for a spouse to join them in the country.⁴¹ This sum is supposed to represent the amount at which one would be able to support one's spouse without the spouse requiring assistance from the public purse. The law does not allow for the fact that the average earnings of women in Wales are less than the rest of the UK or that women are far more likely to be in low-paid/part-time work than men.

Recommendations:

- Welsh and UK Governments must support UK nationals with non-UK national spouses and recognise the financial requirements create barriers for women living in areas with proportionately lower wages, while also recognising that cost of living also varies by geographic location

Article 10: Education

The Donaldson Review⁴² recommended a major shake-up in education for Wales which provides a real opportunity to improve the current curriculum.

All schools need to adopt a whole education approach to violence against women, human rights and politics education, including CEDAW. Where already available this should use existing guidance, such as Whole Education Approach Good Practice Guidance⁴³ and Resource Toolkit, and the 'Agenda' resource⁴⁴. However, there is insufficient funding to roll these out across Wales.

Too many girls are missing school regularly as a result of 'period poverty'. In March 2018, Welsh Government announced a £1 million fund to help 'those in most need'.⁴⁵ Plan International UK has found that 10% of girls aged 14-21 in the UK have been unable to afford a sanitary product at some stage, whilst 1 in 7 struggle to afford them.⁴⁶ 64% of girls have

⁴¹ This increases per child (£3,800 first child, £2,400 for each subsequent child) and is in addition to £16,000 in savings: <https://www.gov.uk/guidance/immigration-rules>

⁴² Available at: <https://www.nasuwt.org.uk/asset/A788604C-3046-4005-A1EA0EAF023E0DD/>
<https://www.uwtsd.ac.uk/media/uwtsd-website/content-assets/documents/wcee/successful-futures.pdf>

⁴³ <https://gov.wales/docs/dsjlg/publications/commsafety/151020-whole-education-approach-good-practice-guide-en.pdf>

⁴⁴ <http://agenda.wales/>

⁴⁵ <http://www.bbc.co.uk/news/uk-wales-politics-43513354>

⁴⁶ <https://plan-uk.org/media-centre/freeperiods-research-on-period-poverty-and-stigma>

missed physical education or sport due to menstruation, of which 52% of girls have made up a lie or excuse.⁴⁷

Welsh Government has accepted all 33 recommendations from the independent report Talented Women for a Successful Wales, which calls for improving gender balance in Science, Technology, Engineering and Maths (STEM), in educational policies and programmes for teacher training, curriculum reform, careers advice, apprenticeships and further and higher education funding.⁴⁸ This must translate into changes to the gender balance in STEM-based careers.

In 2017-18, the Inspectorate for Education Estyn conducted a thematic review of healthy relationship education in primary and secondary schools and produced a report with recommendations.⁴⁹ A review of current sexuality and relationships education (SRE) in schools was also undertaken in Wales by a SRE Expert Panel, which included a series of recommendations that challenge gender and sexual stereotypes, and advance awareness of sex, gender and sexual equality and equity. All recommendations were accepted by the Welsh Government, for pioneer schools to adopt as they develop the new future of the sexuality and relationships education curriculum in Wales, in 2017.

There is concern that curriculum changes across Wales will not come into force until 2021/2022, resulting in many of the current students missing this essential learning by the time they have completed their education.

More must be done to tackle the sexual harassment in schools in Wales: between 10-20% of girls at secondary schools reported they have experienced unwanted touching, groping or kissing by a boy whilst in school at least once.⁵⁰ Anti-bullying resources – currently in development – and which include sexist, sexual and transphobic bullying, also highlight the serious issues in schools and these resources need to make the connection between VAWG and bullying in relation to peer-to-peer violence.⁵¹

⁴⁷ <https://plan-uk.org/media-centre/freeperiods-research-on-period-poverty-and-stigma>

⁴⁸ <https://gov.wales/topics/science-and-technology/science/women-in-science/?skip=1&lang=en>

⁴⁹ <https://www.estyn.gov.wales/sites/default/files/documents/A%20review%20of%20healthy%20relationships%20education.pdf>

⁵⁰ School Health Research Network survey of 35,071 students from 87 secondary schools in Wales (SHRN, 2015)

