

## **Engender Parliamentary Briefing: Charities, Scotland and Holyrood**

### **BACKGROUND**

#### **1. The women's sector in Scotland**

Scotland has a **thriving and politically engaged women's sector**, comprising organisations that work both independently and collectively to call for substantive changes in policy and practice to advance women's rights and equality. This briefing, prepared ahead of the Scottish Parliament's debate on **Charities, Scotland and Holyrood** on 30<sup>th</sup> October 2019, highlights just some of the major successes of our campaigning and advocacy work since the Scottish Parliament's establishment.

#### **2. About Engender**

Engender is a **feminist policy and advocacy organisation working across the breadth of Scottish policy to realise women's political, social and economic equality with men**. Since we were founded in 1993, we have engaged constructively with political institutions in Scotland, and internationally, to ensure that decisions made in those spaces positively impact women's lives and increase women's access to power, safety, and resources. We are ambitious in our desires to build a Scotland in which equality is a reality for all women.

### **SPECIFIC CONSIDERATIONS**

#### **1. Holyrood and the working culture**

Engender's advocacy for gender equality within and because of the Scottish Parliament has a long history. Our members campaigned alongside women's sections of churches, trade unions, and other women's organisations who lobbied as the Women's Co-Ordination Group for political parties and trade unions to formalise equal representation for women. We pay tribute to all of the women involved in articulating the Women's Claim of Right and who created the original Women 50/50 campaign to work towards a gender-balanced Scottish Parliament.

This focus on creating a legislature for women saw equality included as one of the Parliament's four founding principles, the creation of the Parliament's crèche, and the

Equality and Human Rights Committee (then Equal Opportunities Committee) as a standing committee of the Parliament.<sup>1</sup>

Engender has lobbied for gender-sensitive sex-disaggregated data from our inception, and during the early years of the Scottish Parliament we produced Gender Audits to ensure parliamentarians (and others) had access to data about the representation and status of women and women's and men's different experience of the areas of life around which the parliament was legislating. Our advocacy for women builds on the work of these early campaigners and their advocacy to ensure that the Scottish Parliament was a place where gender equality is taken seriously.

## **2. The Gender Pay Gap Action Plan**

In March 2019 the Scottish Government published **A fairer Scotland for women: gender pay gap action plan**. Scotland's gender pay gap averages 14%, and 30% for part time workers.<sup>2</sup> The pay gap is a result of multiple overlapping factors including occupational segregation; the economic undervaluation of stereotypically female work; women's disproportionate responsibility for unpaid care and reproductive and domestic labour; and discrimination.

The action plan represents an ambitious, collaborative and targeted strategy based on advocacy from **Close the Gap and Engender and following our engagement with Parliament's Economy, Jobs and Fair Work Committee**.<sup>3</sup> We argued that a national strategy to tackle all of the causes of the gender pay gap was a necessary response to such a complex issue. The Committee subsequently backed our proposal in its bold report,<sup>4</sup> and used its debate effectively to encourage the Minister to act decisively. The consequent action plan includes commitments across a range of policy domains, including education, employability, economic development, skills, labour market, and procurement.

## **3. The Domestic Abuse Act**

In April of this year we **welcomed into force the Domestic Abuse Act (Scotland) 2018, criminalising psychological domestic abuse and coercive and controlling behaviour**. The Act represents what has been described as the 'gold standard' in protections for women and children from domestic abuse by integrating a gendered analysis directly

---

<sup>1</sup> Engender has published a heritage podcast, looking back at some of the founding moments in our history and the women involved: 'You'll have had yer feminism?' <<https://www.engender.org.uk/gallery/youll-have-had-yer-feminism/>>

<sup>2</sup> ONS Annual Survey for Hours and Earnings 2018, For more information about to pay gap, see Close the Gap (2018) Everything you wanted to know about the gender pay gap but were afraid to ask

<sup>3</sup> Engender (2017) Engender submission to the Economy, Jobs and Fair Work Committee inquiry into the Gender Pay Gap

<sup>4</sup> Scottish Parliament Economy, Jobs, and Fair Work Committee (2017) No Small Change: The economic potential of closing the gender pay gap

into law.<sup>5</sup> The Act is the product of strong and consistent advocacy from Scotland's violence against women organisations, particularly Scottish Women's Aid. While we are at an early stage of implementation, it represents a significant milestone for women's equality in Scotland.

Domestic abuse is recognised as a cause and consequence of women's inequality – an analysis adopted by Scotland's violence against women strategy, Equally Safe. Equally Safe was launched by the Scottish Government in 2014 in partnership with CoSLA, following advocacy from women's organisations over decades. It sets out a comprehensive vision for Scotland where violence against women is eradicated.

#### **4. Universal Credit, social security and 'welfare reform'**

Engender has worked on issues associated with 'welfare' reform for nearly a decade, and in that time has highlighted the **egregious effects of cuts to women's social security payments, incomes, pensions and services**, through a series of policy reports.<sup>6</sup> We called for Scotland to use its Universal Credit flexibilities to separate payments between partners in a couple rather than as the single household payment in our evidence to the Smith Commission in 2014. We subsequently welcomed commitments from the Scottish Government to introduce separate payments of UC and continue to work with officials to implement them.

