

Women's **Policy Group NI**

WPG NI Response to Department for Infrastructure Consultation on Concessionary Fares

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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

This response was prepared by the following WPG members:

- Elaine Crory – Women's Resource and Development Agency
- Aoife Mallon - Women's Resource and Development Agency
- Rebekah Corbett - Unison NI
- Alex Brennan - NI Women's Budget Group
- Jenna Monaghan - Women's Platform
- Úna Boyd - CAJ

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.

1.1 Endorsements

The WPG would like to endorse the response submitted to this call for evidence by Unison NI, Disability Action NI, the Women's Regional Consortium and the Community Transport Association.

2. Past Consultations Responses, Evidence Submissions and Briefings

Several members of the Women's Policy Group have been campaigning on matters relating to Concessionary Fares, public transport and issues facing women living rurally, such as transport issues for many years. Previous consultation responses made by the WPG and some of our members, in relation to some of the issues covered in this consultation, include:

- WPG Response to DfI Spending Plans 2023-2024 EQIA Available [here](#).¹
- WPG Response to DfE Circular Economy Strategy Available [here](#).²
- WPG Response to DAERA Climate Change Bill Available [here](#).³
- Women’s Regional Consortium (WRC) Response to DfC Spending Plans 2023-2024 EQIA Available [here](#).⁴
- WRC Response to Westminster Department for Work and Pensions Consultation on ‘Shaping future support: The Health and Disability Green Paper’ Available [here](#).⁵

2.1. Content from previous WPG Response to DfI Spending Plans EQIA

In our response to DfI’s Spending Plans EQIA, we highlighted the following information in relation to women and public transport:

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.

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...

In addition, proposed cuts such as increasing the age for the over-60s SmartPass to age 65 and the possibility of turning off street lights 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 men.⁶

Further, the Northern Ireland Rural Women’s Network emphasised this point by stating that:

“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

¹ WPG NI (2023) WPG NI Response to DfI Spending Plans 2023-2024 EQIA. Available at: <https://wrda.net/wp-content/uploads/2023/06/DfI-Budget-EQIA-23-24.pdf>

² WPG NI (2023) Response to DfE Circular Economy Strategy. Available at: <https://wrda.net/wp-content/uploads/2023/03/WPG-Response-to-Circular-Economy-Consultation-final.pdf>

³ WPG NI (2021) Response to DAERA Climate Change Bill. Available at: <https://wrda.net/wp-content/uploads/2021/07/Womens-Policy-Group-Evidence-Submission-on-Climate-Change-Bill-6th-July-2021.pdf>

⁴ WRC (2023) Response to DfC Budget 2023-2024 EQIA. Available at: <https://www.womensregionalconsortiumni.org.uk/wp-content/uploads/2023/06/Womens-Regional-Consortium-Response-to-DfC-Budget-2023-24-EQIA.pdf>

⁵ WRC (2021) Response to Westminster Department for Work and Pensions Consultation on Shaping future support: The Health and Disability Green Paper. Available at: <https://www.womensregionalconsortiumni.org.uk/wp-content/uploads/2021/10/Womens-Regional-Consortium-Response-to-Shaping-Future-Support-DWP.pdf>

⁶ Women’s Budget Group, Pensions and Gender, 2021, [https://wbg.org.uk/wp-content/uploads/2021/10/Pensions -Autumn-2021-pre-Budget-Briefing.pdf](https://wbg.org.uk/wp-content/uploads/2021/10/Pensions-Autumn-2021-pre-Budget-Briefing.pdf)

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."⁷

3. WPG Feminist Recovery Plan

3.1. Overview of WPG Feminist Recovery Plan

The WPG NI COVID-19 Feminist Recovery Plan⁸ highlights the disproportionate impact of the pandemic on women and makes several recommendations for addressing this impact. The Plan also provides detailed evidence of pre-existing gender inequalities in our society, which have become exacerbated as a result of the pandemic. The Plan covers a wide range of topics, including violence against women, health inequalities and women's poverty, within six main Pillars: Economic Justice, Health, Social Justice, Culture, Brexit, Human Rights and a Bill of Rights, and International Best Practice.