⁵¹ As highlighted in annex 7 of the Sex and Relationship Expert Panel report:

<https://gov.wales/docs/dcells/publications/180104-future-of-the-sex-and-relationships-education-curriculum-in-wales-en.pdf>

Recommendations:

- Welsh Government should ensure that there is a co-ordinated approach to adopting the agreed changes to SRE in Wales and invest in interim SRE prior to the implementation of the new curriculum
- Welsh Government should implement funded, compulsory human rights education in schools, taking learning from the Children’s Commissioner for Wales’ work on ‘right respecting schools’ based on the UNCRC⁵²
- Welsh Government should act on the recommendation from the Sexuality and Relationship Expert Panel to establish an SRE excellence mark to highlight exemplary whole-school approaches to gender equality, equity and SRE⁵³ by working with Estyn to ensure that all educational institutions in Wales take a whole-educational-approach to violence against women and girls and use available resources and guidance⁵⁴
- Welsh Government must implement measures to ensure girls’ safety by monitoring and better tackling sexual harassment in schools, particularly in relation to trans pupils, and train teachers on how to respond and sign-post appropriately for all forms of VAWG
- Welsh Government’s initiatives around STEM education must translate into better paid career paths for women/girls

Article 11: Employment

Women still face direct discrimination within the workplace. UK Government’s current consultation on pregnancy and maternity discrimination could bring greater protections for women and new parents, which is much needed.⁵⁵ Research found that one in five mothers in the UK experienced harassment or negative comments related to pregnancy or flexible

⁵² <https://www.childcomwales.org.uk/uncrc-childrens-rights/>

⁵³ <https://gov.wales/docs/dcells/publications/180104-future-of-the-sex-and-relationships-education-curriculum-in-wales-en.pdf>

⁵⁴ For example, the Spectrum Cymru programme from Hafan Cymru is currently being delivered for Welsh Government, though on limited funding and is being delivered locally, not nationally, <http://www.hafancymru.co.uk/our-services/spectrum/>,

⁵⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773179/extending-redundancy-protection-for-pregnant-women.pdfv

working from their employers.⁵⁶ 52% of women reported being sexually harassed in the workplace in 2016.⁵⁷

BME and disabled women face multiple barriers, often experiencing discrimination at every stage of the recruitment process.⁵⁸ BME women are more likely to be unemployed than their White counterparts, even when qualifications are taken into account, facing language barriers and gender stereotyping;⁵⁹ and are less represented across apprenticeships in Wales.⁶⁰

Disabled people are less likely to be employed than non-disabled people and when employed are lower paid;⁶¹ and despite qualifications, disabled women have lower participation rates in higher skilled jobs and work fewer hours than non-disabled women.⁶²

Occupational segregation, low paid part-time work, women's 'responsibility' for unpaid care and more women working in low-paid, feminised sectors contribute to a persistent gender pay gap⁶³ and a greater risk of poverty for women. Average hourly pay for women in Wales is £10.38 compared to £12.19 for men.⁶⁴ For part-time workers average pay is £8.80 per hour, compared with £12.52 for full-time workers.⁶⁵

Low pay is common within the Welsh care sector with 56% on zero-hour contracts.^{66 67} As a result, workers often earn a completely different amount each month, making it difficult to budget or get a mortgage. The impact of zero-hours contracts is felt even more strongly by lone parents who rely on formal childcare. Welsh Government's commitment to curbing zero-hours contracts in the domiciliary care sector is welcomed, though must be carefully monitored.⁶⁸

⁵⁶ Pregnancy and maternity related discrimination and disadvantage: Summary of key findings, EHRC 2018. <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

⁵⁷ <https://www.tuc.org.uk/sites/default/files/SexualHarassmentreport2016.pdf>.

⁵⁸ [Intersecting inequalities: The impact of austerity on Black and Minority Ethnic women in the UK](#), Runnymede Trust and Women's Budget Group with RECLAIM and Coventry Women's Voices, 2017.

⁵⁹ [The time for talking is over, now is the time to act: Race in the workplace](#), McGregor-Smith, 2017.

