



# CEDAW Shadow Report Consultation

# Introduction

## About this call for evidence

The Women's Equality Network (WEN) Wales is issuing this call for evidence to hear from civil society in Wales about the progress and gaps in the Welsh and UK government's implementation of the commitments set out in the UN CEDAW Convention. We welcome evidence and recommendations from the women's sector and wider civil society, as well as members of the public who wish to contribute.

**The deadline for submitting evidence is Monday 5<sup>th</sup> March 5PM.**

## What is CEDAW?

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention) is a powerful tool for articulating, advocating and monitoring women's human rights here in Wales and around the world. Welsh civil society has a very important role to play in holding the Welsh and UK governments to account through monitoring their implementation of the treaty.

The UK government is required to submit periodic reports to the UN CEDAW Committee, a body of independent experts, every four years on progress made in removing obstacles to equality and promoting women's rights. Their report addresses the substantive articles of the CEDAW Convention. The UK has just issued its eighth periodic report (see 'useful links'), which will be reviewed by the CEDAW Committee in February 2019 (tbc).

Civil society has an opportunity to feed into this process. Governments' assessments of their progress are often incomplete and tend to minimise problems and maximise accomplishments, which is why civil society organisations are encouraged to submit their own 'shadow report' to provide a more rounded view of progress.

WEN Wales has secured some funding to produce a Wales shadow report, in partnership with the Wales Assembly of Women (WAW) and contribute to the UK shadow report. We would like to produce this report in a participatory way, gathering evidence from across the women's sector and civil society in Wales, through: a number of face-to-face consultations; input from a Steering Group made up of civil society representatives; and responses to this call for evidence.

## Useful Links

The CEDAW Convention:

<http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>

The 2013 CEDAW Committee's Concluding Observations and Recommendations to the UK government following its seventh periodic report:

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhslxCrOIUTvLRFDjh6%2Fx1pWB8bSIKfa34XmmIN3IG11hwWhjFqrEprJHQfoipZTwnVkhDALmzaR6gCkIPapM2exTMh89SX7GUOJHbH%2BN8Qq9U>

The UK government's eighth periodic report (November 2017):  
[http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/GBR/CEDAW\\_C\\_G\\_BR\\_8\\_7322\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/GBR/CEDAW_C_G_BR_8_7322_E.pdf)

The UK government's seventh periodic report (written in 2011, useful if you wish to check government commitments made in the last review):  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/85456/7th-cedaw-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85456/7th-cedaw-report.pdf)

## How to respond

How to respond to this call for evidence

The Wales Shadow Report must be evidence-based and organised according to the articles of the CEDAW Convention. We therefore request that you read and adhere closely to the following guidance when writing your submission:

- Please read the [2013 Concluding Observations and Recommendations of the CEDAW Committee](#) in response to the UK government's last report and the [UK government's new report](#) before starting to write your submission. The latest UK government Report is largely a response to those Observations and Recommendations and we encourage you to focus your evidence on the extent to which the Welsh and UK governments have implemented these recommendations.
- We have provided sections for you to submit evidence on each of the Convention articles. Please provide evidence for as many articles as you wish.
- For each section that you complete, please consider and respond to the following questions:
  - What progress or not has the Welsh government and UK government made on this article since 2011?
  - What are the main gaps/obstacles to progress in this area?
  - What recommendations do you have to address the challenges and gaps/obstacles?
- In your evidence, please prioritise the most important issues.
- Provide evidence wherever possible. This could take the form of statistics (disaggregated wherever possible by age, marital status, class, ethnicity, and circumstances such as migrant status or disability as well as by sex), legal cases, academic studies, provisions of national and local laws or policies etc. Please include enough detail to indicate the impact of particular actions or inaction by the government. These documents should be emailed to [admin@wenwales.org.uk](mailto:admin@wenwales.org.uk), and/or please include a full reference (title, author,

year of publication etc.) and web-link in the body of your response. If you are sending attachments, please name each document according to (1) the article it relates to and (2) to the name of your organisation. For example, if you wish to submit a document to support the evidence you're providing for Article 6 your attachment should be named 'Article 6 Organisation X'.

- Identify major obstacles and recommend approaches to removing them, including which actors should be involved. Recommendations for action should be concrete, suggesting specific actions, and can be inter-sectional. It is also helpful to consider questions that remain open from consideration of prior government reports (see CEDAW Committee's Concluding Observations in 'useful links') and how you think these should be addressed.

## Confidentiality

Information provided in response to this call will be shared with the Equality and Human Rights Commission and made publicly available on the websites of WEN Wales and WAW. Please indicate if you want information you've provided to be treated confidentially and it will not be shared publicly. Please also explain why you would like it to be confidential so that if we receive a request for disclosure of information we can take full account of your explanation.

