Hello and welcome to On The Engender: The Briefing. I'm Alys Mumford from Engender. I'm normally joined on this podcast by Amanda Stanley who's having a break this week so instead, I'm joined by my wonderful colleague, Maxine Blane. Hi, Maxine.

Hi, Alys.

Thanks so much for joining us this week. We've also got Emma Ritch, Engender's Executive Director. Hi Emma.

Hi there.

And we're delighted that this podcast is a joint publication with the First Minister's National Advisory Council on Women and Girls and so we are also joined by Dr. Ima Jackson who's the co-chair of that council, hi Ima.

Hello there.

Thanks so much for joining us. We're going to be talking today about Intersectional Gender architecture and we will get into what that means a little bit later. But first, to kick us off on the right foot, we like to share something positive at the start of the podcast - it could be a global news story, a Twitter trend, or just a particularly fluffy dog you saw. Who would like to kick us off with something good? (This is always the hardest part of the podcast for all of our guests.)

Well, we may not be able to visit each other's houses at the moment in Glasgow, but the Glasgow Women's Library has reopened and we can go there.

Yay! Oh, that is great news.

Check their website and social media for their opening times, which I think are still a bit reduced. But they're running an autumn programme of events and the library is now reopened, so that's excellent.

Fab, that's a great one. Emma, have you got anything positive you can share?

Yeah. Mine's about Programme For Government which launched yesterday. And although we're still so far in Scotland from women having equal access to power, safety and resources, I really did feel proud of how much of the thinking, activism and advocacy of women and women's organisations was reflected in it. There's action on the gender pay gap, domestic abuse, data and gender mainstreaming, women's health and (fanfare) incorporating CEDAW, the International Women's Bill of Rights into Scots Law. So Engender will have its usual gender edit of the Programme For Government out today. But really just I think my takeaway was overwhelming pride in what we achieved when we work together.

Amazing, thanks. Ima, have you got anything you can share?
[00:02:22.730] - Dr Ima Jackson
Yeah, I mean that actually I was going to mention the Programme for Government a bit as well, partly because I had been working on ethnicity and covid and we had worked very hard to meet some of the deadlines for entry and programme for government and saw some of the recommendations had been included. So that is a really positive thing. But actually, on a slightly, completely random note, I was sitting yesterday and I was thinking about what I would say that might be, you know, I was thinking of something nice. And actually I was sitting drinking and I had a glass of Amarula, which I brought back from Morocco just before lockdown. And I'd been to young artists in Marrakesh at the African Art Fair Contemporary Art, and had quite a lot of Amarula when I was there. So sitting last night with that thinking about the African art fair and Marrakesh, and Amarula.

[00:03:19.850] - Alys Mumford
I'm assuming we're not just talking about public toilets here. What is gender architecture?

[00:04:16.040] - Emma Ritch
We're not, though, although having enough places to go to the loo, including baby changing and appropriate facilities for disabled people, is obviously a women's issue that we care about. So 'gender architecture' is a bit of a wonky shorthand for all of the structures a state has for advancing women's equality and rights. So it includes things like ministries for women, independent oversight bodies, commissioners and ombudspersons, statutory equality, advisory bodies like the Equality and Human Rights Commission, parliamentary committees, equality-focused government departments, processes like gender budgeting and equality and anti-discrimination law and regulation. So you can see why we needed a shorthand.

[00:05:11.120] - Dr Ima Jackson
I mean, first, just to say the advisory council was formed as a catalyst for change to kind of address gender inequality through providing independent strategic advice to the First Minister of Scotland and really it's been building since 2018, 2019. 2018 was attitudes and cultural change in public life. 2019 it was public policy coherence - how is policy made, how do policies work. And then in 2020, it's really been focusing on creating an intersectional gender architecture and about the status of women, the structures and the importance of framing of intersectionality and trying to bring that in. And so, you know, the systemic approach of what the advisory council is focusing on means that gender architecture is our focus. Intersectional gender architecture is our focus, if that makes sense.

