

Women's **Policy Group NI**

WPG NI Response to Department for Infrastructure's Spending Plans for 2023–2024 Equality Impact Assessment

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1. Introduction:

The Women's Policy Group (WPG) is a group of policy experts and practitioners who advocate collectively for women and girls by promoting gender equality through an intersectional feminist lens. We challenge systemic injustice and discrimination affecting women and girls by informing society and influencing policy and law. Our work is informed by women and girls' lived experiences and rooted in international human rights law.

The WPG is made up of women from trade unions, grassroots women's organisations, women's networks, feminist campaigning organisations, LGBTQ+ organisations, migrant groups, support service providers, NGOs, human rights and equality organisations and individuals. Over the years this important network has ensured there is good communication between politicians, policy makers and women's organisations on the ground. The WPG is endorsed as a coalition of expert voices that advocates for women in Northern Ireland on a policy level.

If you have any questions or queries about this response, or would like to discuss this evidence further with the WPG, please contact Elaine Crory, Women's Sector Lobbyist at elaine.crory@wrda.net

Please note that this response also includes evidence from other WPG work, compiled by a range of WPG members, and not all member organisations have specific policy positions on all the areas covered in this response.

2. Past Consultations Responses, Evidence Submissions and Briefings:

The WPG has published a wide range of evidence including various evidence submissions, public consultation responses and specific briefings on issues relating to the gendered impacts of budgets. For example, the following documents have been produced by the WPG and member organisations in recent years which highlight these specific impacts.

- WPG NI COVID-19 Feminist Recovery Plan (2021)¹
- WPG Letter to Secretary of State regarding budget cuts (2023)²

¹ WPG NI COVID-19 Feminist Recovery Plan (2021) Available at: <https://wrda.net/wp-content/uploads/2021/07/WPG-COVID-19-Feminist-Recovery-Plan-Relaunch-One-Year-On.pdf>

² WPG Letter to Secretary of State regarding budget cuts (2023) Available at: <https://wrda.net/wp-content/uploads/2023/05/WPG-letter-to-SoS-re-budget-cuts.pdf>

- WPG Response to DfE 10X Performance Management Framework (2022)³
- WPG Letter to Executive Ministers regarding Welfare Mitigations and Spending Cuts (2021)⁴
- WPG Briefing on Capital Investment and Investment Strategy Northern Ireland (2021)⁵
- Women's Budget Group response to Consultation on draft Programme for Government Outcomes Framework 2021
- Women's Budget Group response to Consultation on 2021-2022 Draft Budget

3. General Comments on the Department for Infrastructure's Spending Plans for 2023-2024 Equality Impact Assessment

We are acutely aware that the budget presented here, and the proposed cuts, come from a situation not of the Department's making. We are aware that this is a challenging time and that no Ministers are in place to make decisions on what is a very constrained budget imposed by the Secretary of State. With all of this said, there are serious repercussions for the people the WPG represent - primarily women in all their variance - as a consequence of these choices, and as such it is incumbent on us to highlight these.

Gender Inequality is a reality in our society and progress to address this is slow. This is at least partially because of a deeply embedded and deeply conservative approach to budgeting and policy making that insists upon a gender neutral approach. This approach again and again makes choices that disproportionately harms women but fails to recognise the gendered nature of these choices because men are also impacted - failing to recognise that the disproportionate nature of the harm is not a coincidence, not an accident, but due to a failure to take into account the reality of the gendered economy and society we live in. For example, almost all savings made by the series of policies known collectively as austerity were made at the expense of

³ WPG Response to DfE 10X Performance Management Framework (2022) Available at: <https://wrda.net/wp-content/uploads/2022/10/WPG-Response-to-DfE-10X-Performance-Management-Framework.pdf>

⁴ WPG Letter to Executive Ministers regarding Welfare Mitigations and Spending Cuts (2021) Available at: <https://wrda.net/wp-content/uploads/2021/08/WPG-Letter-to-Executive-Ministers-Welfare-Reform-Mitigations-August-2021-1.pdf>

⁵ WPG Briefing on Capital Investment and Investment Strategy Northern Ireland (2021) Available at: <https://wrda.net/wp-content/uploads/2021/02/WPG-FRP-Briefing-on-ISNI.pdf>

women and their children⁶, with lone parents suffering more than most. Policy makers know that most single parents are women, 93% in Northern Ireland.