# **1** Definition of Discrimination

Discrimination against girls and women means directly or indirectly treating girls and women differently from boys and men in a way that prevents them from enjoying their rights.

[Click here to read Article 1 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


## **2 Obligations to eliminate discrimination**

States must not allow discrimination against girls and women. There must be laws and policies to protect them from any discrimination. All national laws and policies must be based on equality of girls and women and boy and men. There should be punishment for not following the law.

[Click here to read Article 2 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?

There is growing concern in the equality and human rights sector in Wales that since the advent of the Wellbeing of Future Generations Act (2015) Wales, protection of rights viz. equality and discrimination has been downgraded under the guise of the Act's 'a more equal Wales' goal. Whilst the Act itself is an admirable piece of holistic future-facing legislation, no meaningful accountability mechanism exists for transgressions, as the Future Generations Commissioner has no powers to indict/seek reparations – her office can only make recommendations. Recent publications of the Welsh Government (policies, action plans etc) seem to demonstrate a marked regression in fact – no mention of rights, equality, groups with particular protected characteristics etc in recent Programme for Government and education policy documents. The Welsh Government is favouring this effectively 'non-binding' legislation (the Future Generations Commissioner has no powers; and can only make recommendations). This is leading to a dilution in the potency of Equality Impact Assessments (EIA) of budgets etc. This has stalled any progress on the fuller implementation of the Equality Act 2010, and in particular the socio-economic duty - which would prohibit discriminative practice on the part of public bodies on the basis of people's socio-economic status.

When this direction of travel is coupled with the swingeing cuts to public expenditure over the last seven years, and regressive moves at UK government level around access to redress mechanisms via legal aid (Legal Aid, Sentencing and Punishment of Offenders Act, (LASPO) 2015). The environment for those most likely to suffer discrimination is of particular concern, for example, women, and particularly those with additional protected characteristics already multiply disadvantaged in outcomes terms: "There was an 80 per cent drop in the number of women pursuing sex discrimination claims and, during the first three months of 2014, the number of race discrimination and sexual orientation claims both fell by 60 per cent compared to the same period in 2013"<sup>1</sup>.

<sup>1</sup> Justice Denied: Impacts of the government's reforms to legal aid and court services on access to justice, TUC, 2015  
[https://www.tuc.org.uk/sites/default/files/Justice\\_Denied\\_Report.pdf](https://www.tuc.org.uk/sites/default/files/Justice_Denied_Report.pdf)

The Welsh Government's commitment to gender equality is set out in the Government of Wales Act and in the public sector equality specific duties in Wales (PSED) in Response to the Equality Act (2010). Wales has a unique set of specific duties underpinning the general duty which provide Welsh Government with levers and opportunities to measure progress and set effective targets and actions.

The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that they are kept under review. The Act explains that having due regard for advancing equality of opportunity in the second aim involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

- What are the main gaps/obstacles to progress in this area?

The lack of legal recourse with LASPO, which reduced access to legal aid substantially – particularly for women in employment cases, and for immigration and asylum clients including victims of trafficking – these are disproportionately women.

In Wales, the specific duty requirements in relation to conducting EIAs and consultation and engagement are particularly pertinent to women. Completed EIAs seen show a lack of gender awareness and no evidence of the numbers of women and men either affected by economic policy or engaged with during the EIA process. There is an underlying assumption that strategies and policies are neutral because they are being delivered in the same way to everyone and in general are for everyone's good. This is entirely contrary to the purpose of the duty, which is to identify opportunities to advance equality for different groups. This requires understanding data, in this case gender disaggregated data, and using this to identify appropriate positive action to address different needs. A good EIA identifies different ways of reaching and treating groups differently in order to close inequality gaps such as numbers of women represented. This does not appear to be happening.

Since 2016, there has been a significant shift in the Welsh Government's approach to tackling inequalities. It has been mainstreamed across all portfolios, and also sits within the wider legislative framework introduced by the Well-Being of Future Generations (Wales) Act 2015. As the Welsh Government move to undertake more

Strategic Impact Assessments and not the more detailed EIAs, gender and women's issues are not being highlighted. This change has made it harder for external stakeholders to scrutinise the Government's performance explicitly on gender since it is spread across all departments.

- What recommendations do you have to address the challenges and gaps/obstacles?

The two key recommendations in this section are: the reinstatement of legal aid; and the return to EIA that collects, assesses and disaggregates information and statistics on gender.

# 3

## Guarantee of basic human rights and freedoms

States must take action in all fields - political, social, economic and cultural - to ensure girls and women can enjoy basic human rights and freedoms.

[Click here to read Article 3 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 4

## Temporary special measures

States should take affirmative action or temporary special measures (e.g. quotas or women only services) to end discrimination against girls and women. These specific measures should last until equality between girls and women and boys and men is achieved.