The WPG published a COVID-19 Feminist Recovery Plan in July 2020 (and a relaunched version in July 2021) that provided a comprehensive roadmap on how the NI Executive could not only address the disproportionate impact of COVID-19 on women, but also address the structural inequalities existed before the pandemic that led to such a disproportionate impact on women. A summary of recommendations from the Relaunched WPG Feminist Recovery Plan can be accessed [here](#). We would like to reiterate our recommendations in relation to the gendered impacts of accessible public transport provision.

3.2. Content from WPG Feminist Recovery Plan

Gender inequality is amplified for women in rural areas due to Access Poverty. The accessibility of education, training, work and childcare provision and the cost and availability of public transport are factors in determining women's participation; particularly in rural areas⁹.

Recommendations from the WBG and WEN, which we have applied to Northern Ireland, include: Investment in (social) infrastructure:

- Co-designing social infrastructure at a local level with the needs of women taken into account,
- Taking the differing transport needs of women with caring responsibilities into account when creating transport plans; particularly given issues in Northern Ireland of inadequate rural public transport and the fact that women are more likely to rely on public transport.

⁷ 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

⁸ WPG NI (2021) WPG COVID-19 Feminist Recovery Plan: Relaunch - One Year On. Available here: <https://wrda.net/wp-content/uploads/2021/07/WPG-COVID-19-Feminist-Recovery-Plan-Relaunch-One-Year-On.pdf>

⁹ Rural Women's Manifesto Rural Women Speak NIRWN June 2015

4. General Comments on the Concessionary Fares Scheme Consultation

The Women's Policy Group welcomes the opportunity to respond to this Consultation by the Department of Infrastructure relating to Concessionary Fares. We would like to use this opportunity to stress the importance and value of the SmartPass schemes to people over the age of 60, particularly women who are more likely to rely on public transport and more specifically, rural women who already face barriers to full and equal participation in society as a result of access poverty and its related issues.

We are aware that every effort is being made to analyse and understand the impacts and are appreciative of the opportunity to present our case below. There will be significant Equality Impacts associated with this scheme and given the widespread cuts across every government Department, we expect that the full picture will be damning. We have explored this in more detail and set out our suggestion for an alternative approach in response to Question 42 below.

4.1 The Benefits of Concessionary Fares

There are considerable benefits associated with accessing the various SmartPass schemes that make up the Concessionary Fares Scheme as a whole, and it is important that these are kept in the foreground as we proceed with the survey questions below.

In a 2019 survey conducted by DfI,¹⁰ recipients of the Over-60s and Over 65s SmartPass said that the Pass enabled them to be more active (86%), afford more when public transport is cheaper/free (86%), make more social visits (85%), and be less reliant on friends and family for transport (84%). This research also showed that respondents used their SmartPass to travel for shopping trips (67%), social visits (67%), and to attend hospital appointments or visits (58%).

This data alone justifies the need for the Pass; it enables a socially connected life and greater independence for those people who may be reaching the end of their working life, mitigating against loneliness, isolation, and poor health. As we face into a continuing and deepening Cost-of-Living crisis, this data is even more relevant; for many people the cost of public transport was a factor and the means to travel without worrying about cost was important; we know that many will not be able to make some journeys that they may previously have made.

At the beginning of the consultation, the Department outlined the numerous social, economic, environmental and public health benefits to providing free public transport to those over 60 and those with qualifying disabilities. This has a particular positive impact on gender equality in Northern Ireland. The Department noted that, "...people are more likely to take up the concessionary travel pass if they are in lower income households, have no access to cars, live in urban areas or generally live near better transport". While this is based on English data, we know that it is a similar situation in Northern Ireland.

The wider community benefit such as, "*enabling older and disabled people to volunteer, stay involved in church or charity work, help with childcare, or visit friends and family,*" is immense and again, facilitates older people and people with disabilities to participate in public life. 'Help with childcare' is a particular

¹⁰ Northern Ireland Concessionary Fares Scheme, 2019 Survey Analysis. Available online at: <https://drive.google.com/drive/folders/1t3TbC-7--MkPweRG8QnpleIPIjFvalSH> p.4

gendered benefit. Northern Ireland has the most expensive childcare in the UK outside of London, and many people rely on older relatives to provide full-time or part-time childcare. This essential support allows many women to work and/or upskill through apprenticeships and/or higher education. Increasing the Scheme's age restrictions could worsen the accessibility and availability of informal childcare. Without this option, many women would not be able to afford current childcare options and could be forced into economic inactivity as a result.