[00:06:06.790] - Alys Mumford
Thank you so much, Ima. That's great, makes loads of sense. Can you just clarify one thing for us? The National Advisory Council on Women and Girls - in the office, I get teased quite a lot for calling it Nac-a wag-a, but is that a thing that other people call it?
[00:06:20.110] - Dr Ima Jackson
Not that I've heard...

[00:06:24.880] - Alys Mumford
awww ok. Carry on colleagues.

[00:06:25.700] - Emma Ritch
I sometimes forget and say that in Nac-a wag-a meetings and everyone looks at me as if I'm peculiar.

[00:06:32.830] - Alys Mumford
We need shorter names for things, we really do. So looking at the Scottish context of gender architecture, like, how are we doing? Emma you've mentioned concrete examples there and Ima you've talked that this has been a focus for the advisory council. So let's talk about some of those concrete examples. The first one you mentioned there is anti-discrimination laws and statutory requirements around equality. We have those right? That's the Public Sector Equality Duty that we talked about last time. Is that is that what we're talking about there?

[00:07:00.870] - Emma Ritch
Yeah, that's exactly right. So we've got the Equality Act, which covers sex discrimination, including sexual harassment and equal pay, and also includes the Public Sector Equality Duty, Alys, that you mentioned, which is a proactive duty to reduce harassment on the grounds of both sex and pregnancy and maternity, and advance equality and enable good relations between different protected groups.

[00:07:23.650] - Maxine Blane
So you also mentioned distinct ministries or ministers for women and gender. Do we have a minister for women in Scotland?

[00:07:29.680] - Emma Ritch
Kind of. So cabinet roles and ministerial roles can change within Scottish Government. They're not fixed like they are in some states and nations. At the moment, the Cabinet Secretary for Social Security and Older People has the equalities brief, and that's Shirley-Ann Somerville. Christina McKelvie is the minister for Older People and Equalities, and she's got a particular cross-portfolio role to work with Cabinet colleagues on women's equality and rights. But you will notice that neither of those titles specifically mentions women.

[00:08:03.370] - Alys Mumford
Is that a common thing Emma, or perhaps Ima, do other countries have ministers for women? Is that a standard thing?

[00:08:09.400] - Dr Ima Jackson
I think Emma you'd have to. I mean, I think it is, but Emma I think you're so knowledgeable in this area.

[00:08:17.170] - Emma Ritch
I mean some, some countries do have ministers for women, so it is something you can choose to do. In Westminster, we've seen ministers for women and ministers for equalities, although those roles are currently combined at the moment in the person of Liz Truss. And there has been occasional, I'd say, missteps by UK Government in having ministers for women that didn't draw down a ministerial salary. And so I think sometimes can be seen as quite marginal to proceedings.

[00:08:46.750] - Alys Mumford
You mentioned there ombudsppeople, one of the greatest words in the English language. Can you talk a little bit more about what that might be? So these independent oversight mechanisms?

[00:08:54.940] - Emma Ritch
Sure. So we have the Equality and Human Rights Commission and Scottish Human Rights Commission in Scotland, and the EHRC has a mandate to do some compliance activity. And so they
can do inquiries and they can compel witnesses to come to those and they can also investigate individual public bodies. And the SHRC can also carry out inquiries on women's rights. Other regulators, like Audit Scotland, are covered by the Public Sector Equality Duty, so arguably they should be doing some work to ensure that the bodies they regulate are thinking about equality and potentially so should some ombudspersons. But there isn't a designated equalities ombudsperson and there is a question mark about how well, and sometimes even if, those bodies, those oversight bodies, are thinking about women and thinking about gender.

[00:09:47.290] - Maxine Blane
I guess that sort of covers the next thing I was going to ask about, which was advisory and non-departmental public bodies. Would that be things like the EHRC in Scotland?

[00:09:55.240] - Emma Ritch
Yes, absolutely, Maxine. So both the EHRC and the SHRC also have advisory roles. So they advise the parliament, they advise the government and also public bodies about equality and women's rights. I think there are question marks about how adequately those bodies are funded - certainly the EHRC’s funding has been drastically cut since it first came into being in the late 2000s - and whether or not they have all the resources to do the work that they need to do. I think there are also question marks among women's organisations about the extent to which they focus on key issues around women’s equality and rights amid all of the other work that they do.