[Click here to read Article 4 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# **5** Sex roles and stereotyping

States must take appropriate measures to eliminate stereotyping, prejudices and discriminatory cultural practices.

[Click here to read Article 5 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 6 Exploitation of women

States must act to end the exploitation of women and girls through trafficking and prostitution.

[Click here to read Article 6 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?

Oxfam Cymru is acutely aware that asylum seeking women and women with no recourse to public funds are vulnerable to sexual exploitation. This was highlighted in Oxfam's research in 2011<sup>2</sup>, and we have no reason to believe the situation has changed since. There is now evidence that these exploitative practices are becoming mainstreamed with the rise of homelessness particularly amongst young women. The Welsh Government's own data suggests a 10% increase in rough sleeping in 2018<sup>3</sup>. However, women are more likely to experience 'hidden homelessness' and as a result are harder to reach to offer support, particularly around issues of exploitation and abuse<sup>4</sup>. There are also alarming examples of landlords advertising for sexual favours in exchange for accommodation in Wales<sup>5</sup>.

<sup>2</sup> Coping with Destitution: Survival and livelihood strategies of refused asylum seekers living in the UK, 2011, Oxfam Policy and Practice <https://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667>

<sup>3</sup> Rough sleepers rise in Wales, latest count shows, 2018, BBC <http://www.bbc.co.uk/news/uk-wales-42893715>

<sup>4</sup> Women's Hidden Homelessness, 2018, Homeless Link

<https://www.homeless.org.uk/connect/blogs/2018/feb/27/women%E2%80%99s-hidden-homelessness>

<sup>5</sup> 'Tenant with benefits wanted' – The sleazy online ads showing landlords are offering vulnerable lodgers rooms in exchange for sec, 2017, Wales Online <https://www.walesonline.co.uk/news/wales-news/tenant-benefits-wanted-sleazy-online-13152718>

- What recommendations do you have to address the challenges and gaps/obstacles?


# 7

## Women's Representation in Political and Public Life

States must ensure that women vote and are eligible to be elected to government positions. Girls and women have the right to take part in the decisions a government makes and the way it carries them out. They have the right to participate in non-governmental organisations (NGOs).

[Click here to read Article 7 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?

In the 2016 election to the National Assembly for Wales, the number of women assembly members (AMs) elected fell. This is disappointing given the early positive action and advances made in the early years of Welsh devolution. Political parties appear to now shy away from positive measures such as twinning constituencies and reserving places at the top of regional lists, with men beginning to replace women.

The Welsh Government and the National Assembly for Wales have been seen outwardly to have taken an active interest in the issue of women's representation. Examples include commissioning research and seeking advice from experts. However, implementation of recommendations has been patchy and have focused on representation in public life. This includes training and positive action for women applicants for roles and on public appointments.

Focusing on public appointments, whilst 47% of the 2015-2016 appointments were women, indicating progress compared with 2014, this does not reflect the gender segregation which is still evident in public life. Women remain overrepresented in the health sector and underrepresented in economic development bodies and advisory groups such as the City and Region Boards which do not form part of the public appointment data. Womens roles within public appointments are also vertically segregated with fewer women Chairs or heading Audit Committees.

The Equality and Human Rights Commission, produce evidence of representation in Wales through their document 'Who Runs Wales'<sup>6</sup>. It provides the opportunity to track progress on women and men's representation in key positions in Wales over a period of time. The 2017 report showed slow progress towards achieving equality in positions of power in Wales and encouraged more representative decision making, better gender balance in public appointments, with leaders taking positive action and making commitments to targets, where appropriate.

<sup>6</sup> Who Runs Wales: Equality and Human Rights Commission 2017  
<https://www.equalityhumanrights.com/en/publication-download/who-runs-wales-2017>

Despite making up over half of the Welsh population, women remain largely absent from positions of power and are underrepresented in areas of decision making and budget allocation on issues that affect everyday life, access to services and economic opportunities. Women are still a minority in holding key political policy areas, in boardrooms, and in the private sector. Only one in four non-executive directors and just one in ten executive directors of FTSE 100 companies are women.

- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?

What the evidence and our experience shows us very clearly is that women's voices are important in decision making, not just to ensure that our decision makers look like the society they are serving, but because their voice matters and changes the debate, policy focus and decisions. It is not enough to merely count women in different positions. Oxfam Cymru's work shows that a deep understanding of gender and gender issues is required in key decision making roles. It is not always the office holder who needs to have this knowledge, but it is critical that policy, which is often assumed to be gender neutral, and which may in fact be gender blind, is analysed through a gender lens. This expertise can be sought from outside the organisation or decision making process, but it is critical that it happens. When it does not, policy and decisions remain gender blind and often either preserve the status quo, or can widen inequalities between women and men albeit unintentionally<sup>7</sup>.

