

**SHADOW REPORT from WALES ASSEMBLY of WOMEN  
(UK) on CEDAW 2012  
May 2013**

*The Wales Assembly of Women was set up in 1984 so that women in Wales could be represented at the United Nations Global conferences, at meetings of the Commission on the Status of Women and participates in scrutiny of CEDAW reports. To this end we are submitting an independent Shadow Report for this year's CEDAW Committee scrutiny of the UK.*

**ARTICLES 1-4: OVERARCHING APPROACH**

There is some evidence to support the statement (paragraph 30 of the UK Report to CEDAW) that the UK government's decision to close the WNC has resulted in the development of closer engagement of women and their organisations with Government Ministers or Departments. In the opinion of the Wales Assembly of Women, the function of the 'UK's National Women's Machinery' does not adequately fulfill this role, especially in relation to the devolved nations of the UK. Following termination by UK Government of its funding in 2010, the Women's National Commission ceased to exist. During the past 40 years, it had provided a unique means of communication and collaboration between a wide variety of women's organisations throughout the United Kingdom. Trusted as an independent body to present the views of women to the UK government, and to support, assist and advise on a variety of issues, including international events and procedures, it did not seek to impose views but to stimulate examination and discussion. Areas of interest, relevance and concern were identified, and leadership was provided when appropriate.

In Wales we are fortunate in having a branch of the Equality and Human Rights Commission in Cardiff, which has always been helpful and supportive. Unfortunately it is now subject to UK Government restrictions and Budget cuts, including the shutting down of the advice helpline.

*Full incorporation of CEDAW*

We are particularly concerned at the refusal of UK Government to incorporate all the provisions of CEDAW in the 2010 Equality legislation, on the grounds that 'this would make the Equality Act disproportionate in terms of gender, giving women more rights than others.' That women comprise more than 50% of the population and that all women - whether disabled, of ethnic origin, elderly or LGBT can and *do* suffer discrimination - is ignored in that qualification yet is partially recognised in following paragraphs. It needs also to be realised that the word 'gender' neutralises women.

**RECOMMENDATION 1:** Re-instatement or establishment of a UK-wide national body/network, independent of government, to coordinate views of women's organisations in the UK.

**RECOMMENDATION 2:** Re-instatement of advice help-lines across the UK, including Wales.

### **ARTICLE 5: SEX ROLES AND STEROTYPING**

This concept needs urgently to be addressed throughout our education system, including training in the teaching profession, for Careers advisers and for engagement with parents, many of whom retain traditional attitudes as to suitable employment for their daughters. There needs to be a requirement for a mandatory module of Personal and Social Education in the Schools' curriculum, and Careers Guidance actively to promote the Science, Technology, Engineering and Mathematics (STEM) Project to encourage girls to gain equal access to career paths ensuring that much talent currently wasted is used for general benefit and for their own satisfaction and better paid employment. For those school leavers who aspire to Apprenticeships, there is similar restriction and inequality of Pay Scales: for example healthcare is remunerated at little more than half that of Engineering.

#### *The Media*

In Wales as in the rest of the UK, the Media, with few exceptions, do little to demonstrate the aims of our Equality legislation. There is disproportionate representation of visually attractive young women in newspapers and on television. An Audience Council for BBC Wales is comprised of 4 women and 6 men, but Principal Officers include only 2 women out of 8. ITV Wales has 6 men as its Management team, with one woman as an 'Assistant'. Decisions on programme planning may reflect this disproportion: it is noticeable that evening programmes on BBC Wales often differ from the rest of UK: those of cultural content are postponed to a later 'slot' and replaced by male Sport. For S4C - the Welsh Language TV Channel - the Authority is comprised of 1 woman and 7 men.