[00:10:36.090] - Alyss Mumford
So looking at, yeah, I guess that that idea of ‘is it looking specifically at women, are you trying to look at everything?’ that some of the themes you talked about last time when we talk about PSED. So one thing that gender architecture can include is things like dedicate parliamentary committees, embedded 'gender focal point networks', a very sexy phrase there, across government departments and public bodies. Is that, is that Nac-a wag-a? Is that what that is?

[00:11:00.180] - Emma Ritch
No, not quite. So on the committee front, the Scottish Parliament has a committee focusing on equality and human rights. They carry out inquiries and they’re often the main committee scrutinising a bill. They have a very broad mandate, though. So all equalities, all human rights. And I think we've seen over time a bit of a decrease in their focus on women's equality and rights. And just as a matter of, kind of, time, they cannot scrutinise all bills because of the capacity. There's so many bills, they're only one committee and I think there is another question mark over whether the parliament, therefore, is adequately thinking about women and gender when it does its work. There aren't things like rapporteurs looking at women and gender attached to each committee that we might see in other parliaments, for example. On gender focal point networks, those tend to be things like - the Scottish Government has an equality and mainstreaming unit and that is, following a National Advisory Council recommendation, being expanded into a directorate. So that is a solid focal point within government for equality and for thinking about women and gender. That is quite rare in other public bodies, and we often see just one or two staff responsible for, quote unquote, doing equality with quite limited institutional support. There are also some other mechanisms - councils used to have women's committees, race committees that brought in officials, potentially elected members, outside experts. And we've seen a huge decrease in those type of structures in the last couple of decades. So those more unofficial focal points -non-statutory, non regulatory focal points have become, I think, a bit eroded.

[00:12:39.730] - Maxine Blane
One of the other things that you mentioned, sort of more of a process, is gender budgeting, which is a thing that we talk about a lot at Engender. And so what Scotland doing on that?

[00:12:48.120] - Emma Ritch
Well, the Scottish budget process includes the publication of an Equality Budget and Fairer Scotland statement, which was unique in the UK when it was introduced and very groundbreaking when it came into being in 2009. But I think we would now see Scotland as falling behind international comparators a bit. And I think one of the big critiques of the Equality Budget and Fairer Scotland statement is that
it's not really driving spending decisions and driving departmental scrutiny of the extent to which spending decisions differ in their impact on women and men. It's kind of after-the-fact describing and listing the spending programs that affect women and men, which is a significant difference for us.

[00:13:34.510] - Dr Ima Jackson
Why did that happen like that, Emma?

[00:13:36.330] - Emma Ritch
Political choices, I guess? Yeah, it was kind of attached to the budget in 2009 off the back of SWBG advocacy.

[00:13:46.280] - Amanda Stanley
(That's the Scottish women's budget group.)

[00:13:48.130] - Emma Ritch
And that was great. I mean, it seemed like a real huge step forward at the time. And I think over time we'd hoped it would be integrated into the actual budget process a bit better. But it's still a little bit post-hoc justification compared to actually driving decision making.

[00:14:03.000] - Dr Ima Jackson
It's just interesting that just from a whole sort of systems approach that that all the effort and all that thinking and ambition and then gets whipped around to kind of being not the driver, but the indicator of what has just happened.

[00:14:18.390] - Emma Ritch
Yeah, I think that's exactly right. And I think that's why some of this stuff is so, like, it really needs a lot of focus, attention and scrutiny over time from advocates. And that's one of the things Engender does. But it's, you're wading knee deep in technical detail, and so it's, like, it's quite hard to communicate, I think, to women who just want good spending decisions to be made or just want a service when they go and need a service to explain that "Oh, paragraph three of this practice note is somehow really important that it says women and not gender" or "women and not sex" or whatever is supposed to say, "not human rights, but women" or something. And it can often seem like very small distinctions. But yeah, I guess that's one of the things we do is get into that detail.

[00:15:03.350] - Alys Mumford
Yeah, that's really useful and I think one of the things I'm particularly keen to talk about in this podcast is the idea of intersectional gender architecture. So we know that Scotland doesn't even have a lot of the, the stuff that we might want to see in terms of gender architecture. And we've talked just now and in previous episodes about how often systems that have been designed to increase equality can actually work against an intersection approach sometimes. So how can gender architecture be designed with intersectionality in mind?