⁶⁰ Barriers to Apprenticeship: Difficulties experienced by learners from black and minority ethnic groups and those with disabilities when entering apprenticeship programmes, November 2014, Estyn.

⁶¹ [The disability pay gap](#), Executive Summary, EHRC,

⁶² [Women Returns Annual Report](#), All Party Parliamentary Group for Women and Work. 2016.

⁶³ [Disability in the United Kingdom](#), The Papworth Trust 2014.

⁶⁴ Office for National Statistics, Annual survey of Hours and Earnings, 2017.

⁶⁵ Bevan Foundation / JRF *Prosperity without Poverty* 2016.

⁶⁶ A zero-hour contract allows employers to hire staff with no guarantee of work i.e. no contracted hours, enabling employers to pay employees only when needed, often at short notice and significantly reducing employment stability and some employment rights (e.g. sick pay).

⁶⁷ Social Care Wales, March 2016.

⁶⁸ <https://gov.wales/newsroom/health-and-social-services/2018/care-workers/?lang=en>

Unpaid care work for disabled, seriously ill or older people is mainly done by women and amounts to £8.1 billion a year in Wales – almost doubling in the last 15 years.⁶⁹ Women remain the primary carer for children with 94% of UK Child Benefit Claims paid to women,⁷⁰ and nearly half of mothers in Wales say they are solely or mainly responsible for child care (compared with just 4% of fathers).⁷¹

Low uptake of shared parental leave has seen just 250 men in Wales taking it in 2016/17.⁷² The right to request flexible working has not yet changed our workplace cultures⁷³ and men's ability to access support for childcare responsibilities within the workplace is restricted.⁷⁴

Women's ambitions, achievements and health can be curtailed by a lack of affordable and flexible childcare and social care.⁷⁵ Recent data is scarce, however gaps in provision for disabled children are increasing in Wales. In 2015, just 7% of Welsh local authorities had enough childcare for disabled children, compared with 18% in 2014.⁷⁶

Women aged 45-54 were over twice as likely as other carers to have reduced their working hours because of caring responsibilities.⁷⁷ Welsh Government's childcare offer of 30 hours a week for over 3-year olds does not extend to unemployed parents. Women disproportionately take responsibility for unpaid child care, which is a contributory factor to the gender pay gap.⁷⁸ A recent report found that while many salaries have remained stagnant, the average nursery cost for a child under two has risen by 1.7% to £92 per week for 25 hours of care.⁷⁹

On the UN Rapporteur on Extreme Poverty's recent visit to the UK, he found that 25% of jobs in Wales pay below the minimum wage, and low-paid, part-time or insecure jobs are often disproportionately taken up by women, due to difficulties in balancing work and caring responsibilities.⁸⁰

⁶⁹ State of Caring 2017 Carers Wales, www.carerswales.org/stateofcaring

⁷⁰ Fawcett Society (2013) Benefits. <http://www.fawcettsociety.org.uk/2013/02/benefits/>

⁷¹ Chwarae Teg (2013) A Woman's Place. <http://chwaraeteg.com/a-womans-place/>

⁷² <http://www.bbc.co.uk/news/uk-wales-40265334>.

⁷³ Fathers and the workplace, Women and Equalities Committee, House of Commons, 2018

⁷⁴ Ibid

⁷⁴ State of Caring 2014, Carers Wales

⁷⁵ Young women carers, especially those providing 50 hours or more of unpaid care, are less likely to participate in further and higher education than non-carers: NUS (undated) Learning with care – experiences of student carers in the UK. National Union of Students.

⁷⁶ Family and Childcare Trust (2015) [Childcare costs survey 2015](#)

⁷⁷ Employers for Carers and Carers UK (2015) Caring and isolation in the workplace

⁷⁸ Gender Pay Gap, Second report of session 2015-16, Women and Equalities Committee, House of Commons.