A revival of publicity for 'Beauty Queen' competitions in local newspapers has been noticed. The effects of the old custom of colour coding from babyhood - pink for girls and blue for boys - persists, but more pernicious is the effect of toys and play equipment often rigidly separated in toyshops and department stores. Such attitudes can prevail in the home and in education unless measures are taken to address them. Progress is being made but stereotyping of subject choice and career paths in secondary education still accounts for the majority of young women in lower paid employment than men. Following university education, young women graduates within three years are known to be earning

less than men, and are much less likely eventually to be in senior executive or decision making positions. Attention was drawn to the opening ceremony of the 2012 Olympics in London when the Chief Executive welcomed the world and spoke of ‘mankind’ and his ‘countrymen’, an example of attitude that is not uncommon.

**RECOMMENDATION 3:** A mandatory module at all levels in schools challenging stereotyping and gendered sex roles in society, including the media.

**RECOMMENDATION 4:** Gender-balanced media content.

## **ARTICLE 6: EXPLOITATION OF WOMEN**

### Human trafficking

There is recognition of this problem in Wales. The appointment by Welsh Government of an anti-trafficking coordinator, previously a police officer, and their funding of women’s organisations to hold relevant meetings e.g. on International Women’s Day have increased attention and involvement. Clearly there is need for vigilance especially for immigrant and asylum-seeking communities but especially the need for effective intervention to maintain the safety and freedom of young women and girls. Welsh Government’s recently devolved capacity for Legislation enables closer scrutiny and appropriate action, if not limited by the UK government’s austerity measures. Reduction of state benefits will exacerbate the poverty of and danger to those who are clearly vulnerable and must be protected.

### Employment

In employment, many women are subject to exploitation: the majority are confined to lower paid jobs and reduced opportunity for promotion. This can be said in many cases to be their choice but is in reality because of disproportionate domestic responsibilities, or in the case of having a partner in a better-paid job, having no choice. We welcome Government encouragement of more flexible working hours for all, but have yet to see its effect.

The austerity measures introduced by UK Government to address the current economic recession have been most damaging for women: large numbers were employed in the Public Sector where severe reductions have occurred, decimating whole regions of Wales.

In the private sector including where large profits are still being made eg.in the retail trade and in the caring industries, minimum rates of pay are prevalent. Recent UK legislation demanding the return of single parents to work as soon as their youngest child is five years old is unacceptable and unrealistic: the provision of childcare is inadequate and cost, greater than elsewhere in Europe, is unaffordable.

**RECOMMENDATION 5:** Intense training in and awareness raising of human trafficking of front line police officers and other staff, including increases in prosecutions, especially in preparation to the added duties on the state under the EU Anti-Trafficking Directive that became law in UK in April 2013.

## **ARTICLE 7: POLITICAL AND PUBLIC LIFE**

### Women in public life

The Welsh Government continues to maintain its strong commitment to equality, although the election in 2011 saw some reduction in the number of women Assembly Members from its previous gender balance. Those in the Cabinet, and the Presiding Officer, are notably effective in decisions taken and the implementation of policy. These include recently strengthening collaboration between Departments especially when relating to practice relevant to the Equality agenda. It is now required of all Local Authorities to conduct an impact assessment annually of measures taken to promote equality and to avoid any possibility of discrimination in the effects of administration in their area, and for its population: there has been notable inconsistency in the past across Wales, in for example the provision of Refuge accommodation.

The full effect of such procedures has yet to be judged, but improvement is hoped for. On the whole, Local Government in Wales has not demonstrated progress in aiming to ensure that women take equal responsibility with men in the management of their area, in decisions taken, or to participate equally in the conduct of Council meetings. This depends largely on the attitudes of the political parties, only one of which has adopted a realistic policy to address the issue.

The 22 Local Authorities (County Councils) in Wales perpetuate a record of gender discrepancy. Of their Leaders, 2 out of the 22 are women and there are 4 Chief Executives.

Recent elections show little progress from what has prevailed as a traditional male-dominated decision-making body. Just over a quarter of the total 1244 elected County Councillors are women: some such as Anglesey-2 women out of 40, Merthyr Tydfil 4 out of 33, Blaenau Gwent 7 Out of 42-attract particular attention.

There is clearly great need for the vigilance and initiatives of Welsh Government to encourage change and progress towards equality for the majority of the population. The requirement for Equality Impact Assessments must be monitored to ensure that there is no regression or neutralisation of gender equality.

