

WRDA Stormont and Westminster Update –January 2021

Summary

In January 2021, there have been a number of political developments surrounding three key themes as highlighted within the [Women’s Policy Group COVID-19 Feminist Recovery Plan](https://wrda.net/wp-content/uploads/2020/07/WPG-NI-Feminist-Recovery-Plan-2020-.pdf). In addition to reflecting bills and oral questions answered in both governments, this summary also reflects written questions answered by the NI assembly and consultation responses by the Women’s Policy Group (WPG). Across all these sections, development of domestic abuse legislation including, paid leave for domestic abuse victims, was highlighted. Carers rights as well as shared parental leave also feature.

**Domestic Violence** has been a prominent agenda point in both the Northern Ireland Assembly and Westminster government. The Domestic Abuse and Family Proceedings Bill in Northern Ireland is awaiting royal assent after having passed its further consideration stage. The assembly have also just finished a consultation period on the introduction of a bill to introduce paid leave for domestic abuse victims. Similar bills and provisions, such as the entitlement to support for domestic abuse victims bill, have also been considered in Westminster.

**Economic** developments in Northern Ireland, have mainly focused on provisions to address family based economic development. Questions asked included how to mitigate the affects of the two-child benefit cap and consultations have included consideration of shared parental leave.

In terms of **health**, period poverty has again featured prominently with a consultation in the NI assembly for a new bill aimed at tackling it. In Westminster, questions have been asked about how to proceed over lack of abortion services in NI and the responsibility of Westminster and NIO to intervene.

**Stormont**

Bills- Jan 2021

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Issue | Proposed by | Stage | Comments | Links to the feminist recovery plan |
| Domestic Abuse and Family Proceedings Bill | Naomi Long- Minister for Justice | Awaiting Royal Assent | The Bill creates a course of conduct offence and sentencing aggravation concerning domestic abuse. It makes rules as to procedure for giving evidence in criminal cases involving domestic abuse; and prevents cross-examination in person of certain witnesses in family proceedings in the civil courts.  The Bill is currently awaiting Royal Assent which is due to be received in March.  As a result of amendments introduced at Consideration Stage and refined at Further Consideration Stage, the Bill will provide protection for victims of domestic abuse who need legal representation in family law cases in the courts. The provisions for legal aid within the Bill have added to and complement the existing legal aid provisions and support is due to be delivered in a way that ensures that it cannot readily be misused to perpetuate abuse.  Provisions on training, reporting and independent oversight of the new offence as well as associated guidance have been adopted into the Bill. Effectiveness of the Bill depends upon training and awareness of, the new legislation and how it can be applied.  The Bill provides for protective measures for victims, allowing domestic abuse notices and orders to be brought forward through secondary legislation if required.  The legislation prevents perpetrators of domestic abuse directly cross-examining their victims in criminal and family proceedings and ensures that special measures are available to them. It will enhance the protection available to victims who are giving evidence in other civil proceedings. Collectively, those provisions will give greater protection to victims in court proceedings across the criminal and civil jurisdictions. | Incidences of domestic abuse have been exacerbated during the COVID-19 pandemic.  There was already insufficient support for women and families suffering domestic abuse, therefore the creation of the bill offers provisions etc. to address the issue.  Recommendations from the WPG in relation to the bill can be viewed in Pillar 4 of the Feminist Recovery Plan.  The WPG evidence submission to the Justice Committee can be viewed [here](https://wrda.net/wp-content/uploads/2020/06/WPG-NI-Evidence-Submission-to-Justice-Committee-05.06.20.pdf).  All amendments and progress on the bill can be viewed [here](http://www.niassembly.gov.uk/assembly-business/legislation/2017-2022-mandate/primary-legislation---bills-2017---2022-mandate/domestic-abuse-bill/). |