⁷⁹ <https://www.familyandchildcaretrust.org/file/3479/download?token=mnu16-9Y>

⁸⁰ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881&LangID=E>

Recommendations:

- Welsh and UK Governments must act to increase the uptake of shared parental leave and promote the importance of responsible fatherhood and shared family responsibility
- Welsh & UK Governments must invest in care work that does not rely on the unpaid care work of women and legislate for workers to have 5-10 days paid care leave entitlement a year
- Welsh Government must address the price of childcare as a barrier to women returning to work, offering childcare from aged six months, and ensuring that the needs of self-employed, unemployed, single parents, and parents of disabled children are met
- Welsh Government must provide financial incentives for childcare providers to deliver for disabled children
- UK Government must tackle pregnancy and maternity discrimination by offering greater protections that extent to both women and men

Article 12: Health

With an ageing population, there will be increased demand for care. Public Health Wales estimates there will be 184,000 people in Wales aged 85 or over by 2036, an increase of 145% since 2011.⁸¹ There is a stark inequality in many different aspects of healthcare in Wales. Disabled women living in Wales do not have equal access to health care and disabled people are more likely to die younger, and experience health inequalities and major health conditions than other people.⁸²

The United Nations' Convention on the Rights of Disabled People Committee noted that in the UK, disabled women and girls faced multiple barriers when accessing sexual and reproductive health services, with a lack of accessible information.⁸³

Recent research conducted by Stonewall⁸⁴ indicated that 51% of trans people living in Wales (41% across the UK) found that healthcare staff lacked understanding of specific trans health needs when accessing general healthcare services. In addition, 7% of trans people said they

⁸¹ BBC News, 23 August 2016

⁸² [Being Disabled in Britain: A journey less equal](#), EHRC

⁸³ Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland, Committee on the Rights of Persons with Disabilities, 2017 accessed at

http://www.disabilitywales.org/crpd_c_gbr_co_1_28817_e/

⁸⁴ <https://www.stonewall.org.uk/sites/default/files/lgbt-in-britain-trans.pdf>

have been refused care while trying to access healthcare services because they are LGBT.⁸⁵ Significantly, Wales' first transgender healthcare clinic opened to patients in October 2018 and is supported by a network of specialist GPs⁸⁶ though the clinic's Cardiff location still presents a barrier (of both cost and time) for patients living in other parts of Wales.

There are also problems with perinatal healthcare. According to a Hywel Dda Perinatal Outcomes Audit, rather than improving outcomes, the centralisation of services appears to have had a detrimental effect on perinatal and intrapartum stillbirth rates in Pembrokeshire residents and across Hywel Dda as a whole.⁸⁷

Research into the menopause found that there was inconsistency in information, advice and support for women experiencing the menopause.⁸⁸ Almost 27% of women feel that in their workplaces menopause is treated negatively and 56% feel menopause is treated as a joke.⁸⁹ Women and girls with endometriosis, with symptoms routinely dismissed as 'period pain', wait on average 7.5 years to receive a diagnosis and appropriate treatment.⁹⁰ Far more must be done to research and treat women's health problems.

Recommendations:

- Welsh Government must ensure that women who face multiple inequalities can access health services on an equal basis
- Welsh Government must increase quality research into and appropriate treatment of women's health conditions, and raise awareness so that employers can sufficiently support their staff
- Welsh Government must ensure that women are involved in decision making around the funding and designing of healthcare services so that women's health needs are recognised and better understood

⁸⁵ <https://www.stonewall.org.uk/sites/default/files/lgbt-in-britain-trans.pdf>

⁸⁶ <https://gov.wales/newsroom/health-and-social-services/2018/genderid/?lang=en>

⁸⁷ <http://thhb.co.uk/2017/05/03/hospital-services-baby-deaths/>

⁸⁸ A call to action on the menopause, 2016 WEN Wales

⁸⁹ The Menopause, A Workplace Issue, TUC, 2017

⁹⁰ NICE (2017) [Endometriosis: diagnosis and management](#)

Article 13: Economic and social life

Between 2010-15, there were £26 billion of UK welfare cuts, £22 billion worth were borne by women.⁹¹ On average, women suffer an annual loss of £940 as a result, almost double that of men.⁹² Single mothers, who make up 90% of all single parents, are predicted to face an average loss of £5,250 per year, while disabled single parents who have at least one disabled child will face average losses of £10,000 annually.⁹³

There have been issues with Universal Credit rollout in Wales, including claimants having to wait more than six weeks to receive their first payments and having to use foodbanks as a direct result.⁹⁴ Around 29% of referrals to foodbanks came because of low incomes or the length of time families had to wait for benefits.⁹⁵

The benefits cap was initially introduced as a reduction in the housing element of claimants' benefits and thus primarily affecting those living in areas of high housing costs (e.g. London). However, even where housing is cheapest (e.g. Wales) there are over 12,000 one-to-four child families affected. As the benefits are capped at the same level irrespective of the number of children, those with larger families are disproportionately affected. BME families and particularly single-household families are the hardest hit.