4.2 Negative Impacts of Removing the SmartPass

The WPG believes that if the SmartPass was removed from individuals who are currently eligible, it would be a considerable loss and would most negatively impact groups that already face significant disadvantage in society. Moreover, this may foster discontent from those who expected, and financially planned, to be in receipt of the pass from the age of 60. This discontent is already evident in a series of public protests about this proposal and is likely to be echoed in the responses to this consultation.

There would be undeniable negative impacts on older people, therefore, if this Scheme was scaled back, including financial and health impacts. In addition, however, we can anticipate more nuanced impacts for groups within that demographic. Women, in particular, use their SmartPasses differently to men, and use them more (note that in DfI's 2019 survey, a disproportionately large number of respondents were women, which perhaps reflects the value that women feel the SmartPass brings to their lives¹¹).

There are also considerable environmental and sustainability concerns around the potential removal of the SmartPasses for over 60s or over 65s. In DfI's 2019 survey, data indicated that 88% of respondents said that the SmartPass increased their use of public transport¹². As Northern Ireland is now obliged to enact the Climate Change Act 2022 and is moving towards a Strategy for a Circular Economy, it is vital that we do all that we can to encourage and enable people to use public transport where feasible. The Department for Infrastructure even states within its own Transport Planning Strategy 2020- 2035¹³ that "the Department's vision for the transport system in Northern Ireland, places climate change and connecting people at its heart." It is at odds with the Department's own climate policy to pursue a policy on Concessionary Fares that would cause a reduction in public transport usage and increase in usage of private vehicles at a time when it is more important than ever to reverse this trend.

Northern Ireland must play its part in achieving the 17 Sustainable Development Goals (SDGs) by 2030, and accessible public transport is key to *SDG 11: Make cities and human settlements inclusive, safe, resilient and sustainable*. Transport is also a key element to the *Climate Change Act (Northern Ireland) 2022*; maintaining free/reduced fares for people 60+, widening free/reduced fares for people with disabilities, and extending free/reduced fares to asylum-seekers and victims of human trafficking are key to encouraging usage of public transport and moving our society towards a greener future.

It is also notable that this consultation does not reflect the potential impacts that any change to Concessionary Fares would have on community transport and those who use community transport. As

¹¹ Ibid. p.17

¹² Northern Ireland Concessionary Fares Scheme, 2019 Survey Analysis. Available online at: <https://drive.google.com/drive/folders/1t3TbC-7--MkPweRG8QnpleIPIjFvalSH> p.3

¹³ [Transport Planning - 2020 to 2035 | Department for Infrastructure \(infrastructure-ni.gov.uk\)](https://www.dfi.gov.uk/transport-planning-2020-to-2035).

stated by the Community Transport Association, “*Community transport is about providing flexible and accessible community-led solutions in response to unmet local transport needs. It represents the only means of transportation for many vulnerable and isolated people, often older people or people with disabilities.*”

Community Transport is closely linked to the SmartPass schemes, as those who hold valid SmartPasses can also access community transport services such as the Assisted Rural Travel Scheme (ARTS) and the Dial-a-lift service (DAL). The ARTS scheme is directly aimed at improving uptake and usage of SmartPasses in rural areas where there is limited availability of public transport infrastructure. Any changes to Concessionary Fares will inevitably have a knock-on effect on other service providers such as the Community Transport Association and these potential impacts should be examined in depth and if necessary, mitigated against.

Finally, we are concerned that some of the measures outlined below will have the effect of harming marginalised people to save money, and that the most marginalised will be the most impacted. This is a pattern across Departmental Budget EQIA documents as well as multiple EQIAs on individual Schemes, and we are acutely aware that the current financial situation is not a choice of the Department of Infrastructures.