However, the UK 'welfare system' continues to impose disproportionate degrees of harm on women, including through the two-child 'family cap' and the 'rape clause.' The devolution of social security offers an opportunity to do things differently.<sup>7</sup> **We successfully argued for the inclusion of an Equality and Non-discrimination principle in the Social Security (Scotland) Act 2018.**<sup>8</sup> We now continue our work with the Scottish Parliament and Scottish Government to ensure women's experience of social security is properly understood and analysed within a context of women's different experiences of the labour market, childcare and care, men's violence, and housing and homelessness. We are currently providing evidence to enable better scrutiny of proposals for new payments and processes, such as the Scottish Child Payment.

#### **5. Quotas**

Women remain under-represented in Scotland's positions of power and influence, comprising just 36% of MSPs and just 29% of Councillors.<sup>9</sup> **Engender, along with other women's rights advocates including Women 50:50, has long called for gender**

---

<sup>5</sup> <https://www.theguardian.com/society/2018/feb/01/scotland-set-to-pass-gold-standard-domestic-abuse-law>

<sup>6</sup> Available at <<https://www.engender.org.uk/content/gendermattersinsocialsecurity/>>

<sup>7</sup> Engender (2016) Securing Women's Futures: Using Scotland's New Social Security Powers to Close The Gender Equality Gap

<sup>8</sup> <https://www.engender.org.uk/content/publications/Engender-Response-to-the-Scottish-Parliament-Social-Security-Committee-on-the-Social-Security-Scotland-Bill.pdf>

<sup>9</sup> Engender (forthcoming) Sex and Power 2019

**balancing measures to ensure that women are equally represented in Scotland's political institutions.** We are part of the Equal Representation Coalition that urges political parties to take steps to include diverse activists, candidates, and elected members.<sup>10</sup>

We also called on the Smith Commission to devolve powers to Scotland to enable quotas and other forms of temporary special measure to be legislated in the Scottish Parliament.<sup>11</sup> **We subsequently called for legislative quotas to be introduced for public appointments, ultimately welcoming the Gender Representation on Public Boards (Scotland) Act 2018.**<sup>12</sup> The global experience of quotas and temporary special measures has demonstrated their effectiveness in tackling the overrepresentation of men around decision-making tables, and **the Act has the potential to improve representation (and therefore the extent to which women's lives are considered by public bodies) in public life.**

## **6. Women's Human Rights**

Engender continues to use our UN special consultative status to highlight the gaps in women's rights in Scotland through our participation in the examination processes of the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and UN International Covenant on Economic, Social and Cultural Rights (ICESCR). Last year we produced a **Scotland specific shadow report to highlight progress – or otherwise- under CEDAW.**<sup>13</sup> **We have also warmly welcomed opportunities to outline the importance of women's rights** in evidence to the Equality and Human Rights Committee on numerous occasions, including sessions on CEDAW,<sup>14</sup> Human Rights and the Scottish Parliament,<sup>15</sup> and the Draft Budget.<sup>16</sup>

As the **incorporation of international human rights standards** is expected to make its way through the Scottish Parliament in the coming years, Engender will continue to make the case for women's rights to be central to the project of developing a Scottish Human Rights Law, ensuring that the protections of CEDAW, and other conventions such as the Istanbul Convention,<sup>17</sup> directly benefit women in Scotland.

---

<sup>10</sup> <https://www.equalrepresentation.scot/>

<sup>11</sup> Engender (2014) Engender submission to the Smith Commission on devolution October 2014

<sup>12</sup> Engender (2019) Engender response to the Scottish Government's Consultation on Implementation of the Gender Representation on Public Boards (Scotland) Act 2018

<sup>13</sup> Engender (2018) Eighth periodic report of the government of the United Kingdom on measures taken to give effect to CEDAW, Shadow Report

<sup>14</sup> Official Report, Equality and Human Rights Committee, 13 June 2019

<sup>15</sup> Official Report, Equality and Human Rights Committee, 26 April 2018

<sup>16</sup> Official Report, Equalities and Human Rights Committee, 9 November 2017

<sup>17</sup> The Council of Europe Convention on preventing and combating violence against women and domestic violence CETS No.210

## **CONCLUDING COMMENTS**

Engender, alongside our sister organisations in Scotland and internationally, continue to utilise our voices and expertise to advocate for gender equality. As we look forward, the importance of continuing to make the arguments for advancing equality of women and preventing regression of women's rights remains central to our engagement with the Scottish Parliament.

## **FOR FURTHER INFORMATION**

Contact: Eilidh Dickson, Policy and Parliamentary Manager, Engender

Email: [eilidh.dickson@engender.org.uk](mailto:eilidh.dickson@engender.org.uk)

## **ABOUT US**

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.