Non-Executive Bills

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Issue | Proposed by | Stage (as of 3rd  Jan) | Comments | Link to Feminist Recovery Plan |
| Carers Bill | Mervyn Storey MLA | Consultation period | The Bill aims sets out to ensure that the rights of Carers in Northern Ireland are on a level footing with those in England, Scotland, and Wales. This includes updating legislation, by introducing: a statutory duty on Health and Social Care Trusts to identify carers; a statutory duty on Trusts to provide assessments to all Carers who wish to avail of one; and a statutory duty on Trusts to deliver on action plans resulting from those Carer assessments.  The deadline for the consultation period is the 7th of March. | Women represent a significant number of NI’s carers.  [Link](https://www.surveymonkey.co.uk/r/JD3HCKN) to the consultation survey and more information. |
| Abolition of Hospital Car Parking Charges Bill | Fra McCann MLA | Consultation period | The Bill aims to abolish all car-parking charges in public hospitals across Northern Ireland.  The deadline for the consultation period is the 8th of March. | Women make up a significant proportion of health and social care workers affected daily by these charges.  [Link](https://www.surveymonkey.co.uk/r/HX6SCDB) to the consultation survey and more information. |

Questions asked- tabled during Jan 2021.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Issue | Date | Asked by: | Notes | Link to Feminist Recovery Plan |
| Two-child benefit cap | 19/01/21 | Paula Bradshaw, MLA (APNI-South Belfast)  To Deidre Hargey, minister for Communities | The question:  ‘Will here will be any measures in the revised welfare mitigations to prevent the continued application of the two- child limit?”  The answer:  The New Decade, New Approach deal committed to a review of future welfare mitigation measures. Hargey is finalising proposals for the review, I can confirm that mitigation of the two-child policy will be considered.  On the social strategies — the child poverty and anti-poverty strategies —group of academics and experts have been engaged. We are engaging in a co-design panel with people who represent and have a voice in dealing with those issues. Recommendations for the next stages of the policy will be brought forward by December, subject to Executive approval. | Benefits caps such as the two-child limit trap women and families in poverty.  Recommendations on tackling the economic effect of COVID 19 on women can be read under pillar 1 of the Feminist Recovery Plan.  Full statement from Hargey can be viewed [here.](http://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2021-01-19&docID=321622#AQO%201423/17-22) |
| Domestic abuse and family proceedings bill | 18/01/21 | Sinéad Bradley  (SDLP - South Down)  To  Naomi Long,  Minister for Justice | The Question:  “To ask for an update on any legal advice she has sought from Senior Council regarding the possible repercussive effects of the Domestic Abuse and Family Proceedings Bill.”  The Department instructed senior counsel seeking advice on the possible repercussive effects of the legal aid provisions in the Domestic Abuse and Family Proceedings Bill. The advice received is under consideration in the Department. It will inform the development of an economic appraisal of the provisions of the Bill. The legal advice to the Department is protected by legal privilege. However, assurances were given that legal aid provisions will commence at the same time as we commence the rest of the Bill. | Domestic abuse affects women at alarming rates and has only increased with the pandemic. Suitable legislation to tackle it would dramatically benefit women.  Full report of Long’s answer to the question can be read [here.](http://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2021-01-18&docID=321621#AQO%201391/17-22) |