Welfare reforms are having dire consequences for survivors of VAWG and are controlling low-income women's reproductive rights. With one in five British adults having experienced financial abuse,⁹⁶ and despite the UK Government's Domestic Abuse Bill recognising economic abuse,⁹⁷ Universal Credit issued without split payments will increase the risk of economic abuse.

Changes to Child Tax Credits have limited payments to two children, with a 'rape clause' creating an exemption when a mother can 'prove' a child was conceived through rape, which is totally unacceptable. Welfare changes reduce the amount of money that a woman can access to support her family on her own and creates additional barriers to leaving abusive relationships.

⁹¹ The Fawcett Society, *Where's the Benefit? An Independent Inquiry into Women and Jobseeker's Allowance* 2015

⁹² Poorest hit hardest by tax, social security and public spending reforms, 2017, EHRC Independent report

⁹³ Ibid

⁹⁴ https://chcymru.org.uk/uploads/general/The_Experience_of_Universal_Credit_03.17.pdf

⁹⁵ <http://www.bbc.co.uk/news/uk-wales-43870934>

⁹⁶ Money Matters: Research into the extent and nature of financial abuse in the UK, Nicola Sharp-Jeffs
<http://www.refuge.org.uk/files/Money-Matters.pdf>

⁹⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772202/CCS1218158068-Web_Accessible.pdf

Recommendations:

- UK Government must immediately remove the two-child limit on child tax credit and the so-called 'rape clause' and issue Universal Credit in split payments as standard
- Welsh Government should produce an action plan to mitigate the adverse effects of welfare reform disproportionately affecting women

Article 14: Rural Girls & Women

Many aspects of rural poverty including a lack of access to services and infrequent, expensive public transport⁹⁸ have detrimental effects on women across Wales. The provision of health care has been problematic, with the possible closure of several hospitals. Rurality makes it difficult for girls/women to discretely travel to areas where sexual health services are offered.

The lack of broadband is a particularly challenging issue in rural Wales⁹⁹ which hinders women/girls in routinely and easily participating in the design and delivery of services and employment opportunities.

Recommendation:

- Welsh Government must offer targeted support to ensure rural women and girls have an equal voice in decision-making and equal access to public services through improvements to infrastructure, transport and internet connectivity to rural parts of Wales

Article 15: Equality before the law

Cuts to public expenditure over the last ten years and regressive moves at UK Government level around access to redress mechanisms via legal aid (Legal Aid, Sentencing and Punishment of Offenders Act, (LASPO) 2015) have significantly impacted on women and girls.¹⁰⁰ There is an urgent need to re-examine the provision and access to legal aid for women, especially those who face intersectional discriminations and those with multiple needs.

⁹⁸ <http://ppi.w.org.uk/files/2016/06/An-introduction-to-Rural-Poverty.pdf>

⁹⁹ <http://www.bbc.co.uk/news/uk-wales-politics-42808272>

¹⁰⁰ <https://rightsofwomen.org.uk/wp-content/uploads/2014/10/Evidence-to-the-Justice-Select-Committee-on-the-impact-of-changes-to.pdf>

The family justice system¹⁰¹ is the public service most negatively experienced by survivors of domestic and sexual abuse.¹⁰² Lack of access to legal aid has led to many survivors being cross-examined by their perpetrators in Family Courts, who use the criminal justice system as an instrument for continued abuse. This cross-examination practice is prohibited in the UK Government's current Domestic Abuse Bill.¹⁰³ There needs to be a review of legal aid criteria. It is imperative that all survivors of VAWG have access to justice and that specialist VAWG services are sustainably funded to support survivors.¹⁰⁴

Recommendation:

- UK Government must ensure that all VAWG survivors have adequate access to legal aid and that domestic abuse survivors are supported through the Civil and Family Courts and that perpetrators can not use the criminal justice system as a means of continued abuse

Article 16: Marriage and family life

Many women in Wales are having their access to abortion artificially delayed, due to the requirement to see two GPs before having an abortion, and many are paying £600 to access timely gynaecological services via private clinics,¹⁰⁵ due to public health service delays, which themselves can lead to the need for surgical abortions because it becomes too late for medical termination.