### Positive Action Measures

Positive Action measures are justifiable to deal with the built-in obstacles that appear to exist impeding progress towards equal representation. They have been well justified by outcome in the workings of the National Assembly of

Wales. The contribution of its women Members, especially of those in the Cabinet, has created a constructive style of debate, avoiding the negative effects of aggressiveness prevalent in our UK Parliament, for example.

In public life, there has been a concerted attempt, supported by Government to increase the number of women in Public Appointments, which has had some success to the extent that they may now form up to one third of the Body, but examination of the Wales Year book 2011 indicates much room for improvement. Out of 45 national organisations, 11 women (34 men) are in position as Chair; of their Chief Executives there are 16 women (29 men).

Other significant examples include the following: Careers Wales - 4 women 6 men

Care Council - 5 women 12 men                      Consumer Focus - 1 woman 7 men

National Eisteddfod - 0 women 9 men      Millennium Centre - 3 women 8 men

National Library - 4 women 11 men      Welsh Books - 10 women 37 men

The minimal number of women appointed to Ministerial level in the present UK Government indicates a lack of genuine commitment on the part of Leadership to the promotion of progress. The inevitable result is continuing discrimination and waste of ability. United Nations protocols with terms accepted in endorsing CEDAW and the Beijing Global Platform for Action should be shown to have effect in United Kingdom policies and practice.

**RECOMMENDATION 6:** England should follow the Welsh model of governance in order to enhance the role of women in public life.

#### **ARTICLE 8: WOMEN AS INTERNATIONAL REPRESENTATIVES**

The same Equality standards should be applied as elsewhere, as indicated throughout this document. There is significant need to demonstrate in UK's engagement across the world that women are in no way less capable intellectually or personally to represent with full responsibility the views and best interests of their country. It is essential to communicate confidence in the application of what should be universal standards globally.

The Armed Forces present a more complicated situation: our organisation would prefer neither women nor men to be engaged in armed combat. The overriding need is to address the fact that the greatest number of casualties in modern warfare is in women and children.

Women are and must be properly and closely involved in conflict resolution. We welcome the involvement of the EHRC, effecting change in attitudes and culture in the Armed Forces, and in dealing with sexual harassment.

**RECOMMENDATION 7:** Recognition and more representation of women as key players in successful post-conflict governance and resolution structures.

## **ARTICLE 9: NATIONALITY**

In Wales, as elsewhere in the UK, we are dependent on both women and men who have come to this country, to help sustain the workforce, especially for example in the National Health Service at all levels. Women in these communities often experience 'Double Discrimination'. All the categories in which we require special attention to be paid to ensure progress towards equality for women needs additional attention and emphasis on the measures that need to be taken. We claim to be a civilised society and should continue to be willing to accommodate and support those who have arrived more recently because of dangerous living conditions in their own countries, especially those with children.

There is much to be gained from a student population that has chosen to enter our Higher and Further education system; there does not appear to be substantial information on the 'bogus' applicants or their number. Proper attention we assume is being given by the Border Agency to the possibility of Trafficking involvement. We welcome Government support for UNHCR, its funding and also for the work of DFID in responding to unacceptable situations and suffering, that show no sign of diminishing. We welcome Government support for UNHCR, its funding and also for the efforts of DFID to respond to unacceptable situations and suffering, that show no sign of diminishing.

## **ARTICLE 10: EDUCATION**

The Welsh Government's education policy in developing 'Flying Start' to address effects of disadvantage in early years is greatly to be commended, followed by the Foundation phase focusing on play activity learning and encouraging creativity for three to seven year olds. There is commitment to address limited social mobility, to reduce inequalities often resulting from poverty, and to widen opportunities. The causes of low attainment are identified by research such as the National Pupil Data Base, which deserves continuing government funding.