4.3 The Gendered Nature of Public Transport

Worldwide, women use transport differently to men and they tend to use it far more. In her book titled ‘Invisible Women: Exposing Data Bias,’ Caroline Criado Perez highlights that, according to her research, women tend to “trip-chain”; which means they take several short journeys regularly, rather than long journeys occasionally¹⁴. Criado Perez suggests this is a function of caring responsibilities; women are more likely to drop children to school, to travel onwards to another destination, and to return to collect the children from school, and then drop the children home. This increases in frequency if the children in their care attend different schools, or finish at different times.

Overall, women are ‘25% more likely to trip-chain’, Criado Perez adds, ‘this figure rises to 39% if there is a child older than nine in the household’. Indeed across Europe, the burden of school drop offs and pick ups mainly falls on women. Women in dual-worker families are twice as likely as men to drop off or pick up children on their commute.¹⁵ Women also tend to bear the largest part of the burden with regards to grocery shopping.

Meanwhile, while women in receipt of the over-60s SmartPass may not have children of their own attending school, many find themselves helping with their grandchildren to enable their own children to work; in Northern Ireland where childcare is so often unaffordable or inaccessible and the state has done little to help, this is even more relevant. According to the 2021 Northern Ireland Childcare Survey by Employers for Childcare, 43% of households with children use a mix of formal and informal childcare, 13% use informal childcare exclusively, and from this combined total of 56%, 55% rely on grandparents to provide

¹⁴ Perez, C. C. (2019) Invisible Women: Exposing Data Bias in a World Designed for Men,’ Further information available at: <https://carolinecriadoperez.com/book/invisible-women/>

¹⁵ Mind the Gender Gap, the London Economic, 2019, available at: <https://www.londonreconnections.com/2019/mind-the-gender-gap-the-hidden-data-gap-in-transport/>

some or all of their childcare¹⁶. In practice, the burden of school drop-offs and pick-ups will fall mostly on grandmothers, and any rolling-back of SmartPasses will disproportionately impact this ability to help their families out in this vital way. Women are less likely to have access to cars than men, particularly if they share a one-car household with a man. Free public transport becomes women's ticket to participation in public life; this is particularly true for women in rural areas. Social isolation is a significant issue for women living in rural areas; free and discounted public transport is a key tool to tackling this issue. The Department also notes that the Scheme increases independence and promotes good health outcomes. For people with disabilities and older people, who are at a higher risk of exclusion from public life, this is a lifeline.

4.4 Concerns regarding the framing of the Consultation

The Women's Policy Group NI has concerns about the decision to consult on both the rolling back of some SmartPasses and the extension of some others. While we are absolutely supportive of increasing access to SmartPasses for those with disabilities, as well as the proposal to allow these passes to cover full fares, and the proposal to extend the Scheme to include Asylum Seekers and victims of Human Trafficking, we are concerned that consulting on both measures at once may create a false impression that free travel is being taken away from one marginalised group and given to another marginalised group at their expense. Asylum seekers, in particular, are already facing a situation of heightened tension around the meagre provision that they receive in the UK, and it is unhelpful to create the illusion that their needs are in competition with those of older people.

5. Response to Survey Questions

This section of our response will consider questions posed in the Survey.

Question 1: Do you think changes should be made to the age eligibility for the Scheme?

No.

Question 2: If the Department was to introduce changes to the age eligibility, which is your preferred option? (Select one answer)

While it is our view that the eligibility should remain as it currently stands, the option listed as number 2: *Increase age eligibility to 65 and apply this change to new applicants only* is the least harmful of the options proposed in this consultation.

There are enormous issues with withdrawing passes from those who already have them, not least issues that will arise when a person attempts to use a pass that is no longer accepted. These people may not have budgeted to pay for transport on that occasion or in that month, and may find themselves facing difficulties - stranded in a remote area, unable to get to work, unable to collect a child from school or nursery, unable to attend a doctor's appointment - as a result. In addition, they will face the indignity of having to disembark

¹⁶ Employers for Childcare 2021 Northern Ireland Childcare Survey. Available at <https://www.employersforchildcare.org/report/northern-ireland-childcare-survey-2021/> p.16-17

a bus or train, and, in the case of a rail commuter who embarked at an unmanned station, the danger of having to disembark between their origin and destination, perhaps with no way home.