<sup>7</sup> What is Gender Budgeting; Wales Gender Budget Group 2008

## **8 Women as International Representatives**

Girls and women have the right to represent their country at the international level and to participate in the work of international organisations (e.g. the UN and EU) on an equal basis to men.

[Click here to read Article 8 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 9 Nationality

Women have equal rights with men to acquire, change or retain their nationality and that of their children. These rights are not changed by marriage or by any changes made by the husband.

[Click here to read Article 9 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 10 Education

States must end discrimination against girls and women in education. Girls and women have a right to education including equal access to school buildings and equipment; and opportunities to receive scholarships and grants, the same as boys and men.

[Click here to read Article 10 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 11 Employment

Women have a right to work just like men. Women must have the same opportunities to find work, receive equal pay, promotions and training and have access to healthy and safe working conditions, as men. Women should not be discriminated against because they are married, pregnant, just had a child or are looking after children.

[Click here to read Article 11 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?

Oxfam Cymru's key concerns in this area focus on the availability of decent work for women, access to and availability of decent affordable childcare, and pay. They are informed by both our research and policy work, as well as practical projects delivered in Wales and elsewhere in the UK. In Cardiff, Oxfam have run the Skills for Life project<sup>8</sup> in partnership with South Riverside Community Development Centre (SRCDC) for the last 13 months (March 2017-March 2018). This project has supported predominantly BME women who are economically inactive or long term unemployed to move closer to work, through a combination of personalized support and practical workplace experience.

## Decent Work

Oxfam Scotland's report on Decent Work<sup>9</sup> neatly articulates what low paid workers identify as important to 'decent work', and evidence shows that a great many women still do not have access to decent work.

The current workplace environment requires the workforce to be flexible and adaptable to the employers' needs particularly in entry level jobs. This includes zero hours contracts, shift work, short-term contracts etc. The issue of the availability of decent work spans the entire labour market, although the issue is more stark in some sectors. Given the significant numbers of women working in the domiciliary care sector in Wales, one particular issue which affects women disproportionately is the wide spread usage of zero hours contracts. 56% of care workers in Wales are employed on this basis. As a result, workers often earn a completely different sum each month, making it difficult for them to budget or get a mortgage for example. The impact of zero hours contracts is felt even more strongly by lone parents who rely on formal childcare. The Welsh Government has announced plans to curb zero hours contracts in the domiciliary care sector, but results of this should be carefully monitored.

<sup>8</sup> Skills for Life – giving women a hand on their journey to employment, 2017, Oxfam Cymru  
<https://www.oxfam.org.uk/blogs/2017/06/skills-for-life>

<sup>9</sup> Decent Work: A Job To Be Done, 2016, Oxfam Scotland <https://policy-practice.oxfam.org.uk/publications/decent-work-for-scotlands-low-paid-workers-a-job-to-be-done-619740>

During 2017-18, the Skills for Life project delivered a tailored and supportive programme of workshops, training, professional coaching and voluntary work placements with the aim of enabling women gain the skills and confidence they need to progress into decent work. As caring responsibilities for both children and elder members of the family traditionally fall on women and the vast majority of lone parents are women, sustaining employment has been challenging. In this context, women are prevented from taking even the first steps into employment through entry level work and gaining the experience that they need to secure decent work. One of Oxfam's Skills for Life project participants chose to undertake an unpaid work placement so that she could progress into the type of work that would give her the stability and flexibility that she requires, and has had to turn down work that would make it impossible for her to manage her childcaring responsibilities.

### **Childcare**

Childcare is a significant barrier for women seeking employment. Oxfam Cymru's Skills for Life project participants identified childcare as the main barrier to employment and progression during the January 2018 workshop on Influencing Change. "*In the four years [that I have been looking after my child], I could have done a degree!*" said one participant.

The Skills for Life participants felt that lack of suitable childcare keeps women out of the workplace, hinders their development, affects family relationships, keeps women isolated and impacts on their mental health. As a result, women felt disadvantaged to men in gaining professional development opportunities but also because they felt that their labour was not valued. Women felt that childcare is expected of them – '*It's just what you do*'.

This issue is particularly pertinent for migrant and refugee women who lack family support networks that other women can usually rely on for regular and/or emergency childcare. For example, one of the project's participants struggled to arrange childcare for job interviews whilst another stated that the issue of childcare keeps her awake every night because she doesn't have anybody that she can rely on.

The Welsh Government has introduced its Childcare Offer where it "intends to provide 30 hours a week of free early education and childcare for working parents of 3 and 4 year olds in Wales, for 48 weeks of the year. The current free early education provided by Foundation Phase will form part of this offer". Seven local authorities are involved in this pilot - Anglesey and Gwynedd, Blaenau Gwent, Caerphilly, Flintshire, Rhondda Cynon Taf, and Swansea. Once the offer has been tested in those areas, a wider roll-out is due to follow. However, the current offer is not satisfactory, and there has been little clarity on the process of reviewing the pilots or how other stakeholders delivering relevant services may contribute learning and feedback. Furthermore, the current Childcare Offer by the Welsh Government as well as provision through Tax Credits have created a complex landscape which is often difficult to navigate and

access, and where language is an additional barrier. These complexities can become insurmountable without adequate advice and advocacy services.