[00:15:28.470] - Dr Ima Jackson
Well, I think I'm going to talk just a little bit about that and also just a little bit about my route towards the advisory council itself. And so very much, I work with Black women, women of colour, people who have migrated to Scotland and have really brought a sort of participatory approach to engaging with their experiences towards policy and decision makers that that happens around them. And I think that the issue of intersectionality in a way, I mean that's kind of the way that I work, from the sort of social justice embedded with communities, embedded with people, even those in academic and sort of bringing that towards policy and that kind of understanding of how the decision making processes don't have generally have an intersectional perspective, and so I think the council was perhaps interested in that work and to bring in that sort of thinking because they were looking at intersectional gender architecture. And so I was kind of invited to participate in the advisory council itself. And so, I mean, from my perspective, it's just fundamental - intersectionality - in the way that I work, which is based within the sort of framing of intersectionality. And it always kind of has been because of who I work with and for. But seeing how it functions as a potential framing and understanding and what it can bring to a much wider use within society, really. Yes, we're talking
about it within our sort of systems of decision making. But it's really important and I think the importance of it comes not just because the way that the system creates the inequality that we're all working with and within and and against is that intersectionality in way supports us to demonstrate to the system itself what it does. And I think intersectionality sort of offers such an important understanding of how the different ways the system discriminates against you. And for, kind of, in the first time, it's all been framed around this world yes, intersectionality, but it gives a power to it, a force to it that I think generally the system had managed to disparate in that people with disability were over there, people with gender issues here, people with sexuality issues were there, people experiencing racism over there and in the system kind of creates a whole mechanism that people, in fact, often were - and I think this comes up a lot -were in a way competing against each other and the way the system discriminated against them. So to me, bringing in sort of intersectional thinking is an activist response to the system's own way of working itself around so-called equality or inequalities is what it should always be.

[00:18:40.500] - Alyx Mumford
Absolutely. And I mean, I suppose we would, yeah, you would hope and think that gender architecture wouldn't work if it wasn't intersectional, because it wouldn't be it wouldn't be recognising all the different oppressions that women face. Emma, is there anyone, is this a new idea, this idea of intersectional gender architecture, are other people already doing this?

[00:19:00.150] - Emma Ritch
So that's a really interesting question, Alyx. And I think that I think it's maybe too implicit in the conversation that we have about architecture. And I would also perhaps point out the fact that the reason the terminology around gender architecture is probably less familiar to some of those who regularly listen to this podcast is because actually we often don't talk about the whole system of gender architecture all at the same time. So we often have kind of a conversation about the Public Sector Equality Duty, or a conversation about some other element of it. I think Ima makes excellent points about the rationale for engaging in this work and certainly one of the really critical examples that is often raised, looking at the question of how the gender architecture should be, is around sexual harassment. So in both the United States and in Great Britain, the law just really doesn't respond to the fact that sexual harassment often contains racist harassment also - you kind of have to pick a ground that your complaint is being made on. Either it's a sex discrimination case or a race discrimination case. And there was a provision for multiple discrimination in the 2010 Equality Act, but that has never been commenced. And one of the justifications for that is cost - that there'd be too many cases coming forward.

[00:20:18.750] - Alyx Mumford
Wow

[00:20:18.810] - Emma Ritch
So we see a deliberate spending-based, risk-based decision to limit access to justice for Black and minoritized women and for any any group that has a kind of intersecting cause of complaint. I think I see one of the huge challenges of, around the gender architecture functioning at all, one of the things we talk about all the time in terms of implementation and its failures, is the lack of gender competence, which is the knowledge and skills around how gender functions as a hierarchy, how that affects women's lives, and so what policy and practice responses you need. And I think if if the organisations within the gender architecture - if the institutions, if the ministries, the regulators, the ombudsppeople - if they lack knowledge and skills on disability, on race, on sexual orientation, on age, on gender reassignment, then they're very likely to shape those institutions in a way that doesn't provide justice, equality and rights to all women. And that has to be intolerable to us. But also, I think is a real challenge in terms of how we then shape these institutions to have that knowledge.