The Gender Equality Strategy Expert Panel report⁷ highlights the harm that results from decades of gender-neutral policy making:

“A gender-neutral policy-making approach exists in Northern Ireland and has prevented progress on tackling gender-based violence and misogyny. The issue of gender neutrality acts as a significant barrier to women’s equality and major reforms are needed in order to make progress in this area.”

The CEDAW committee shares these concerns, stressing that a purely formal approach cannot achieve gender equality, equality and requires that women are given an equal start and empowered by an enabling environment to achieve good outcomes:

“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.”⁸

The purpose of an EQIA is not to encourage us to throw up our hands and despair at yet more gender inequality brought about by Government policy or economic choices, it is to ask Departments to identify differential impacts and to address them - in fact it asks Departments to identify opportunities to encourage equality of opportunity. In practice, it rarely happens.

This not only fails to assist in the work of achieving gender equality, it actively entrenches inequality. It directly contributes to a situation where women are poorer throughout their lives, have fewer opportunities in work and in society, and consistently have the barriers they face reinforced by government.

⁶ Women’s Budget Group, The Impact of Austerity on Women in the UK, available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Development/IEDebt/WomenAusterity/WBG.pdf>

⁷ [1] Gender Equality Strategy, Expert Advisory Panel Report, December 2020

[Gender Equality Strategy \(communities-ni.gov.uk\)](https://communities-ni.gov.uk/government/uploads/system/uploads/attachment_data/file/614441/Gender_Equality_Strategy.pdf)

⁸ 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_3733_E.pdf

The Department for Infrastructure, more than almost any other Department, plays a key role in the lives of rural women. We know that rural women are more likely to rely on Community Transport to access work and education, and we know that women are less likely than men in Northern Ireland to hold a driver's license, and to have access to a car when a household owns only one car.

“Women are much less likely to have access to their own private transport than men. This means that women depend much more on public transport, and are at an economic disadvantage to men. The accessibility of education, training, work and childcare provision and the cost of public transport are factors in determining women's participation, especially in rural areas. The economic disadvantages of lack of access to transport are compounded by the impeded ability to access basic services and social isolation. Feedback from NIRWN members clearly indicates that transport provision varies greatly across the region depending upon where you live, and often provision is linked to the school terms, resulting in no service during holidays.”⁹

This impact will be compounded for rural women who face intersecting barriers, including women with disabilities. Rural women deserve the same opportunities as women living in cities and large towns, and the rollback of these services erects new barriers in an already challenging situation. The purpose of an EQIA is to identify these impacts and then to address them. The first part has been done here, but the latter has not.

It is important to acknowledge that the current budget process is particularly abnormal, and we understand that the budget allocations delivered by the Secretary of State are not only highly restrictive but put undue pressure on officials to make decisions they should not have to make. The abnormality of this budget cycle also means that planning procedures that occur during a typical budget process have not taken place. Without the fulfilment of these procedures, the equality screening and impact assessment consultation comes too late in the process and is inadequate for full consideration of the impact of these spending decisions on women.

Gender Budgeting requires government departments to analyse the different impact of a budget on people of different genders, starting as early in the budget cycle as possible. The aim of gender budgeting is to ensure that the distribution of resources creates more gender equal outcomes. Over time, gender analysis should become embedded at all stages of the budget process. Women's intersecting identities are also included in this analysis and policy-makers are expected to promote these areas of equality as well. There is widespread political support for

⁹ Northern Ireland Rural Women's Network, Rural Women's Manifesto, <https://www.nirwn.org/wp-content/uploads/2016/12/NIRWN-Rural-Womens-Manifesto.pdf> p.2

gender budgeting in Northern Ireland and a growing evidence base that it can help create a more equal society. In the current budget crisis women will experience particular disadvantages due to the pre-existing socio-economic conditions. For example, there is strong evidence that women have suffered disproportionately from over a decade of Westminster austerity measures, the pandemic, and the cost-of-living crisis¹⁰. We cannot afford to continue making decisions at the expense of women and risk further degradations to gender equality and additional intersecting equalities as well.