We reiterate again that in the WPG's view there should be no change to eligibility, but given the framing of this question raising age eligibility to 65 for new applicants is the least harmful option proposed, although it is harmful for those most reliant on transport; women, people with disabilities, rural dwellers, and those who occupy one or more of these categories.

The critical action to avoid unnecessary harm through budget cuts is disaggregated analysis of available data, which will allow a clearer picture of which population groups are affected, and in what ways. This analysis needs to be as comprehensive as possible to allow for indirect impacts to be identified: for example, cuts to the concessionary fares scheme will limit opportunities for many older rural dwellers and people from lower income backgrounds to access jobs, education and services, which in turn is likely to affect employment levels and may also have impacts on health and wellbeing, as people cannot access essential services and become isolated.

Isolation is a risk specifically for older people, who are less likely to drive, and is associated with poorer health outcomes, which is likely to put pressure on the health service. These impacts, in turn, will have an impact on economic wellbeing, particularly in rural towns and villages, as lower footfall and lack of access for both staff and users reduce viability of local businesses and may encourage those who can do so to move to more urban areas. In more deprived urban areas, lack of access to jobs and services contributes to a sense of hopelessness, which is associated with poor health outcomes, increased substance use and public safety issues.

Question 3: If you already hold a 60+ SmartPass but in future were not able to use it, how would you make your journeys the majority of the time? (Select one answer)

Other: The WPG is responding to this survey as an organisation rather than as an individual, and as such the other options do not apply.

We do know that evidence shows that, should the 60+ SmartPass be taken from some current users, or if it is not accessible until the age of 65 for new applicants, such a change would have a financial impact on those who have to travel regardless, particularly on women who are more likely to use their Passes for multiple shorter journeys, and to need them to fulfil caring roles within the family or to access work where a family only has one car. We also know that people will be likely to cut down on "non-essential" journeys, and therefore this move will lead to increased loneliness, isolation, and poor health outcomes.

Question 4: If you wish to provide comments supporting your answers, please do so below.

N/A.

Question 5: Do you think SmartPass users who hold an age-related SmartPass (60+ or Senior (65+)) should be able to use their SmartPass before 09:30?

Yes.

Question 6: Do you think SmartPass users who hold an disability- related SmartPass should be able to use their SmartPass before 09:30?

Yes.

Question 7: If you hold a SmartPass and could not use it before 09:30 on a weekday, how would you make your journeys the majority of the time? (Select one)

Other - The WPG is responding to this survey as an organisation rather than as an individual, and as such the other options do not apply.

We know that people use the various SmartPasses - 60+, 65+, and Disabled Person's - to access workplaces, doctors and hospital appointments, and to assist family members with childcare roles, which may include school drop-offs, or other caring responsibilities. These do not always allow flexibility in terms of the time of day at which they are used. The impact of changing the times at which the SmartPasses are usable to post-9.30am would be significant; it would at best significantly increase the financial burden on those who can afford it least, and at worst push people out of the job market or make it impossible for them to provide care to their grandchildren - a sacrifice that 55% of working parents in Northern Ireland rely upon¹⁷.

Question 8: If you wish to provide comments supporting your answers, please do so below.

Question 9: Do you think SmartPass users who hold an age-related SmartPass (60+ or Senior (65+)) should be able to use their pass on rail?

Yes.

Question 10: Do you think SmartPass users who hold a disability-related SmartPass should be able to use their pass on rail?

Yes.

Question 11: If you hold a SmartPass and could not use it on rail, how would you make your journeys the majority of the time? (Select one answer)

Other - The WPG is responding to this survey as an organisation rather than as an individual, and as such the other options do not apply.

With that said, there is no justification, aside from as a money-saving measure, offered as to why this would be removed. Rail travel can be more accessible than buses for many who are fortunate enough to live in areas served by trains, and particularly so for those who hold a Disabled Person's SmartPass who often find, in the moment, that buses are not equipped to take their mobility aids on board or have reached capacity for such aids, leaving the pass holder functionally stranded. Removing this provision would place unnecessary limits on the people the Scheme is intended to help.