Written questions to ministers.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Issue | Date | Minister | Response | Link to Feminist Recovery plan |
| Shared parental leave | 6/01/21 | Sinead McLaughlin MLAto  Conor Murphy MLA  Minister of Finance | The question:  To ask the Minister of Finance how many shared parental leave requests have been made since the introduction of the regulations; and how many have been granted,  broken down by department and agency.  The answer:  This information isn’t centrally recorded, however in total, between April 2015- Dec 2020, there were 52 recorded absences referencing shared parental leave. | Shared parental leave is essential to promoting a more equitable division of household labour. Currently women present a large proportion of unpaid carers which affects them economically. Shared parental leave shares the economic burden of care of children. |
| Data collection in relation to gender | 5/1/21 | Paula Bradshaw MLA  To  Deidre Hargey  Minister for communities | The question:  What progress is being made to address the existing gaps in gender disaggregated data, which makes it difficult to fully assess the gendered impact of COVID 19 and if progress is being made on addressing these issues.  The answer:  The department is developing a Gender Equality Strategy with input from stakeholders. Within which emerging evidence is used to address medium and long-term gendered impacts of COVID-19. As this develop, considerations will be given to the issue of gender disaggregated data. | Data collection in relation to gender is important as it helps organisations both identify inequalities but also provide evidence for issues they observe. Ultimately strengthen the case for further gendered policy. |
| Poverty | 5/01/21 | Paula Bradshaw MLA to  Deidre Hargey,  Minister for Communities | The question:  What plans are being developed to address the causes of poverty, particularly persistent poverty in order to ensure individuals, families and households can access real living income, given that initiatives such as food banks don’t provide sustainable change.  The answer:  Under New Decade, New Approach, Anti-Poverty strategy is due to be developed. The effects of COVID as well as food insecurity will be considered within this. An expert panel as well as co-design group made up of voluntary and community sector organisation is due to be established to inform this strategy. | Women as a group are particularly vulnerable to poverty. Similarly, as a significant number of single parents are women, anti-poverty strategies targeting family poverty could potentially also improve women’s economic position. |
| Women sector contributions to recovery plans | 5/01/21 | Paula Bradshaw MLA to  Deidre Hargey,  Minister for Communities | The question:  To what extent have women sector representatives been involved in discussions around pandemic recovery plans, in order to ensure women’s voices and experiences are centred in discussion and decision-making.  The answer:  Under New Decade, New Approach, a gender-strategy is being developed through co-design and co-operation with meaningful participation from stakeholders. It is vital to reach out to women and hear their experiences during the pandemic and provide an avenue to input into actions to tackle issues produced or exacerbated by the pandemic. The Gender strategy should be published by the end of 2021. | Women are being disproportionately affected by COVID-19 and need initiatives to address gendered inequalities. These can only be embedded in legislation when lawmakers engage with women sector representatives. |
| Flexible working | 12/01/21 | Sinead McLaughlin MLA  To  Diane Dobbs,  Minister for the Economy | The question:  To ask the Minister for the Economy, what plans she has to reform the flexible working regulations to ensure, that it is available to all workers as a day one right; and that the right is extended to ensure that all workers have a right to flexible working.  The answer:  There are no immediate plans to change flexible working provisions. However, the existing right for employees to request flexible working, once in any 12-month period and following a 26-week qualifying period, is the statutory minimum right. Many employers find it both in their interest to go beyond this. Long term aims are to build on existing Northern Ireland employment law with measures that will introduce better support for workers and working families. Flexible working will be considered as part of this strategic process.  The current priority remains to protect and rebuild our Economy following COVID-19. | Flexible working is a recommendation in order to aid women’s economic recovery from COVID. As high numbers of women have unpaid caring responsibilities, flexible workings aids their ability to manage competing responsibilities and ultimately aids their participation within the labour market |
| Women’s employment strategy | 5/01/21 | Sinead McLaughlin MLA  To  Deidre Hargey  Minister for Communities | The question:  Will the minister consider developing a women’s employment strategy, which would address the specific labour market inequalities faced by women, including occupational segregation, gender pay gaps, low pay and insecure work?  The answer:  Gender equality strategy will cover this. The issues covered will be cross-cutting and the department is committed to working with others to tackle them. The department is fully committed to tackling the gender pay gap. There is an issue of transfer of responsibility for this needed to be transferred from the executive office. | Women economic status in society is hugely affected by the gender pay gap which reflects their overrepresentation in part-time and insecure work as well as the effects of occupational segregation. To address these issues would promote economic equality based on gender. |