From pre-school experience into Further and Higher education, there is need to avoid stereotyped attitudes about aspirations. Much ability is wasted with young women confined to lower paid, boring employment because of traditional attitudes and lack of stimulation or encouragement for careful subject choice at appropriate times in secondary education. Importance should be given to engaging with parents who may have traditional attitudes. Targeted careers guidance, including sound information on a full range of employment opportunities and rates of pay should be given before irrevocable subject choice is made in the examination programme and career path.

Close attention to such issues needs to be addressed in school inspection procedures.

*STEM courses*

The uptake of scientific, engineering, technical and mathematical (STEM) courses in Further and Higher education continues to show a marked deficit of young women, to their own detriment and that of society. Opportunities, including childcare for those returning to education and training after a Break, need to be made available, as in the model established in the Cardiff Women's Workshop, where positive outcomes have been the norm for many years.

### Mandatory modules

Personal and Social Education should be mandatory in the school curriculum, included in Teacher Training programmes and have specific responsibility in senior management. As well as urgent need for sex education to address the incidence of teenage pregnancy in Wales, there must be recognition of the serious lack of preventative measures to address violence against women and girls, in which education should make a major contribution.

### Performance and merit

Frequent reference is made to girls 'outperforming' boys in their results at GCSE examinations. In fact the percentages are not significant in most subjects. For those leaving school at that stage, apprenticeships are available for a minority. Welsh Government is aiming to improve this situation by funding appropriate initiatives. However, there is evidence immediately of gender stereotyping in occupation and remuneration Engineering pay exceeds healthcare by approximately 40%. For hairdressing the gap is even greater, similarly for personal/customer services.

Subject choice for Advanced Level examinations indicates the likelihood of a similar pattern seen in a sample of subject entries for 2010:

<i>Subject</i>	<i>Female</i>	<i>Male</i>
Art and Design	1892	775
Food Technology	75	17
English Language and Literature	2120	794
Mathematics	1119	1478
Physics	117	950
Sociology	991	349

For those graduating from University, income levels of young women are within three years substantially lower than those of the men. Special attention is being given to the outcome of training for the medical profession, where the intake of women to the Medical Schools has recently exceeded that of men. Currently 42% of British doctors are women but few become professors. Similarly, the majority of Consultants and Chief Executives on Medical and Health Boards throughout the country including Wales are men. The Chief

Medical Officer (who is a woman) has indicated that Research Grants will be made only to those departments shown to be successful in promoting gender equality. This move is based on the “Athena Charter” an agreement made to promote gender equality in Universities, which is long overdue. Such measures are to be commended as the most likely means of ensuring progress towards gender equality in all areas.

### Women as Heads of Schools

The teaching profession in Wales - well placed to encourage positive attitudes - does not offer inspiration, as the following facts indicate:

Teaching Staff in Primary schools in 2010-11: 8,622 female, 1,973 male

Teaching Staff in Secondary Schools 2010-11: 6607 female, 4,503 male

Headships: 56 female, 142 male

The number of women Heads in secondary schools has only increased **by 26 in 30 years.**

### Higher Education

In Higher education in Wales, the management structure is entrenched. It can be assumed the effect contributes inevitably to the perpetuation of the status quo. Of the 30 senior posts in our HE institutions, including Vice Chancellors and Principals, only two are held by women. The allocation of Research Grants is seriously affected: between 2003 -2007 women academics received 11% of funding for research projects, totaling £413,000 whereas men received £3.5 million. Equally significant is the disproportionate number of male professors: in Mathematics no women 39 men, Biology 1 woman 23 men, Law 2.4 women 13.9 men, Business Studies 1 woman 8 men, Physics 1.8 women 34.1 men, Computer Science 1 woman 11 men, no women in Pharmacology, Microbiology, Electronic Engineering, Finance, Media Studies or Human Resource Management. Of the total professoriate in Wales, there are 110 women and 840 men in full time equivalent posts.