Not only is there an immediate need for gender budgeting in our current crisis, but the benefits would help to improve the budgetary process. Gender budgeting is good budgeting; it encourages greater transparency of government processes, more in-depth assessments of how policies and budgets affect constituents and closer cooperation between governmental and non-governmental stakeholders. It encourages a more targeted approach to the spending of public money, which will improve policy outcomes. Implementing gender budgeting mechanisms would provide decision-makers with the tools to recognise and mitigate gendered economic impacts and promote gender equality. Whilst political crises that affect budget processes are outside the control of departmental officials, strategically embedding gender budgeting measures will create a firewall to prevent such disproportionate disadvantages in future.

We recognise that the current equality screening and impact assessment duties under Section 75 provide policy infrastructure that could be used to progress gender budgeting. The EQIA process allows space to identify budget impacts on women and opportunities to promote more gender equal outcomes. However, too often the analysis included in these documents focuses only on equal treatment or stops at the point of acknowledging pre-existing inequalities. For gender budgeting to be fully implemented, the next stage must be to reformulate budgets and budgetary policy with targeted measures to improve outcomes for women and girls. Additionally, Section 75 screening and impact assessment typically takes place at the very end of the budget planning process or after the budget has been finalised. The OECD¹¹ highlights that best practice for gender budgeting is to embed it at all levels of policy- and budget-making: planning, formulation, approval, implementation,

¹⁰ MacDonald, E.M. (2018) The gendered impact of austerity: Cuts are widening the poverty gap between women and men. British Politics and Policy at LSE. <https://blogs.lse.ac.uk/politicsandpolicy/gendered-impacts-of-austerity-cuts/>

Charlton, E. (2023) This is Why Women are Bearing the Brunt of the Cost of Living Crisis According to Research. World Economic Forum. <https://www.weforum.org/agenda/2023/01/cost-of-living-crisis-women-gender-gap/>

¹¹ OECD (2023), OECD Best Practices for Gender Budgeting, *OECD Journal on Budgeting*, vol. 23/1, <https://doi.org/10.1787/9574ed6f-en>.

monitoring and reformulation. It is crucial that gender equality obligations are not a 'tick-box exercise,' but rather that gender equality is mainstreamed in every area of the budgetary process through gender analysis of data supported by experts from civil society.

4. Response to Consultation Questions

This section of our response will provide specific responses to each of the EQIA Consultation questions.

1. Are there any data needs or issues in relation to any of the Section 75 equality categories that have not been identified in Section 5 and 6 of the EQIA consultation document? If so, what are they? Please provide details?

There is no Rural Needs Impact Assessment on this budget, which is an unacceptable oversight.

The lack of a Rural Needs Impact Assessment (RNIA) is noticeable throughout; many of the proposed decisions, including the cuts to Community Transport will have additional impacts on women in rural communities, who are furthest from help and who research shows struggle more than urban women to leave domestic abuse situations, for instance¹².

In addition, proposed cuts such as increasing the age for the over-60s SmartPass to age 65 and the possibility of turning off streetlights both have a disproportionate impact on women; streetlights are essential safety features, particularly in the winter months and particularly in the context of endemic violence against women and girls. The proposed move to raise the age for SmartPass eligibility will, again, impact on women more than men due to the fact that women are more likely to rely on public transport, and indeed the fact that women face greater rates of deprivation, including pension poverty, than men¹³.

Also absent is the use of gender disaggregated data, and where this is acknowledged it is not framed as evidence of an inequality that must be mitigated, simply as a fact. As aware as we are of budgetary pressures, this is not sufficient and does not fulfil the purpose of an EQIA.

¹² Women's Policy Group NI, Response to the Draft Domestic and Sexual Abuse Strategy, 2023, <https://wrda.net/wp-content/uploads/2023/05/WPG-Response-to-DSA-Strategy-.pdf> p.33

¹³ Women's Budget Group, Pensions and Gender, 2021, https://wbg.org.uk/wp-content/uploads/2021/10/Pensions_-_Autumn-2021-pre-Budget-Briefing.pdf

No attempt has been made an intersectional analysis, leading to apparently contradictory conclusions; while the data signifies and the document notes that women are more likely to use public transport to take multiple short journeys, perhaps due to caring responsibilities, it later notes no impact on people with dependents. This example illustrates clearly the need for a thorough intersectional lens that treats people as whole individuals in all their complexity; many people with dependents are women, many disabled people are women, and when understood in this way we can see that if a decision impacts two or more groups it follows that there are many individuals who will be hit twice (or more) by the same choice. This should raise warning signals to re-examine the decision for its impact on the most vulnerable.