¹⁷ Employers for Childcare 2021 Northern Ireland Childcare Survey. Available at <https://www.employersforchildcare.org/report/northern-ireland-childcare-survey-2021/> p.16-17

Question 12: If you wish to provide comments supporting your answers, please do so below.

N/A.

Question 13: Do you think that the Department should introduce a fee for a SmartPass?

Yes, with caveats as described below.

Question 14: If you wish to provide comments supporting your answer, please do so below.

A fee, such as the one proposed, would be appropriate in that it would be proportionate and likely affordable for most. Further, if a £5-10 application fee is introduced, those willing and able to pay will most likely use/need the SmartPass regularly. As it stands, many people may apply for the SmartPass because it is free, but may not necessarily use it.

However, if a fee is introduced for the SmartPass, this should be waived for those in receipt of certain benefits, such as Universal Credit/ Legacy Benefits, Carers' Benefits and PIP (where not in receipt of Disabled Person's SmartPass), as the outlay required for a card may be too much for their income to absorb.

Question 15: Do you think the half fare concession should be extended to free transport for people with a qualifying disability?

Yes.

Question 16: If you wish to provide comments supporting your answer, please do so below.

Question 17: Do you think that disabled people who have difficulties using public transport should be entitled to have someone travel with them on their SmartPass?

Yes.

Question 18: If you wish to provide comments supporting your answer, including opinions on how this proposal could work in Northern Ireland and potential eligibility criteria, please do so below.

N/A.

Question 19: Do you think that the qualifying criteria for a SmartPass on the grounds of disability should be widened in line with other UK jurisdictions?

Yes.

Question 20: If you wish to provide comments supporting your answer, including opinions on any changes that should be made to the current eligibility criteria for a Half Fare SmartPass, please do so below.

N/A.

Question 21: Do you think the Concessionary Fares Scheme should be extended to include free transport for asylum seekers receiving asylum support and victims of human trafficking?

Yes.

Question 22: If you wish to provide comments supporting your answer, including opinions on how you think this proposal could work in Northern Ireland, please do so below.

Asylum seekers and victims of human trafficking/modern slavery are presently among the most underserved communities in Northern Ireland and in the whole of the UK and the impact of free travel on these groups would be of significant benefit. Travel is key to integration and wellbeing and supports the draft Refugee Integration Strategy and broader initiatives to make NI a welcoming refuge for those seeking sanctuary. Extending the Scheme to include them would mean relatively little outlay because the numbers are quite small and the scheme is designed to end when a person achieves status in the UK, so it is a temporary cost. The benefit to recipients is potentially enormous as they build a new life in Northern Ireland.

In terms of how the proposal could work, we suggest an approach that includes the provision of a physical SmartPass, so that there is no other official documentation that needs to be accessed and/or carried with the recipient when travelling. We support a flexible approach to the documents required to evidence status as an asylum seeker, which should not be limited to ARC cards due to the significant delays in processing same. We support a card which is issued for a minimum of six months, and which can be renewed if a person has not received status within that time period.

With regards to victims of human trafficking, we recommend the terminology be amended to ‘Victims of Human Trafficking and Modern Slavery’ which reflects the Department of Justice terminology and encompasses human trafficking and slavery, servitude, and forced or compulsory labour. We would also highlight that unlike the asylum system, human trafficking and modern slavery are devolved matters in Northern Ireland, and therefore engagement on this element of the smartpass should be with the NI Department of Justice.

With regards to victims of human trafficking/modern slavery, we support an approach which permits a person to access a SmartPass from the moment they are referred into the National Referral Mechanism. This will allow victims of human trafficking/modern slavery to utilise free travel from the earliest stage and support them with accessing support, engaging with their immigration proceedings and in engaging with any criminal investigations. It also prevents isolation which can expose victims to further exploitation. First Responder organisations who can refer into the National Referral Mechanism receive evidence of the referral. A partnership with NI first responder organisations could facilitate the sharing of this evidence in order for a victim of human trafficking/modern slavery to receive a smartpass.

The WPG has heard the following examples of how free travel would impact asylum seekers and victims of human trafficking/modern slavery:

- The WPG has heard from women who are asylum seekers who presently struggle to afford bus fares and are therefore obliged to walk when bringing their children to and from school, extending this provision would be enormously beneficial to these women and their children.