In Wales, 77.8% of abortions are medical rather than surgical procedures.¹⁰⁶ Unlike England, Welsh Government has made changes to allow women in Wales to take the second medical abortion pill at home, which is welcomed.¹⁰⁷ Access to abortion requires further financial investment across Wales, so that all women can receive excellent and time-appropriate support.

Following the Republic of Ireland's abortion referendum in 2018, it is imperative that the UK Government relaxes abortion laws in Northern Ireland, rather than merely relying on

¹⁰¹ This included problems with legal aid, Cafcass, social workers, contact centres and family courts.

¹⁰² http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/Are_you_listening_and_am_I_being_heard_FINAL_July_2016.pdf

¹⁰³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772202/CCS1218158068-Web_Accessible.pdf

¹⁰⁴ <https://www.womensaid.org.uk/womens-aid-responds-mojis-changes-legal-aid-rules-survivors-domestic-abuse/>

¹⁰⁵ As stated by Assembly Member Jenny Rathbone in the Senedd on 16th January 2018, <http://record.assembly.wales/Plenary/4896/>; <https://www.pharmaceutical-journal.com/news-and-analysis/news-in-brief/wales-updates-guidance-on-medical-abortion-at-home/20205096.article?firstPass=false>

¹⁰⁶ <http://www.bbc.co.uk/news/uk-wales-politics-43803251>

¹⁰⁷ <https://www.bbc.co.uk/news/uk-wales-44643459>

Welsh,¹⁰⁸ Scottish,¹⁰⁹ and English¹¹⁰ NHS services offering free abortion services in their hospitals to Northern Irish women.

Recommendations:

- Following the Republic of Ireland referendum, the UK Government must relax abortion rights for women in Northern Ireland
- Welsh Government must improve health services for women in Wales to access abortions

Violence Against Women and Girls (VAWG)

The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (VAWDASV)¹¹¹ provides the framework for a strategic and co-ordinated approach to ending VAWG. Delivery has been slow – post-legislative scrutiny of the Act raised concerns over the continued inconsistency of implementation, and the detailed actions and timescales in the delivery plan.¹¹² In addition, there is a need to encompass all the offences as enunciated in the ‘Istanbul Convention’, including non-state torture, stalking and crimes against migrant women.¹¹³

Research found that disabled women are more likely to experience domestic violence, sexual assault and emotional abuse than non-disabled women.¹¹⁴ In 2017/18, 12,166 survivors of abuse were supported by specialist services in Wales, of whom only 12% identified as disabled.¹¹⁵ 431 survivors of domestic abuse in Wales could not be accommodated because of lack of resources and capacity.¹¹⁶ There has also been a 14% year-on-year increase of the number of children and young people supported in refuge-based support.¹¹⁷

¹⁰⁸ <https://gov.wales/newsroom/health-and-social-services/2018/niterm/?lang=en>

¹⁰⁹ <https://news.gov.scot/news/nhs-abortion-services-for-ni-women>

¹¹⁰ <https://www.gov.uk/government/news/central-booking-system-for-ni-women-seeking-an-abortion-in-england>

¹¹¹ In line with the Welsh legislation, violence against women, domestic abuse and sexual violence, and the acronym VAWDASV is used to cover all forms of violence against women.