As a whole, evidence is listed and noted, but no statistical data is drawn out from the list of sources to explain or account for how certain choices were made and certain programmes will be cut, delayed or reduced. This is an essential part of the process and must be accounted for. In this document we see the statistics used and referenced, but not a path as to how these statistical realities were considered in the choices made. If anything it is clear to us that these adverse impacts on marginalised groups should be a reason not to make cuts in certain areas, but this does not seem to have been considered.

2. Are there any adverse impacts in relation to any of the Section 75 equality groups that have not been identified in section 6 of the EQIA Consultation document? If so, what are they?

Yes; as stated in response to Question 1, some of the proposed changes that may yet be open to public consultation will have enormous disproportionate impact on women, notably raising the eligibility age for the SmartPass and additionally the proposal to turn off street lights, which is alarming in the extreme in terms of women's safety in public; we actually need more and better street lighting.

There are also places where some impacts have been correctly identified but the implications are not extrapolated. Again as stated in response to Question 1, no attempt has been made an intersectional analysis, leading to apparently contradictory conclusions; while the data signifies and the document notes that women are more likely to use public transport to take multiple short journeys, perhaps due to caring responsibilities, it later notes no impact on people with dependents. There is robust data to indicate that impact, as recognised by the Department for Infrastructure itself, but the approach taken has been too narrow and prescriptive to correctly identify it. This needs to be rectified.

This example illustrates clearly the need for a thorough intersectional lens that treats people as whole individuals in all their complexity; many people with dependents are women, many disabled people are women, and when understood in this way we can see that if a decision impacts two or more groups it follows that there are many individuals who will be hit twice (or more) by the same choice. This should raise warning signals to re-examine the decision for its impact on the most vulnerable.

The EQIA process is meant to do more than identify impacts on section 75 groups, it imposes a duty on every Department to then mitigate these impacts - indeed it does further and asks that Departments identify opportunities to promote equality of opportunities for Section 75 groups. In this regard the EQIA has failed to do so and has offered no mitigations for the inequalities that women, disabled people and especially disabled women will face.

3. Please state what action you think could be taken to reduce or eliminate any adverse impacts in seeking to manage the Department's resource budget?

We recommend that the Department for Infrastructure approach the budgetary process with the focus on the ringfencing of parts of their work that protect the most vulnerable. Mindful that the portfolio of the Department is overwhelmingly on the hardware that makes Northern Ireland work, it is still essential to interrogate the impacts that choices made with regards to the provision of essential infrastructure will have on the humans and communities that it is designed to serve.

In addition, EQIAs are only as useful as the information contained within them. To accurately answer this question fully we would need a line by line breakdown of the department's budget so that we could indicate where savings could be made in places other than the proposed choices. In addition, this process should feed into meaningful engagement, the choices proposed here must not be a *fait accompli* but presented in the context of other options; costed and explained. Otherwise it is nearly impossible for civil society or affected individuals to be in a position to defend spend and suggest meaningful alternatives.

The lack of a Rural Needs Impact Assessment (RNIA) is noticeable throughout; many of the proposed decisions, including the reduction of Community Transport, will have a particular impact on rural women. Also absent is the use of gender disaggregated data, and where this is acknowledged it is not framed as evidence of an inequality that must be mitigated, simply as a fact. As aware as we are of budgetary pressures, this is not sufficient and does not fulfil the purpose of an EQIA.

In the context of the draft EqIA, it is essential to note that Northern Ireland is bound by the international human rights obligations of the UK, as State Party to all key human rights conventions, including the Convention on the Elimination of All Forms

of Discrimination against Women (CEDAW). Progressive realisation of rights is a key principle of the international human rights framework, in recognition that implementation is affected by many factors including resourcing; however, this incorporates a complementary principle that existing rights cannot be rolled back or weakened.¹⁴ This is vital in the context of budget cuts, as the impact may affect the ability of some rights holders to enjoy and exercise their rights, and therefore must be assessed with alternatives and relevant mitigating action considered. The relevant guidance to the UK in this regard is provided through recommendations from UN monitoring bodies for each of the nine core frameworks, which set out actions for the UK to strengthen realisation of rights for all.