- An asylum seeker housed in a hotel in Derry receives £9.58 a week, and the bus to Belfast is £14 return. So it is impossible for them to travel to Belfast regularly. Asylum seekers are now being dispersed across Northern Ireland, but essential services, legal advisors, and the courts are all based in Belfast. The Home Office is only based in Belfast and asylum seekers have statutory obligations to attend with the Home Office when required. National Asylum Support doesn't provide enough to allow people to use transport outside of central Belfast.
- Leisure Centres across Northern Ireland offer free services to asylum seekers to improve their mental and physical wellbeing. However, many asylum seekers can't afford to travel to their nearest leisure centre to access this, rendering the programme ineffective.
- There is huge demand for services and capacity issues in Belfast, so asylum seekers and victims of human trafficking/modern slavery often have to accept services which are far from their accommodation. One example is that recently dental appointments were only available in a Lisburn practice. Women, children and people with disabilities and health needs are disproportionately impacted by these travel costs.
- Upcoming changes to UK immigration law threatens the support provided to victims of human trafficking/modern slavery. Modern slavery is a devolved area and it is open to NI departments to take action to protect this vulnerable group. Providing free transport is a key example of this.
- The pressures faced by people navigating the asylum and modern slavery systems is significant and there is widespread evidence of poor mental and physical health amongst these groups. This is particularly exacerbated where people are housed in unsuitable accommodation long term, such as hotels. Travel is key in mental and physical wellbeing. It allows asylum seekers and victims of trafficking to engage in cultural, social and religious activities. It allows them to access essential services and facilitates integration.

Question 23: Do you think the current residency test for a SmartPass (3 months permanent residence) should be replaced by a different test (e.g., primary residence) to make it more accessible to all Northern Ireland residents?

Yes.

Question 24: If you wish to provide comments supporting your answer, please do so below.

This change would bring the Pass criteria in line with the rest of the U.K. and avoid abuse of the system by those who may hold multiple passes in different jurisdictions.

We are cautious that the system should allow for residents to apply when they reach the qualifying age, even when they do not have a permanent address or a fixed abode, but they do live in Northern Ireland. As homelessness and housing waiting lists increase with no end in sight, it is imperative that the people to whom this applies, often the most vulnerable people, have the means to apply for this Scheme.

Question 25: Do you think the list of proofs should be widened to make the Scheme more accessible to those older and disabled people who are already entitled to apply?

Yes. As per the consultation document, alternative proofs should be acceptable by the Scheme. This includes letters from GPs, and we would suggest widening it to include letters from the Housing Executive or homeless charities, for example a pro forma letter designed to reflect the fact that a client is registered with them and/or on a housing waiting list, and so cannot supply a full permanent address at that time. This would alleviate the issues identified in response to Question 24 and allow for as many deserving people as possible to access the Pass to which they are entitled.

Question 26: If you wish to provide comments supporting your answer, please do so below.

This will ensure that the Scheme is accessible to those without a permanent address.

Question 27: What is your name?

Elaine Crory

Question 28: What is your e-mail address?

elaine.crory@wrda.net

Question 29: Are you responding as an individual or organisation?

Organisation.

Question 30: If responding on behalf of an organisation, please enter the organisation's name here

Women's Policy Group NI.

Question 31: The Department for Infrastructure would like your permission to publish your consultation response. Please indicate your publishing preference (Required)

Publish response with name.

Question 32: We may wish to contact you again regarding your response, but we require your permission to do so. Are you content for the Department for Infrastructure to contact you again in relation to this consultation exercise?

Yes.

Question 43: If you wish to provide comments on the draft EQIA, please do so below.

The WPG commends the Department for Infrastructure for trying as much as possible to carry out a thorough EQIA. We recognise that the data is not always available but the Department has made good use of the data that exists and come to a position where they have a good understanding of the impacts of the proposals included in this document.