| Paid leave for carers | 12/01/21 | Sinead McLaughlin MLA  To  Diane Dodds,  Minister for the Economy | The question:  What actions are being taken to extend additional employments rights in the form of paid leave to carers?  The answer:  It is a long term aim to introduce better support for working families. Leave for carers will be considered as part of this strategic process.  Work on the Employment Law framework in NI is due to start soon as possible but has been delayed due to COVID-19.  They encourage the participation in forthcoming consultations by all interested stakeholders. Priority remains on economic recovery post-COVID. | Women represent a significant proportion of both paid and unpaid carers. Additionally, employment rights in the form of paid leave both helps their economic empowerment but also improves the valuation of care work throughout society. |
| Paid leave for domestic abuse victims | 12/01/21 | Sinead McLaughlin MLA  To  Diane Dodds,  Minister for the Economy | The question:  What actions are being taken to extend additional employment rights, in the form of paid leave, to victims of domestic abuse and violence?  The answer:  There is a growing recognition of this issue among employers.  Some employers have already implemented such provisions. Unfortunately, this is not universal and not all employers will be able or willing to meet these needs. They are awaiting the outcome of the recent GB review into support in the  workplace for survivors of domestic abuse. Northern Ireland stakeholders and Government officials from the Department for Business, Energy & Industrial Strategy contributed to this review process. This issue will form par of a fit for purpose employment law framework in NI in the longer term. | Paid leave for domestic abuse victims comprises issues related to both women’s economic and domestic equality. |
| Gendered impact of COVID. | 6/01/21 | Paula Bradshaw, MLA  To  Deidre Hargey,  Minister for Communities | The question:  What measures are being taken to address the disproportionate economic effect of COVID-19 on women and develop gender-sensitive responses.  The answer:  Alongside the Gender Equality Strategy, the department is working on a number of social inclusion strategies. As the Gender Equality strategy is developed it will include a number of provisions to mitigate the medium and long term impacts of the pandemic. The department of economy has implemented a number of financial support packages to support industries with a high density of female business owners. It is a decision by the whole executive to decide the allocation of additional funding to support those most in need and start a pathway of sustained economic recovery. | COVID-19 has significantly affected women in a variety of ways including in terms of their economic stability. In order to build comprehensive legislation a gender-sensitive strategy needs to be adapted. |
| Welfare and women | 5/01/21 | Paula Bradshaw, MLA  To  Deidre Hargey,  Minister for communities | The question:  What plans are there to apply a gendered lens to the review of welfare mitigations given the disproportional effect of these policies on women.  The answer:  The review will focus on providing support to those most in need. This will arise from considering the impact on a number of specific groups, including analysis of any disproportionate effect arising from gender. They are interested in the input of interest groups including those within a specific interest in women’s rights. | Part of enhancing women’s economic empowerment is looking at the gendered affects of policy and how they interact with other factors. |
| Public transport and women. | 6/01/21 | Paula Bradshaw, MLA  To  Nichola Mallon,  Minister for Infrastructure | The question:  In reference to securing sustainable public transport services and liveable communities vital for social inclusion and wellbeing of women and girls, and in relation to the lack of response from her Department to the women’s sector Feminist Recovery Plan, how does her Department propose to engage women and girls effectively in planning future services?  The answer:  The Department recognises the extent to which women rely on public transport in order to access services and to participate in  education, jobs and training and that, both overall and across most age groups, they are the main users of our bus and rail services. Women in rural areas and those with child  and other caring responsibilities may have particular needs in relation to public transport. The department will continue to engage with key stakeholders from the women’s sector,  during the development of any new planned public transport services. Translink will also continue to engage with young women through the Translink Youth Forum and with school age girls through the School Safety Team.  All of Translink’s surveys can be analysed on a gender basis and the organisation has specifically researched issues that have been highlighted, such as perceptions of personal security on public transport.  The Department will also seek to work with stakeholders, including from the women’s sector and young people’s groups, to identify public transport related interventions that could contribute to the Executive’s new Gender, Anti-poverty, Disability and Sexual Orientation social inclusion strategies as referenced in ‘New Decade, New Approach’. | Public transport services are essential for a range of activities including accessing work and healthcare. Engaging women in planning for services promotes equal access. |