*(Economic Renewal in the Knowledge Economy - Parken and Rees)*

**RECOMMENDATION 8:** Implementation of the *Women in Work Commission* recommendations [in full](#).

## **ARTICLE 11: EMPLOYMENT**

### Pay Gap

Decades have passed since of the Equal Pay legislation, which has still some way to go before becoming full effective. In Wales the gender pay gap is less than elsewhere in the UK because men’s earnings are lower, due to the critical decrease in men’s traditional employment in mining and heavy industry. In the areas worst affected there remains a serious unemployment problem for both women and men, which has had far reaching impact, including the further



depression of wages. The loss of the clothing industry has had a similarly adverse effect on women. These facts do not alter the significance of the recommendations of the final report in 2006 from the Women and Work Commission which includes detailed reference to gender stereotyping, its effects and the need to avoid its adverse effects on the economy. If implemented, they would promote substantial progress throughout the UK. Scotland's initiative in doing so is providing a focus of appreciative interest.

#### *Disproportionate effect of recession on women*

Meanwhile the current economic situation is not propitious in that the measures taken by UK Government to address the current economic climate have disadvantaged women disproportionately. In Wales large numbers were employed in the public sector e.g. by Local Authorities albeit mainly in the lower grades. Recent Budget cuts have led to redundancies and to an increase in part-time work replacing full-time, which reduces costs for employers and income for the women who form the majority of part-timers. There has been an increase of availability of childcare in recent years, but there are mounting difficulties because of cost. Lone parents who face the UK government's demand that they return to work or lose their Benefit entitlement when their youngest child reaches the age of 5 will be unlikely to be able to do so. Welsh Government is well aware of such difficulty and in its Tackling Poverty Action Plan sets out its key priority in assisting parents to return to work as central to avoiding poverty and its inevitable effects on the younger generation. This it aims to achieve by involving the private sector, social enterprises, professional bodies and liaison with Local Authorities to provide access to high quality affordable childcare. A cross-party group in the National Assembly has been set up to investigate support for integrated childcare from pre-birth to 7 and services outside school hours from 8-16.

#### *Gender pay audits*

Freedom to discuss pay levels and action on pay secrecy clauses initiated by UK Government are welcome, likewise the possibility of increased use of gender pay audits which need to be mandatory for all employers if there is to be realistic progress towards a genuine outcome of the Equal Pay Act. The move to facilitate the right to flexible working and parental leave for both women and men is positively beneficial in emphasising equal responsibilities in family life. There must be safeguards to ensure that pay and promotion prospects are not undermined thereby.

It needs also to be acknowledged that the increase in the number of women in the work force in the UK rose to nearly 50% not only for job satisfaction but also because of the exponential rise in the cost of living, particularly housing. The decision taken because of family responsibilities for a woman to give up

work or to go part-time is often because her earnings are less than her partner's.

### Older Women

A major challenge in Wales is the number of older people in the population, which stimulates need for appropriate services. The majority (four fifths is the estimate) manage without caring provision, but for those in need there is increasing difficulty. Many, especially but not only, women are already providing voluntary care for others, in their homes, but the provision of essential care facilities, especially residential, requires a substantial investment and workforce. Difficulty can arise in maintaining standards of care, levels of pay, and need for training and qualification. The number of older women in general exceeds that of men; they are likely to have preference for care from women staff.

The National Health Service continues to be a main provider of employment for women including BME women, but current restructuring is likely to present problems of access and transport. As elsewhere, senior management, executive, decision-making and most highly paid posts are held by men.

**RECOMMENDATION 9:** Mandatory pay audits in both the public and private sectors.

**RECOMMENDATION 10:** Implementation of the *Women in Work Commission* recommendations [in full](#).

**RECOMMENDATION 11:** The setting up of a Commission with the remit to look into the cost of childcare; put forward proposals to reduce fees (as compared to other countries, especially in Europe); with a view to provide quality childcare and facilitate parents to enter and stay in employment.

## **ARTICLE 12: WOMEN'S HEALTH**

### Older Women

Wales has a high percentage of population aged over 65, the majority of whom are women. It has also in some areas a lower life expectancy though as elsewhere as women are living longer than men, and in many cases their pension levels are on average low, there is danger of malnutrition, exacerbated by fuel poverty. Recent Budget reductions to Local Government, Health and Social Services will create additional risk especially for those living alone. Strokes and falls are well known as inevitably to justify permanent provision of medical, therapeutic and caring services.