In the current context, discussions on childcare tend to focus on very young (pre-school) children but lack of suitable childcare remains a barrier even when children are in school. Many schools do not operate breakfast or afterschool clubs, which limits women in the hours that they can work. In addition, older children also require support and supervision particularly during sensitive teenage years.

Some Skills for Life participants continue to support their children well into adulthood. In the age of austerity young people in particular have felt the brunt of a range of policy changes, for example, the removal of the housing element of Universal Credit for 18-21 year olds, and the impact of zero hours contract and false self-employment that is more prevalent amongs this group. As a result, many young people are staying longer or returning to live with their families, adding pressure to women who are already struggling with managing childcare costs for their younger children.

### **Pay**

The lack of progress made on the Living Wage in Wales remains a serious concern. Whilst Welsh Government itself is a Living Wage employer, still nearly a quarter (24.9%) of workers are paid less than the Living Wage, and women in part-time role employment represent 63% of all women earning less than the Living Wage. Oxfam Cymru has spoken to workers across Wales about the Living Wage, and the impact it can have on everyday life. *"Before I had to have two jobs to meet a certain amount a month to make ends meet and having a bit extra to spend on my child. My daughter likes to go to the swimming pool occasionally or go to Starbucks! So I had two jobs, but it meant a lot of rushing around. Picking her up from school, rush her dinners through, then wait for her brother to come home when I had to go back to the other job then come back home late and then being really too tired to interact with her".*

Oxfam Cymru acknowledges that the Living Wage will not eradicate poverty for women, but it is an important part of the solution. Work can only offer an effective route out of poverty if the income available is enough to cover the basic cost of living. *"It's an achievement to see food in the cupboard because I've gone without it in the past".* It is clear that low pay has a very real and long-term impact, and through Oxfam Cymru's research, this has been articulated by a trade union representative who took part in the research: *"I was in one of my care homes last week and talked to a group of women and one of them said 'I haven't had heating or hot water for three years, I can't afford to fix the boiler'...another woman was telling me that she had to sell her house and move back in with her mother and father".*

Oxfam Cymru's research exploring decent work and barriers to progression for women in the domiciliary care and food and drink sectors showed that there are approximately 19,500 domiciliary care workers employed in Wales, providing around 260,000 hours of care per week. 80% of these care workers are women. Care work is

skilled work which carries a high level of responsibility yet this is not reflected in care workers' pay, with the vast majority being paid on or around the National Living Wage.

### **Gender and race – English language, welfare reform, and stereotyping**

Women from BME backgrounds often face additional barriers to employment including: lack of English skills; welfare reform; and gender stereotyping.

Firstly, lack of English language skills is often a barrier even for entry level jobs and formal ESOL (English for Speakers of Other Languages) provision is not always accessible to women due to lack of childcare, class times, proximity to places of residence etc. The same reasons make provision even more inaccessible when reaching higher levels of ESOL. Oxfam Cymru's Skills for Life project supported a qualified anaesthesiologist from Syria who needs to pass an IELTS Level 5 (International English Language Testing System) in order to qualify to practice in the UK. However, there is no childcare provision available with the course.

It should be noted that progression from entry level work can also be hindered by time poverty, as women often work long hours inside and outside of the home to such an extent that they cannot afford time off to improve their employment opportunities. The deskilling of women can impact on their emotional and psychological well-being and have wider implications on the economy and loss of talent.

The second major barrier is welfare reform. The benefit cap was initially introduced as a reduction in the housing element of claimants' benefits and thus primarily affecting those living in areas of high housing costs (e.g. London). However, the Chartered Institute of Housing estimates that even in the parts of the country where housing is cheapest (Wales and the north-east) there are over 12,000 one-to-four child families affected. As the benefits that claimants receive are capped at the same level irrespective of the number of children they have, those with larger families are disproportionately affected. BME families and particularly single household families are the hardest hit. Over a third of the participants that the Skills for Life project worked with have three or more children and a number of them have been affected by the cap. The DWP's own EIA acknowledges the effect on BME households: *We estimate that of the households likely to be affected by the cap approximately 40% will contain somebody who is from an ethnic minority. By comparison, the Department's statistics show that 17% of Jobseeker's Allowance claimants, 16% of the lone parents claiming Income Support and 9% of Employment and Support Allowance can be identified as being from the ethnic minorities<sup>10</sup>.*

The Equalities and Human Rights Commission anticipates that the single parent households will see the largest decrease in their incomes (£5,247 reduction) by 2021/22 as a result of the whole raft of measures and changes introduced by the welfare reform.