¹¹² Equality, Local Government and Communities Committee (2016) [Is the Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015 working?](#) Chwarae Teg (2018) <https://www.cteg.org.uk/wp-content/uploads/2018/07/final-Rapid-Review-of-Gender-Equality-Phase-One.pdf>

¹¹³ <https://www.coe.int/en/web/istanbul-convention/text-of-the-convention>

¹¹⁴ Welsh Women’s Aid, Disability Wales and University of Glamorgan, ‘Domestic Abuse of Disabled Women in Wales’, 2011

¹¹⁵ [Welsh Women’s Aid, State of the Sector: Building sustainable specialist services in Wales, 2018](#)

¹¹⁶ Ibid

¹¹⁷ This amounts to around 266 children and young people every 3 months. Ibid

It is crucial that the doors of essential support services remain open. Sustainable, long term funding must be allocated from across national and local government funding streams. There is a significant risk to the sustainability of sexual violence services, refuges and specialist services for BME women and children.¹¹⁸

VAWG crimes¹¹⁹ currently account for one in five of the UK's Criminal Prosecution Service's total caseload and more than 84% of those crimes are domestic abuse related.¹²⁰ In 2017/18, 5,814 VAWG crimes were prosecuted in Wales (1,817 fewer than 2016-17) at a 76.5% conviction rate.¹²¹

Wales' first Female Genital Mutilation (FGM) Clinic opened in May 2018, offering support to women/girls affected by FGM. School holiday campaigns on FGM in Welsh airports helped raise awareness of the specialist support available for girls being taken out of the country for FGM procedures.

Welsh Women's Aid State of the Sector report 2018¹²² highlights significant uncertainty regarding funding for specialist services in Wales as the sector attempts to maintain year-on-year funding. The sector is facing a 'postcode lottery' dependent on whether local commissioners prioritise them, while continuing to feel the impact of accumulative funding cuts. The report also highlighted the importance of services for and by BME women, LBT women and disabled women.¹²³

Possible cuts to the Supporting People funding element of the new Housing Support Grant pot remains a grave concern. This core funding is essential to the running of support services (particularly refuges). With so many providers already operating at a loss any further cuts could be catastrophic.¹²⁴

Support services for BME women are also facing severe funding cuts and insecure futures, and the sector emphasises the need for consistency of funding for all forms of violence against women. Regional needs-assessments often fail to identify the needs of BME women¹²⁵ meaning that services that are run by and for BME women are not being appropriately commissioned at a local level.

¹¹⁸ State of the Sector report 2017, Welsh Women's Aid <http://www.welshwomensaid.org.uk/2017/12/welsh-womens-aid-state-sector-report-2017/>

¹¹⁹ <https://www.cps.gov.uk/sites/default/files/documents/publications/cps-vawg-report-2018.pdf>

¹²⁰ Ibid

¹²¹ Ibid

¹²² [Welsh Women's Aid, State of the Sector: Building sustainable specialist services in Wales, 2018](#)

¹²³ Ibid

¹²⁴ Ibid

¹²⁵ State of the Sector report 2017, Welsh Women's Aid <http://www.welshwomensaid.org.uk/2017/12/welsh-womens-aid-state-sector-report-2017/>.

Recommendations:

- UK Government must ratify the 'Istanbul Convention' without delay
- Welsh Government must commit sufficient resources to successfully implement its VAWDASV National Strategy across all departments, including delivery of the 'Istanbul Convention' in Wales.
- Welsh Government must deliver their commitment for sustainable funding for specialist VAWG services, including services by and for BME women, LBT women and disabled women.

ANNEX

Co-ordinating NGO:

[Women's Equality Network \(WEN\) Wales](#) is a membership network of over 1,300 individuals and organisations working to advance the rights of women in all spheres of Welsh life. WEN Wales aims to create a fairer society in which women live free from sexism and gender discrimination and enjoy equality in all aspects of their daily lives.

Assisted by:

The [Wales Assembly of Women \(WAW\)](#) was established in 1984 to provide evidence from Wales and to take part in activities marking the end of the UN Decade for women (1975-1985). WAW is committed to the [United Nation's Global Platform for Action](#) agreed by governments in Beijing, based on the need for Equality, Development and Peace. The objectives of WAW are the advancement of equality and human rights for the women of Wales and the promotion of equality.

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- Bawso
- Chwarae Teg
- Disability Wales
- Prof Jackie Jones, University of the West of England
- Llamau
- Oxfam Cymru
- Prof Emma Renold, Cardiff University
- Stonewall Cymru
- Wales Assembly of Women
- Welsh Women's Aid

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