[00:21:25.600] - Alyx Mumford
In terms of what the National Advisory Council is doing to to try and increase the competencies to try and talk about these issues, what's, Ima can you just talk us through what the, sort of, shape of the year is or what your plans are around this idea of gender architecture?
[00:21:40.120] - Dr Ima Jackson
Well, I mean, I think there's a couple of sort of specific pieces of focus that we are doing on this work. The first is that we are looking nationally, internationally for the evidence base around, sort of, looking at gender architecture, what's been functioning in other jurisdictions throughout the world, but also, and what was seen as a supportive, what seems to be functioning well. So that's a piece of work that's going on, which will help us build our, the evidence base or the knowledge base for our own recommendations from the council to the First Minister. So that's one piece that's going on. But also the second piece of work is which I'm actually quite heavily involved in taking forward with the council is is a sort of piece to engage a specific area within the gender architecture to look at how accountability functions within that area or how the system itself functions around gender inequality. And so we're building a piece with a specific focus of within the decision making processes, which will be participatory, will involve people who are made, the decisions are made about, but they're very rarely involved in the decision making. It will also involve the organizations who do engage both activist organisations or women's organisations who are already in the landscape. And it will be bringing policymakers, decision makers and those responsible for those decisions together to focus on how the actual architecture or the actual structures that we make these decisions function and don't function, and to have a kind of careful conversation and in a way that we don't often get to have, often the people who are, decisions are made about, and the people who are making decisions don't actually ever engage together. And this is an attempt, it's called, we're using the 'long table', which is recognised, it's from the creative sector, and it's a way of facilitating this kind of engagement for careful conversations when the issues are often so complex and often so long-standing and have complex history in order to have a public conversation about them.

[00:24:18.310] - Alys Mumford
That sounds incredible. We'll be looking forward to hearing more about that as it as it goes forward. Thank you, Ima.

[00:24:24.850] - Maxine Blane
So I suppose finally, just to look at where we are today, how does all of this tie in with Scotland's ongoing response to Covid-19?

[00:24:33.930] - Dr Ima Jackson
Well, I think I can probably just say that first, that the advisory council, that although we're supporting the work going ongoing within Covid, the actual structure of how the council was going to take forward work for this year has not necessarily been altered by engaging directly with Covid. And I think it's an important position that we had to take. Emma, I don't know if you want to explain that bit better.

[00:25:04.040] - Emma Ritch
I think that one of the points Engender has been making throughout the Covid lockdown is that we need to keep moving forward with work on women's equality and rights that was begun before. And I think that because the National Advisory Council is so focused on system change, the systems haven't changed - I think some of the the weaknesses and challenges within them have been exposed by Covid. So I think it's right that the council continues to look at that work and look at how those bodies, which should provide remedy leadership, authoritative information, have not done so during Covid.

[00:25:40.370] - Alys Mumford
Do you know I'm actually really pleased to hear that. I think that we have seen a lot of things that have been understandably put on hold or refocused in this crisis. But actually the the work doesn't get any less important, it gets more important.

[00:25:54.260] - Dr Ima Jackson
And I think I think that from a systems approach, I mean, I think that it's been a really important stance to take, because in a way, that's part of the, yes, it's Covid but to take an overview of it and that the system itself has created the reality, certainly within those that I work with, with a racialised and marginalised, that the reality of the actual system is on display through Covid. And so then to the
bodies and the organisations that the focus is looking at, the system would just focus on the Covid itself is in itself problematic and how the system in a way would want you to function and so or is designed to help to make you function so I think staying out of it, looking at it and seeing how the system is functioning within that and what is evidencing of itself is a really important stance to take.

[00:26:54.440] - Alys Mumford
Amazing. Thank you. Before I close this up, is there anything anyone wants to say that they felt they haven't been able to cover about intersectional gender architecture any closing thoughts or important points to make?