<sup>10</sup> Benefit Cap Equality impact assessment, 2012, DWP

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/220153/eia-benefit-cap-wr2011.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/220153/eia-benefit-cap-wr2011.pdf)

Whilst the 2016 DWP Impact Assessment anticipates the introduction of the cap will help increase households' income and improve their well-being, Oxfam Cymru's experience has been contrary to this. The combination of an unregulated labour market, the lack of affordable and flexible childcare and the pressures of bringing up a large family alone create a hostile environment for women who are 'incentivised' into work by reducing their benefits. '*I stay awake all night trying to figure out what I am going to do for childcare the next day*' were the words of a Skills for Life participant with four children who since being on the project has held a number of different positions, sometimes up to three jobs at the same time. Arranging childcare for children of different ages can be quite complicated particularly if it includes very young pre-school children and school children that require different support around different times of the day. Finally on this point, women with more than two children have had their Tax Credits capped with a few exemptions including children conceived "as a result of a sexual act which they didn't or couldn't consent to". The raft of all these policies penalize women who do not fit into the model of a traditional family of two parents and two children and retraumatises women who have experienced abuse and violence. 22% of Skills for Life participants disclosed current or recent experience of gender based violence including domestic abuse, fleeing female genital mutilation (FGM) and living in a controlling family environment<sup>11</sup>.

The third major barrier is gender stereotyping. Women and particularly those from a BME background are affected by the intersecting disadvantages of their gender and race. Many women are brought up around gender stereotypes of being submissive, modest and accommodating. However, these are traits contrary to those sought out by employers particularly at the recruitment stage, where attributes such as confidence and communication are paramount. Whilst several of the employers involved with the Skills for Life project are seeking to improve the diversity of their workplace and are leading the way in best practice, women may be faced by the 'unconscious bias' of other organisations, which operate under the guise of some more diverse applicants 'not fitting in with the team' or the company culture, rather than seeking to diversify and broaden it.

- What are the main gaps/obstacles to progress in this area?

### **Childcare**

The continued perception that women are carers first and earners second means that the availability and the affordability of childcare are very important factors in decisions about their labour market participation and career choices. In England and Wales 58% of primary carers are women. The associated issues of cost and availability of

<sup>11</sup> It should be noted that these disclosures only happened after a period of time providing holistic support to women and building trusting relationships. It is likely that the number is much higher but it is not the primary focus of the project. With the project ending and wider cuts to specialist services, women will experience a double impact of not having access to generic support and also not having access to sign posting for support services.

childcare are therefore major contributing factors that can limit women's economic participation. As a result of these unpaid caring responsibilities, women often either reduce their hours or leave the labour market altogether. A key challenge for many women is balancing work with caring responsibilities, in particular childcare. This is evidenced through Oxfam Cymru commissioned research into Decent Work in Wales. Participants told our researchers:

*"I gave up work to care for my terminally ill Dad and moved back to Wales. I haven't worked since and I have two good qualifications but childcare is too expensive and difficult. I am a single mum to two children and when I can work is determined by my children".*

*"The challenge at the moment for me is that I have chosen to have a baby and I'm single. I'm not convinced my career is compatible with having small children".*

*"There is a lack of understanding about childcare requirements".*

A Skills for Life project participant who started a relief role and has no recourse to public funds has had to rely on members of her congregations to support her with childcare until she starts receiving payments. On one occasion, she and her three children had to stay overnight with a friend so that she can start a very early morning shift the next day without causing disruptions to the family.

- What recommendations do you have to address the challenges and gaps/obstacles?

### **Government strategy**

The Welsh Government should consider adopting a broader definition of success in its economic and employment policies – including for example a measure of the quality of employment alongside more traditional measures such as Gross Value Added (GVA). 'Decent' or 'fair work' is becoming an increasingly popular topic amongst policy makers, but progress in this area is slow.

The Welsh Government should increase the amount of data analysed by gender, such as longitudinal pay analysis, to better inform policy, and this gender disaggregated data should be collated for all areas of the Welsh economy, including the service delivery to start up enterprises. This analysis should include intersectional differences too, to ensure that multiple disadvantages are addressed and equity for all women in Wales prioritized.

The Welsh Government must seek to address the gender pay gap. One method of addressing this is to challenge negative attitudes and stereotypes that prevent women from achieving equal pay. Education is a key element of this approach – focusing on not only schools, but the public and commercial sectors too. Publishing key gender statistics would also increase awareness of the pay gap's existence, as well as indicating progress being made towards equality in the workplace. This should include action to address and prevent misconceptions and stereotypes formed in children and

young people from an early age by working with schools to incorporate gender equality education in the National Curriculum, including explicit discussions about the gender pay gap and its causes.