The full set of recommendations for Northern Ireland and the UK from UN monitoring bodies is extensive, ranging from over 300 recommendations from the Universal Periodic Review in 2022¹⁵ to forthcoming Concluding Observations on the UN Convention on the Rights of the Child, for which the UK was examined in May 2023.¹⁶ With regard to women and gender equality, it is relevant to note that the most recent Concluding Observations for the UK express concern that protections for women in Northern Ireland are falling behind those of women elsewhere in the UK, and a key recommendation is ‘to put protections in Northern Ireland on an equal footing with those in England, Scotland and Wales’.¹⁷ The CEDAW Concluding Observations also urge for full implementation of the recommendations of the Inquiry into abortion legislation in Northern Ireland¹⁸ and implementation of the women, peace and security agenda.

The likely impact of proposed cuts, across Departments, is to reduce realisation of rights set out in CEDAW, in particular in relation to women’s economic independence and safety from violence and domestic abuse. This will further widen the gap between Northern Ireland and other devolved administrations in the UK, serving to deepen disadvantage of women and girls in Northern Ireland.

¹⁴ See [International Covenant on Economic, Social and Cultural Rights](#) for a discussion of both principles

¹⁵ Human Rights Council (January 2023) [Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland](#)

¹⁶ UN Office of the High Commissioner on Human Rights press release 19 May 2023 ‘[Experts of the Committee on the Rights of the Child Note Progress in Addressing the Age of Marriage in the United Kingdom, Ask about High Poverty Rates among Families with Children with Disabilities and the Proposed Illegal Migration Bill](#)’

¹⁷ CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

¹⁸ CEDAW Committee (February 2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

4. Are there any other comments you would like to make in regard to the consultation process generally?

As stated above we are acutely aware that these difficult decisions are made against a backdrop not of DfI's making and we are aware that these are not choices that are freely made, as such.

With that said, the purpose of EQIAs in general is that the Department is obliged to consider impacts on protected groups. These Section 75 groups are listed in the first place because they are the groups most likely to be adversely impacted by taking an approach that does not include outliers. The purpose is not merely to identify disproportionate impacts but to actively mitigate against them and ideally to seek opportunities to promote equality for these groups.

Over time and in practice, we recognise that this is not always the approach taken by government departments, who are obliged to take part in this process but do not always do so effectively. As such, many EQIAs list no adverse impacts when data gathered and experience lived by individuals and the organisations that represent them indicate the opposite. To its credit, this EQIA identifies multiple adverse impacts, although not all that we anticipate, but does not take an intersectional approach to these impacts, and this is reflected in the fact that some of the impacts are missed. The next part of the duty is to seek to mitigate these, and this is where this process fails.

In addition, EQIAs are only as useful as the information contained within them. To accurately answer question 3 above we would need a line by line breakdown of the department's budget so that we could indicate where savings could be made in places other than the proposed choices. In addition, this process should feed into meaningful engagement, the choices proposed here must not be a *fait accompli* but presented in the context of other options; costed and explained. Otherwise it is nearly impossible for civil society or affected individuals to be in a position to defend spend and suggest meaningful alternatives.

Adding to the challenges in responding to this consultation is the absence of a Rural Needs Impact Assessment (RNIA) which would provide a richer picture of the potential impacts of this budget. Alongside an intersectional approach, a RNIA would provide a fuller picture of the layering of impacts for some parts of society. The advantages of an intersectional approach is that it recognises the fundamental truth that no person is merely one thing, and that if a budget or policy disproportionately harms women, disabled people, people living in rural communities, and people with dependents, then it will vastly disproportionately impact women with disabilities and dependents who live in rural communities. This enormous impact should prioritise action to mitigate as many of those impacts as possible.

Further, the timescale for responses to these EQIAs is insufficient. Approaching a sector that is already working on a shoestring, standing in the gaps created by more than a decade of austerity and facing further cuts, and requesting a meaningful response in a short window of time is thoroughly unhelpful.

The Department for Infrastructure plays a key role in connecting rural women to the communities they live in. Public transport is essential to connecting women to public life; to jobs, to educational opportunities and to their families. The choices presented in this budget will sever many of these essential links and harm women's lives in real ways.

ENDS

For any questions or queries relating to this submission, please contact:

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