With that said, doing a meaningful equality screening of a budget or policy requires gender disaggregated data, departmental-specific and high-level equality objectives and monitoring structures. The lack of

gender-disaggregated data hinders our ability to effectively advocate on behalf of women and leaves decision-makers with data that presents a false narrative – one where the diversity of experiences between women and men is unaccounted for and therefore absent in crucial policy and budgetary decisions. We recommend that where gender-disaggregated data is available, it must be used to inform the decision-making process. Where there is no gender-disaggregated data, the Department needs to request that it is recorded.

Having this information is key to completing the equality analysis required by Section 75. Without it, equality assessments do not capture the realities of existing inequalities and they lack the robust evidence needed to influence policy and budgets. This assessment is required at the earliest opportunity in the policy-making process and as further decisions are made in finalising the policy, not only to inform Level 5 decision-makers about their policy's effects on equality, but to ensure the policy is both clear and transparent regarding the assessment of predicted impacts. It is essential that sufficient consideration of gender inequality, paired with robust evidence, is reflected in this document to secure equality outcomes.

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 as effectively as we would hope. 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, the Department has identified in this EQIA multiple adverse impacts, although not all that we would anticipate. The next part of the duty is to seek to mitigate these, and this is where this process fails.

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, for example. This enormous impact should prioritise action to mitigate as many of those impacts as possible.

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 weakened¹⁸.

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 2022¹⁹ to forthcoming Concluding Observations on the UN Convention on the Rights of the Child, for which the UK was examined in May 2023²⁰. 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’.²¹²²

The likely impact of proposed cuts, in line with these proposals, 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, and will disproportionately disadvantage women, as outlined previously in this response.

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. The WPG has responded to all of the EQIAs published by Departments on the 2023-2024 Budget and these are listed on the WRDA website [here](#).

The Need for Gender Budgeting

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

¹⁸ See [International Covenant on Economic, Social and Cultural Rights](#) for a discussion of both principles

¹⁹ Human Rights Council (January 2023) [Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland](#)

²⁰ 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](#)’

²¹ CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

²² CEDAW Committee (February 2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

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 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 crisis²³. 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 OECD²⁴ highlights that best practice for gender budgeting is to embed it at all levels of policy- and budget-making: planning, formulation, approval, implementation, 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.

6. Additional Comments

To conclude, the Women's Policy Group has highlighted in this response that the proposals laid out by the Department for Infrastructure in this Concessionary Fares consultation will have significant impacts on those currently in receipt of the SmartPass and those who expected to receive it in the coming years. These

²³ 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/> and 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/>

²⁴ OECD (2023), OECD Best Practices for Gender Budgeting, *OECD Journal on Budgeting*, vol. 23/1, <https://doi.org/10.1787/9574ed6f-en>.

proposals will have particularly significant impacts for women and will impact the most marginalised women the most, including but not limited to, rural women, disabled women and women with caring responsibilities.

The failure to conduct and publish a Rural Needs Impact Assessment of these proposals for change is a significant omission by the Department and we would like to see an RNIA published as soon as possible. It is crucial that the Department rethinks these proposals in the context of climate change planning, implications for community transport and the impact on existing inequalities in our society.

The WPG wholeheartedly disagrees with any proposals that amount to removing much-needed resources from disadvantaged and marginalised communities in the interests of saving money. In the current context of the cost-of-living crisis, it is more important than ever that we maintain and strengthen existing safety nets for those who are most vulnerable, including older people, women and disabled people.

Further, what the Department seems to suggest is a ‘cost-saving’ exercise could actually serve to increase costs on the public purse in the long-run. For example, by reducing older people’s opportunity to travel and socialise, Northern Ireland could see an increase in levels of loneliness and mental health issues among this demographic, which will increase pressure on mental health services and increase demand for support service providers. In addition, the economy could lose out from the spending power of older people who use the SmartPass to meet friends for coffee, go shopping and support the tourism industry.

While we acknowledge that as a result of the extremely stringent 2023-2024 budget, set by the Secretary of State, every Department is under immense fiscal pressure in this financial year, decision-makers still have a responsibility to make sure that any policies pursued do not negatively impact on the quality of life of people in Northern Ireland, and particularly do not negatively impact already marginalised groups. Rather, improving the quality of people’s lives should be the Department’s guiding priority, and we hope that the course of action pursued by the Department in the coming months reflects this priority.

ENDS

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

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