### **Procurement**

Procurement can be used as a lever to create better working conditions leading to decent work for low-paid women in Wales, who are more likely to be employed on a part-time basis or on an insecure contract than men, and who dominate the sectors that are most likely to be outsourced. Whilst Welsh Government has limited powers over employment, procurement is an effective way for Welsh Government to influence the private sector, putting in place requirements around working conditions, such as abuse of zero hours contracts. There have been a number of attempts to address inadequate working conditions using procurement, however, they all share the same weakness – they are prepared on a gender-neutral basis which disadvantages women. The Wales Procurement Policy statement consists of ten key principles which all Welsh public sector organisations should adhere to when delivering their procurement activity. This has been widely adopted by major public bodies in Wales. However, there is no specific focus within the framework which acknowledges the different barriers faced by women in the labour market. The Welsh Government can play a key role in poverty reduction through its procurement policy in influencing employer behavior. The Welsh Government should learn from the work of Scottish Enterprise which seeks to influence City Deals. Given the significant spend attached to Welsh City Regions, Welsh Government should be amending the principles in the tendering process to incorporate gender-sensitive criteria.

### **Childcare**

New models of childcare should be funded, such as social enterprise and cooperatives, and incorporated into the more traditional models. The key is to increase affordable, good quality childcare which reflects the atypical hours that non-traditional work patterns impose on women and parents generally. This includes overnight and weekend childcare to accommodate the growing service sector in Wales, a sector which is increasingly staffed by women. The Skills for Life project participants worked together to produce a Manifesto for Universal Childcare. This is included as an annex to this response.

The Welsh Government's childcare offer must urgently be extended to under three year olds for low income parents. Wales deserves a world class childcare system. It would help to address issues of poverty and educational attainment, and support the economy to grow, enabling more women to enter and progress in the workplace. It is important to state that we also know that poverty and economic inequality are about more than just money and childcare provision: it is fundamentally about power too. Internationally, there is strong evidence to suggest the lack of women in decision-making roles means their needs, and those of their children, are de-prioritised.

# 12

## Health care

Girls and women must get health care on the same terms as boys and men. In particular, women have the right to services related to reproductive health.

[Click here to read Article 12 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 13

## Economic and social life

Girls and women have the same rights as boys and men in all areas of economic and social life, such as receiving family benefits, rights to mortgages, getting bank loans and taking part in sports and cultural life.

[Click here to read Article 13 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 14

## Rural Women

States must take action to eliminate discrimination against women in rural areas. Girls and women in rural areas must be supported to take part in and benefit from rural development, healthcare, social security, credit and loans, education, and development planning equally with men.

[Click here to read Article 14 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 15

## Equality before the law and civil matters

Women and men are equal before the law, including access to justice, laws about freedom to go where they choose, choosing where to live, signing contracts and buying and selling properties.

[Click here to read Article 15 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


# 16

## Marriage and family life

Women have the same rights as men during marriage including reproductive rights, as parents and other aspects of family life. Women also have the equal right to the property that they acquire with their husband during the course of that marriage. To end child and early marriages, governments must set a lowest age for marriage and make sure that this is followed. All marriages must be officially recorded with the government.

[Click here to read Article 16 in full.](#)

**Using clear evidence in support of your position, please provide your thoughts on the following:**

- What progress or not has the Welsh government and UK government made on this article(s) since 2011?


- What are the main gaps/obstacles to progress in this area?


- What recommendations do you have to address the challenges and gaps/obstacles?


## **Y**our recommendation

What is the ONE thing you would recommend government should do to change the lives of women and girls for the better in Wales, and reduce discrimination?

The majority of people living in poverty are women. They tend to have fewer resources, fewer rights, and fewer opportunities to make life-shaping decisions than men. There are many, often complex, reasons why women are not reaching their full potential. Women's skills, resilience, determination, and ingenuity are valuable - but greatly underused- resources to overcoming poverty. Oxfam's vision is that by focusing on women's rights, many more women will gain power over their lives. The Welsh Government should put women at the heart of all they do to help end the injustice of poverty for everyone, for good.

# Y our details

Contact details

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## Equality and Diversity Monitoring

### 1. What is your age range?

I would prefer not to say

Under 18   
45-64

18-24   
Over 60

25-44

### 2. What is your employment status?

I would prefer not to say

Employed  Self-employed  Unemployed   
Unpaid work in the home  Retired

I prefer another description (please describe):  
\_\_\_\_\_

### 3. Do you consider yourself to have a disability?

I would prefer not to say

Yes  No

Please specify the nature of your disability:  
\_\_\_\_\_

#### **4. How would you describe your gender identity?**

I would prefer not to say

Male  Female  Trans

(Trans is an umbrella term for people whose gender identity in some way differs from the gender they were assigned at birth).