Consultations

|  |  |  |
| --- | --- | --- |
| Issue | Women’s Policy Group response (WPG) | Link to Feminist Recovery plan |
| Period Poverty | The Women’s policy group supports the Bill in it’s aims to end period poverty. The response supports a specific obligation on schools, colleges and universities to provide free sanitary products as well as a universal sanitary proposal to ensure all those in need of these products would receive them. This includes making them available at:   * GP surgeries and health centres * community hubs * women’s refuges * homeless shelters * libraries * women’s organisations/charities * women’s centres * Sure Start offices * Foodbanks * migrant organisations * LGBTQ+ organisations and * charities/organisations that work directly with those on low incomes and in poverty.   The group agrees that the COVID-19 pandemic has made it harder to access period products. The response also supports a delivery scheme for people who are unable to leave their homes. The response also recommends the NI Assembly should adopt a co-design approach and work with women’s sector organisations, LGBTQ+ organisations, campaign groups already working on the issue such as Homeless Period Belfast,  schools, councils, local authorities, and those impacted by period poverty to ensure that the  proposals effectively meet the needs of those who need to use period products in Northern Ireland. | Access to period products is a factor contributing to overall accessibility women’s healthcare.  Link to the [Full response](https://wrda.net/wp-content/uploads/2021/01/WPG-Response_Endorsement-of-PMB-Period-Poverty-Consultation-Responses.pdf). |
| Paid leave for domestic abuse victims | The response agreed that domestic abuse victims should be entitled to paid leave as domestic abuse affects not only the ability to attend work, but also job performance, and therefore, job prospects and financial security.   * This should be enshrined in law and people should be entitled to at least 20 days of paid leave for victims/survivors of domestic abuse as a day one right. * This should be available to all categories of worker and across all work patterns, whether classified as employees or as workers, or in a part-time, full-time, temporary or permanent contract. * The leave should be available to be taken as a block or flexible with minimum administration and applicants should not have to “prove” their eligibility. * The response agrees that victims of domestic abuse face barriers to accessing support because of work and many are concerned about how seeking help may affect their financial situation. * As such paid leave could alleviate some of these concerns ultimately improving victim’s ability to access emergency and specialist support and services. This includes removing some of the barriers to victims accessing healthcare, treatments, and therapy to deal with long-terms effects of abuse. * The response notes that the number of times an employee takes paid leave for domestic abuse shouldn’t be limited. * Remuneration should be equivalent to full day pay rate. * Employees shouldn’t have a minimum period for which they have to work for an employer before being eligible. | Paid leave for domestic abuse victims comprises issues related to both women’s economic and domestic equality.  Link to the full response [here.](https://wrda.net/wp-content/uploads/2021/01/WRDA-Response-PMB-Paid-Leave-for-Victims-of-Domestic-Abuse-Jan-21.pdf) |
| Bill of Rights | The briefing recommends that a bill of rights for Northern Ireland would grant people access to both their rights and embed accountability within this right. The Bill of Rights itself should be based on concrete human rights protections which are enforceable and accessible, not merely aspirational. The bill should be intersectional in focus, based on international law, incorporate international standards such as CEDAW etc., incorporate rights contained within EU Charters of Rights, and give specific protections to women. | Incorporating specific protections into the Bill of Rights for NI promotes gendered policy and works to make the bill comprehensive in its protection of women.  Link to the full response [here.](https://wrda.net/wp-content/uploads/2021/01/Bill-of-Rights-Key-Briefing-WPG-Jan-2021.pdf) |
| Consent to serious harm for sexual gratification | The Women’s policy group is calling for a more nuanced approach, while it is essential that new legislation does remove the defence of consent in cases of death as a result of ‘rough sex gone wrong, there is a risk the proposed legislation is too far reaching in its legislation of ‘any harm for sexual gratification’ and would criminalise consenting adults. Therefore, the group is calling for the creation of a new sexual offence, separate to murder or man slaughter.  This preferable to a domestic abuse offence as it would aid fair sentencing and monitoring, prohibits the use of sexual history by the defence, the offence might not occur within an intimate relationship.  The response to the consultation emphasis that this is an opportunity for NI to have more comprehensive legislation then other jurisdictions. The need for comprehensive relationship and sex education in schools, following the measures, recommended by CEDAW as well as training for criminal justice practitioners in line with recommendations by the Gillian Review. | Women represent a significant number of victims of this specific crime and ensuring comprehensive legal protection for them is essential in promoting women’s entitlement to justice.  Link to the full consultation response can be read [here.](https://wrda.net/wp-content/uploads/2021/01/Consent-to-harm-for-sexual-gratification-not-a-defence-by-WPG.pdf) |