### Teenage conception rates

Public Health bodies in Wales are working with Local Health Boards to take action to reduce the rate of teenage conception, with access to contraception in

appropriate cases which, with the need for abortion services, fully justifies the adoption of sex education in our school curricula. For the period 2007-2009, 7.3% of all conceptions were in the under-16 age group; over half were terminated. Standards of maternity care are of prime importance; many women wish to see the training of more midwives given priority to address the shortfall. Wales has a high rate of female breast cancer, but a record of successful treatment.

Screening services are effective generally, and for cervical cancer we strongly support the programme of immunisation in adolescence.

### Rural Women

Access to services in rural areas can be difficult and costly, especially for families with children. Recent policy decisions to close local hospital departments appear to have been taken without proper regard for difficulties, transport needs, cost and inconvenience to patients and families, environmental effect or employment disruption. Women are likely to be disproportionately affected especially those in the Gypsy, Roma or the travelling communities who already suffer from lack of provision. Women with disabilities have particular vulnerability especially those in the minority groups. Altogether their numbers require recognised specialised services with appropriately facilitated access.

### Mental Health Services

Emphasis has to be given to distinct mental health service needs of women, especially those who have suffered abuse or those who have broken the law.

Welsh Government currently has a key consultation “The People’s NHS” on creating a compact with the people of Wales regarding their health and social services for which all above points are relevant. The abolition of all prescription charges in Wales has been of major benefit to all, especially to the older generation likely to be in need of medication, and to those with complex medical needs where cost could be prohibitive.

**RECOMMENDATION 12:** No change in the current legislative provisions on termination of pregnancies.

**RECOMMENDATION 13:** Increase in education on health in schools, especially regarding sexual health.

**RECOMMENDATION 14:** Implementation of the *Women in Work Commission* recommendations [in full](#).

**ARTICLE 13: ACCESS TO FINANCIAL, SOCIAL, CULTURAL, RECREATIONAL ACTIVITY**

The right of women to Bank loans, mortgages etc. is often limited by the fact that their income fails to meet the criteria demanded by such institutions. This can result in making the situation of those living in poverty much worse if they become the prey of 'loan sharks' who grant money on terms that can ruin their already impoverished living conditions. This leads to many women becoming involved in prostitution as they can see no alternative. UK Government should take action to prevent such situations, as is already the case among other European nations with claims to being civilised.

Participation in recreational and cultural activities depends partly on financial implementation of paragraph 83 in the *Beijing Platform for Action*, which requires equal male engagement in domestic and caring responsibilities.

Further obstacles to women's participation come from the traditional view of the Media that male sport is of supreme importance. It is to be hoped that the achievement of women in the 2012 Olympics will have lasting effect and alter such perception. Meanwhile Sports supplements appear to have resumed their previous practice.

#### *Advice Centres*

Advice centres have been closing around the UK. The situation in Wales is better as the Welsh government has ring fenced more funding in order to ensure provision. But more needs to be done.

**RECOMMENDATION 15:** Compulsory mainstreaming of education on financial institutions and financial management of personal budgets.

**RECOMMENDATION 16:** Support and awareness raising of the role and function of credit unions.

**RECOMMENDATION 17:** Sizeable increase of the emergency loan fund.

**RECOMMENDATION 18:** Re-instatement of local advice centres specializing in financial matters across the UK.

#### **ARTICLE: 14 RURAL WOMEN**

There are some disadvantages for women living in rural Wales. Employment opportunities are limited, and public transport not always convenient. For older people and the severely disabled, free bus travel is available, and concessionary fares on community transport, funded by Welsh Government. This is essential for parents with young children for access to schools, as well as for all those without their own transport faced with the closure of village shops and post offices. Access to medical services can also be a problem: a maternity appointment in Gwynedd can involve a journey of 40 miles and in Powys (mid-Wales) even further.