[00:27:06.680] - Emma Ritch
I suppose just that we don't yet know what intersectional architecture is going to look like, but I think we can can anticipate what some of its features are going to be. And I think it's going to need to pay much better attention to the specific experiences of different groups of women while avoiding the trap of what we often see in equality work, which is a kind of highly generic equality mush, where the distinctive experiences and impressions and difficulties and inequalities and -isms are just manifesting differently for different groups of women. So we want to be paying more attention to these differences, not less attention to those differences.

[00:27:51.330] - Alys Mumford
Fantastic. So now that you all know everything you could possibly want to know about intersectional gender architecture, we're going to close up, as always, with a final recommendation from everyone, some further reading, upcoming event - probably online - or a thought for the day, Maxine, you kick us off.

[00:28:08.750] - Maxine Blane
Sure, so I guess this is more of a general reading for fun rather than further reading on intersectional gender architecture, but the second issue of Extra Teeth just came through the post at the weekend, which is a Scottish literary magazine with some, its got really some really excellent writing in it. So I would recommend grabbing a copy of that if you're not already subscribed. Subscribed? Subscribed?

[00:28:28.730] - Alys Mumford
Amazing. I subscribe to a couple of things at the start of lockdown. I subscribed to The Big Issue because I couldn't get it on the streets anymore, and The Nib, and it is really lovely having like a magazine come through your letterbox. I, I really enjoy that sort of 'thud' on the mat. So a great recommendation there, Max, thank you. Emma, have you got anything to recommend for us?

[00:28:49.660] - Emma Ritch
Yes, mine's a little bit about intersectionality and architecture, and I think we're all pretty clear on the fact that if the law doesn't work for all women, it isn't justice. So this episode I'm recommending a letter which was written by the Yale Collective on Women of Colour and the Law in 1991, following a speech made by Catharine MacKinnon. The letter offers some sisterly challenge on intersectionality, but also some deep insights into how structures can work for some women and not for other women.

[00:29:21.560] - Alys Mumford
Great and we will link to that letter in the show notes of course. Ima can you give us something to close up with?

[00:29:29.340] - Dr Ima Jackson
Yeah I guess following on from Emma's, my I guess the book to, a book that I would recommend is 'Intersectionality' by Patricia Hill Collins and Sirma Bilge which has been out for a few years, but I think it's a really helpful read, not a difficult read, but a helpful read. And I think maybe just on a lighter note, I don't know if people are aware of this, there's a new mural trail about. A powerful, sort of, artworks, including paintings, videos, photographs, digital, Scottish, Black and Asian artists in solidarity with Black Lives Matter. And they're in towns and cities on arts institutions and billboards across Scotland. From, it started in June 2020 and just for people to keep an eye out for them and
enjoy them and see what is being said.

[00:30:27.700] - Alys Mumford
Amazing recommendation, thank you. Mine is also on further, further listening. So the Intersectionality Matters podcast with Kimberlé Crenshaw is really brilliant. They've also got, there's a special sort of Covid section of it called Under the Blacklight, but a podcast exploring issues of intersectionality, looking at pop culture, looking at current affairs. I just reset my phone and had to reinstall all my podcasts and that was that was top of the agenda because it is a great listen. So, yeah, go forth, read listen, walk the mural trail and you'll hear us in a couple of weeks. Thanks so much to Emma, thanks to Maxine. And especially big thanks to to Ima for joining us and the National Advisory Council on Women and Girls for co-producing this podcast with us, we will link to information where you can find more about the National Advisory Council, their website, their socials, and obviously find out more about Engender in the show notes this podcast. As always, please make sure you're subscribing to On The Engender so you don't miss out on future episodes. And if you have enjoyed learning about intersectional gender architecture, we would love it if you gave us a positive rating. Thanks so much all for joining us, bye.

[00:31:39.260] - All
Bye, thanks.

[00:31:51.820] - Amanda Stanley
This episode of On the Engender: The Briefing has been a co-production with the National Advisory Council on Women and Girls and was produced by Amanda Stanley. The music featured throughout was written and performed by Bossy Love. You can find out more about the work of the National Advisory Council on Women and Girls by heading to onescotland.org. And be sure to give them a follow on their socials @NACWGs Scot. You can find out more about Engender by heading to Engender.scot and follow us on Twitter @engenderscot. And be sure to click subscribe to this podcast series so you don't miss the next episode.