I prefer to describe my gender identity in another way:

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#### **5. What is your sexual orientation?**

I would prefer not to say

Bi sexual

Gay man

Gay woman /lesbian

Heterosexual

I prefer another description (please describe):

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## **6. How would you describe your ethnic origin?**

Please choose one section, then tick one box to best describe your ethnic group or background.

I would prefer not to disclose my ethnic origin

### **White ethnic origins:**

White -Welsh  White – English  White- Irish  White –Northern Irish

White - Scottish  White - British  Irish or Gypsy Traveller

Other - I prefer to describe my white ethnic origin as (please describe):

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### **Asian and Asian British origins:**

Asian - Indian  Asian -Pakistani  Asian –Bangladeshi  Asian Chinese

Other - I prefer to describe my Asian or Asian British origins as (please describe):

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### **Black/ African/Caribbean/Black British origins:**

Black – African  Black – Caribbean

Other - I prefer to describe my Black or Black British origins as (please describe):

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### **Multiple or mixed ethnic origins:**

Multiple - White and Black Caribbean

Multiple - White and Black African

Multiple - White and Asian

Other – I prefer to describe my multiple ethnic origin as (please describe):

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### **Other ethnic groups:**

Arab

I prefer to describe my ethnic origin as (please describe):

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## **7. What is your religion or belief?**

I would prefer not to say

Atheist  Buddhist  Christian (all denominations)

Hindu  Humanist  Jewish  Muslim

No religion or belief  Sikh

I prefer another description (please describe):  
\_\_\_\_\_

## **8. Are you a Migrant?**

I would prefer not to say

Yes – EU

Yes – Non EU

No

## **W**hat happens next?

We will review all the evidence gathered and write a shadow report for Wales. We will also input key issues and recommendations from this report into the UK shadow report, which will be written in collaboration with civil society representatives from England, Northern Ireland and Scotland. The deadline for submitting these reports to the Committee is June 2018 (to be confirmed). The Wales report will be translated into Welsh and copies of both reports will be made available online and at a launch event.

WEN Wales and Wales Assembly of Women, together with other representatives of UK civil society, will attend the Pre-Sessional Working Group meeting, a pre-meeting of the CEDAW Committee around six to ten months in advance of the Committee's review of the UK government's report (currently scheduled to be held in February 2019). This is another important opportunity for WEN Wales to highlight recommendations in the shadow report and ensure that matters of concern to women in Wales are raised directly with the Committee.

Following the Committee's review of the government report in 2019 it will issue 'Concluding Observations' which include both commendable progress and recommendations for improvement concerning women's rights in the U.K. These observations are a very useful advocacy tool for demanding action from the Welsh and UK governments on their international human rights obligations to women in Wales. They will be disseminated widely.

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**Thank you for your contribution.**

## C ontact us

If you have any queries, please contact WEN Wales on **07928 543 727** or email [admin@wenwales.org.uk](mailto:admin@wenwales.org.uk).

For more information on WEN Wales, please visit: [www.wenwales.org.uk](http://www.wenwales.org.uk)

Or follow us on social media:

Twitter and Instagram: @wenwales

Facebook: WENWales

Are you interested in advancing the rights of women in Wales?

Membership of WEN Wales is free, and members are at the heart of our organisation. You'll be able to contribute your opinions, attend our events and influence our work. To add your voice to our growing network, click [here!](#)



## A MANIFESTO FOR UNIVERSAL CHILDCARE

*'In the four years [that I have been looking after my child],  
I could have done a degree.'*

**Skills for Life** participants felt that lack of suitable childcare keeps women out of the workplace, hinders women's development, affects family relationships, keeps women isolated and impacts on their mental health. As a result, women felt at a disadvantage to men and that their labour was not valued. Women felt that childcare is expected of them – 'It's just what you do'.

### SOME OF THE ISSUES IDENTIFIED WERE:

- In the absence of public funding, childcare has become a business with expensive rates.
- When discussing childcare, the focus is often on very young (pre-school) children but lack of suitable childcare remains a barrier even when children are in school. Many schools don't have breakfast or afterschool clubs, which limits women in the hours that they can work. In addition, older children also require support and supervision particularly during sensitive teenage years.
- There isn't enough staff trained and ratios are too high.
- There is no childcare available for women whilst they are job seeking (e.g. for job interviews).
- The system and provision is too complicated to understand.
- The current system of tax credits only covers a proportion of childcare costs, which doesn't leave women with enough money to have a decent life.

### RECOMMENDATIONS

1. Childcare should be community based and public.
2. Workforce should be educated, honest, respectful and understanding of people's cultures, religions etc.
3. Women should set up a co-operative, seek funding and pilot it with support from SRCDC.
4. Women should campaign in local schools and community to get after-school provision.
5. Leader – who? How could Oxfam support women?