Mental Health services are of significance to address the effects of isolation and limited communication with others. For women and girls at risk of abuse

there is concern because of the lack of appropriately convenient support. Current plans to reduce the number of hospitals in Wales is causing anxiety to many living in rural areas.

The contribution of women to dairy farming is essential, and often unpaid as part of family life. Recent decisions by certain retail outlets to cut the amount they will pay for milk can be not only demoralising but likely to destroy livelihoods. Income is already low in many cases because of such exploitation and survival only possible because of the enterprise of women supplying accommodation for visitors and other activities. Wellbeing and quality of life in rural communities often depends on women's initiatives.

*(Research conducted by NFWI of Wales)*

**RECOMMENDATION 19:** Protection and enhancement of the rural transport system.

**RECOMMENDATION 20:** Implementation of the *Women in Work Commission* recommendations [in full](#).

**RECOMMENDATION 21:** An increase in regular mobile facilities, such as mobile libraries.

## **ARTICLE 15: EQUALITY BEFORE THE LAW AND CIVIL MATTERS**

### *Women from Wales in Prisons in England*

Welsh Government has the capacity to initiate measures to address issues affecting women. It is a matter for concern that greater use is made of imposing custodial sentences for law-breaking than in England. Since the Criminal Justice Act of 2003 there has been an increase in the number of women given such sentences, but little change in the type or rate of offending, usually shoplifting or non-payment of debt, rarely violent crime. This gives rise to continuing concern, as there is no such accommodation in Wales for women, who are sent to prison in England. Visiting is long-distance and as 60% of women sentenced have children aged under 16 the resulting difficulty, cost and absence is predictable.

In 2006 a consultation document referred to 'Welsh women prisoners to be located in Wales' but, there has been no move to build a women's prison in Wales. Many of those experienced in the sector such as the President of the Prison Governors' Association suggest that it would be far more appropriate to make use of non-custodial sentencing.

The disruption caused to families which is usually acutely damaging and results in breakdown, leading to mental health needs, reoffending and social exclusion, should be avoided. Instead (and reducing both social and financial cost) most experienced practitioners recommend alternatives to prison to promote rehabilitation and resettlement such as small community-based centres with improved mental health practice.

*Welsh language*

For women whose first language is Welsh, there is also clearly a Human Rights issue as no provision for Welsh speakers is made in English prisons. This aspect of their incarceration appears to have been ignored, which contradicts Welsh Government's particular regard for equality. The Government of Wales Act 2006 states 'Equality of Opportunity for all people' which does not appear to be the case for women in prison.

*Revision of Benefits system bad for women*

Recent proposals by the UK government to revise the Benefits system to reduce cost, suggest that payment of Family/Children's Benefit should be payable to only one person in the household. This will clearly have adverse results on women's equal responsibility, if as expected, male responsibility is assumed. We appear to have regressed to the historic concept of male Head of Household and total disregard for equal rights.

*Women and Rape*

That women are at a disadvantage in cases where a man is charged with rape has become increasingly evident by the very small number of successful prosecutions, emphasising women's vulnerability, undermining their faith in the judicial process, discouraging them from making a complaint and thereby allowing others to be put at risk.

*Legal Aid cuts*

There has been a near abandonment of legal aid in key areas. This has disproportionately affected women who are already in a vulnerable situation. It is vital that women are given the opportunity for legal representation when in need. The government has a 'due diligence' obligation towards all members of society and under key domestic, EU and international legislative provisions. The government is in breach of its obligations at the moment.

**RECOMMENDATION 22:** Collection and dissemination of disaggregate statistics of women from Wales in the prison estate in England.

**RECOMMENDATION 23:** Re-direction of financial resources from women's prisons to more use of community sentences.

**RECOMMENDATION 24:** Urgent re-instatement of legal aid in order to mitigate the disproportionate adverse effect on women.