Westminster

Bills January 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Issue | Date | Sponsored by | Stage | Notes | Links to Feminist Recovery Plan |
| Domestic Abuse Bill | 28/1/21 | Priti Petal MP (Con),  Baroness Williams of Trafford (Con) | Committee Stage in the House of Lords. | The bill aims to establish a Domestic Abuse Commissioner; to prohibit cross-examination in person in family proceedings in certain circumstances; to make provision about certain violent or sexual offences, and offences involving other abusive behaviour, committed outside the United Kingdom; and for connected purposes. | Domestic abuse has been recognised as a prominent problem within the UK. As exacerbated by COVID new legislation to tackle all associated factors is welcomed.  The full bill can be read and it’s progress can be accessed [here.](https://services.parliament.uk/Bills/2019-21/domesticabuse.html)  This does not affect or impact NI domestic abuse and family proceedings bill. |
| Victims of Abuse (Support) Bill | 15/01/21 | Munira Wilson MP  (Lib-Dems) | Second reading | A Bill to establish a right to specialist sexual violence and abuse support services for victims of sexual, violent and domestic abuse; and for connected purposes. | Domestic abuse has been recognised as a prominent problem within the UK. As exacerbated by COVID new legislation to tackle all associated factors is welcomed.  The full Bill can be read [here.](https://bills.parliament.uk/bills/2720)  This does not affect or impact NI domestic abuse and family proceedings bill. |

Questions asked tabled during January 2021

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Issue | Date | Proposed by | Notes | Link to Feminist Recovery Plan |
| Abortion Services in Northern Ireland | 20/01/21 | Stella Creasey MP (Lab)  To  Robin Walker,  Minster of the State, NIO | The question:  “What recent assessment he has made of the adequacy of the provision of abortion services in Northern Ireland under section 9 of the Northern Ireland (Executive Formation etc) Act 201.”  Regulations have been in place to make provision for safe and lawful access to abortions since 31 March 2020. Some service provision has been available since last April, with over 719 women and girls having been able to access services locally by mid-October last year. We are disappointed that full abortion services remain to be commissioned by the Department of Health, which would be the most appropriate way to progress the matter. We continue to engage with the Minister of Health and his Department on commissioning full services.  We remain of the view that this is the most appropriate way to progress the matter. The Government continue to fund access to services in England, particularly where local access may not be available. We will consider further legislative action at Westminster at the appropriate time, should it be required. | Abortion services are essential to achieving gender equality for women in healthcare.  Read more about the impact on health and abortion services in pillar 2 of the feminist recovery plan.  Read full answer to the question [here.](https://hansard.parliament.uk/commons/2021-01-20/debates/2FC3561E-80D3-484A-AC26-CBE597CAF24C/AbortionServices) |