**ARTICLE 16: EQUALITY IN MARRIAGE AND FAMILY LAW***Violence against women and girls*

Following the publication of its strategy document ‘The Right to be Safe’ in 2010, Welsh Government embarked on a course of sustained consultation, including frequent meetings with representatives of women’s organisations, such as those with direct experience of the problem. As a result, a White Paper was issued in May 2012, containing proposals for consultation on measures planned to address all forms of violence, in which domestic violence is of major concern. Detailed recommendations from the women’s Action Group include emphasis on preventative measures especially through all stages of education; intervention and sustained support services, based on experience and evidence submitted by those involved in relevant services, those who have suffered and expert advice. Legislation is planned for late 2013.

#### *Closure of Magistrates Courts*

Meanwhile it is unhelpful that the Home Office (UK Government non-devolved function) has closed a number of Magistrates’ Courts in Wales, including Domestic Violence units, which enabled women, especially those with young children, to resort to the law for protection, with less need for childcare and the expense of travel. There should be realistic funding for Refuge accommodation, at present inadequate to meet the need. Based on experience it is estimated that approximately 4,000 women annually in Wales seek refuge but half are turned away because of no room, including more than 100 who have no recourse to public funding.

#### *Adverse effect on BME families and ‘honour’ based violence*

In Wales there are BME and ethnic minority families in most areas but mainly in Cardiff. There are issues relating to incidence of female genital mutilation, which is known to take place, and forced marriage suspected where adolescent girls under school-leaving age ‘disappear’. Such practices although illegal in the United Kingdom appear to be difficult to prosecute. ‘Honour-based’ violence in which a young woman is subject to physical attack within her family on refusing to accept a partner of her parents’ choice has recently received much publicity because of a notorious case in England, in which a young woman’s body was eventually discovered and her parents convicted of her murder. It is hoped that this example of effective legal action will deter the practice, resulting in awareness and greater regard for law with appropriate intervention.

**RECOMMENDATION 25:** Re-instatement of the Magistrate Courts in Wales.

**RECOMMENDATION 26:** No acceptance in court of a defence/justification based on honour (e.g. parental killing of daughter in the name of honour).

**RECOMMENDATION 27:** Effective support services for women in the criminal justice system.





## **FULL LIST OF RECOMMENDATIONS** **by Wales Assembly of Women**

1. Re-instatement or establishment of a UK-wide national body/network, independent of government, to coordinate views of women's organisations in the UK.
2. Re-instatement of advice help-lines across the UK, including Wales.
3. A mandatory module at all levels in schools challenging stereotyping and gendered sex roles in society, including the media.
4. Gender-balanced media content.
5. Intense training in and awareness raising of human trafficking of front line police officers and other staff, including increases in prosecutions, especially in preparation to the added duties on the state under the EU Anti-Trafficking Directive that becomes law in UK from April 2013.
6. England should follow the Welsh model of governance in order to enhance the role of women in public life.
7. Recognition and more representation of women as key players in successful post-conflict governance and resolution structures.
- 8., 10., 14. and 20. Implementation of the *Women in Work Commission* recommendations in full.
9. Mandatory pay audits in both the public and private sectors.
11. The setting up of a Commission with the remit to look into the cost of childcare; put forward proposals to reduce fees (as compared to other countries, especially in Europe); with a view to provide quality childcare and facilitate parents to enter and stay in employment.
12. No change in the current legislative provisions on termination of pregnancies.
13. Increase in education on health in schools, especially regarding sexual health.
15. Compulsory mainstreaming of education on financial institutions and financial management of personal budgets.
16. Support and awareness raising of the role and function of credit unions.
17. Sizeable increase of the emergency loan fund.
18. Re-instatement of local advice centres specializing in financial matters across the UK.
19. Protection and enhancement of the rural transport system.
21. More regular mobile facilities, such as mobile libraries.
22. Collection and dissemination of disaggregate statistics of women from Wales in the prison estate in England.
23. Re-direction of financial resources from women's prisons to more use of community sentences.
24. Urgent re-instatement of legal aid in order to mitigate the disproportionate effect on women.
25. Re-instatement of the Magistrate Courts in Wales.
26. No acceptance in court of a defence/justification based on honour (e.g. parental killing of daughter in the name of honour).
27. Effective support services for women in the criminal justice system.