

HR 20

Ymchwiliad i hawliau dynol yng Nghymru

Inquiry into Human Rights in Wales

Ymateb gan: Both Parents Matter

Response from: Both Parents Matter



Consultation response to Inquiry into Human Rights in Wales by the Equality, Local Government and Communities Committee

ABOUT OUR CHARITY

1. FNF Both Parents Matter Cymru is a children's rights charity supporting parents and grandparents who are facing exclusion from the lives of the children they care about. Our work is underpinned by the UNCRC – specifically Articles 9.3 and 18.1
2. We were recognised by Welsh Government Fairer Futures division as a representative body for men as a group with protected characteristics under the Equality Act 2010. We are members of the WCVA Gender Network.
3. Our charity supports runs a telephone Helpline receiving around 1000 calls per annum and monthly face to face support meetings that take place in 11 different locations across Wales from Bangor to Newport and Carmarthen to Queensferry attended by around 1100 people attend each year. All of our meetings are registered with the Law Society's charity Law Works Cymru as Legal Advice Clinics where attendees can meet with a family law solicitor on a one to one basis to receive free specialist legal advice.
4. We focus support for men and men's issues as we have identified a gap in this regard

Inquiry into Human Rights in Wales.

Q1 the impact of the UK's withdrawal from European Union on human rights protection in Wales,

5. We suspect that little will change in reality for those people who approach us for help. This view is based upon the reality that the Welsh Government has already passed a number of Acts and Measures that are designed to protect human rights eg Rights of Children & Young Persons (Wales) Measure 2011 (Rights Measure), Social Services and Well-being Act (Wales) 2014 and the Wellbeing of Future Generations (Wales) Act 2015. The UK Government has also enacted legislation on equalities issues – The Equality Act 2010. These legal protections are systematically ignored by Welsh Government and local authorities where this is convenient to them, as we shall outline later.

Q2 the impact of the UK Government's proposal to repeals the Human Rights Act 1998 and replace it with a UK Bill of Rights, and

6. We see the creation of a British Bill of Rights as a great opportunity to examine the ways in which legislation to protect equalities and human rights has failed to achieve the outcomes sought in a number of areas.
7. One example would be the actions of Welsh Government under Article 18.1 of the UNCRC incorporated as a duty of due regard under the 'Rights Measure'. We have asked Welsh Government to simply require parenting support services to record the numbers of men and women accessing help so that the inequality of delivery could be highlighted. That call has been rejected at various levels within Welsh Government up to and including the First Minister who stated in September 2015 that to record the gender of parents would be 'a disproportionate administrative burden'.

Q3 public perceptions about human rights in Wales, in particular how understandable and relevant they are to Welsh people.

8. We undertook a consultation at the behest of the Fairer Futures Division of Welsh Government in 2015 to inform the revision of the Equality Objectives. We were informed that Welsh Government had never engaged with a body seeking to represent men as a group with protected characteristics under the Equality Act 2010.
9. The results of the consultation were shared with Welsh Governmentⁱ They showed that men felt that they were significantly disadvantaged in terms of equalities and human rights delivery by services in Wales. They also identified that services were unresponsive or overtly hostile to men in particular when there was a real or perceived conflict with the rights of women.

AREAS FOR SPECIFIC CONSIDERATION WHERE MEN ARE DISADVANTAGED

Fathers and Family Support services

10. We have referred already to the lack of engagement with fathers by family support services (paragraph 7 above). We undertook a research project to map the engagement of fathers by Welsh Government funded services.ⁱⁱ Our research engaged with 32 different services across the whole of Wales who had reached 169,000 service users in the financial year ended 31st March 2013. These services reported that the average level of engagement with fathers was between 3 and 11% of all adults. In Early Years settings the figure was at or below 3%.
11. We presented the evidence to Welsh Government and were told that it would be 'too difficult' to record the gender of attendees at family support services. It is therefore hard to see how the Welsh Government meets its legal obligation to have due regard to Article 18.1 of the UNCRC. The lack of interest in this data is particularly significant in relation to tackling the 'Gender Pay Gap' (see paragraph 19)
12. In December 2016 new guidance was produced by Welsh Government about engagement with fathers. We were not consulted about this despite being in

discussion with the relevant Welsh Government unit on this topic at the time, and providing secretarial support to the Welsh Assembly Cross Party Group on Fathers and Fatherhood.

13. The guidance fails to recognise the extent of the problem of engagement and ignores completely the evidence that emerged from our Mapping exercise and from our Welsh Dads surveys 2015 and 2016 that many professionals do not wish to engage with fathers.

Domestic Violence and Abuse

14. We are acutely aware that the Welsh Government have a gendered response towards Domestic Violence and Abuse. This has the effect of discrimination against men in contravention of the Public Sector Equality Duty.
15. An example of this is in relation to the Welsh Government's National Strategy published in November 2016 that fails to identify the issues faced by men in its priority groups yet has a specific section dealing with female offenders in the secure estate who number around 130 individuals at any one time.
16. Welsh Government also fund Welsh Women's Aid to provide the 'gender neutral' Live Fear Free Helpline. In doing so they have specifically confirmed that Welsh Women's Aid receive funding to provide support to male victims.ⁱⁱⁱ This seems particularly incongruous.
17. We asked Welsh Women's Aid in October 2016 whether they 'screen' male callers only to determine whether they are genuine victims / survivors of abuse. We are still awaiting a substantive response. However we are in possession of information that seems to indicate that the Safer Wales 'Dyn Project' methodology is used with male callers only which would be an example of direct discrimination by a service funded by Welsh Government.
18. The argument is often made that male victims of abuse are a tiny minority and that services must respond to the overwhelming percentage of victims who are female. This is of course disingenuous. South Wales Police record that around 23% of cases reported to them involve male victims. The Crime Survey of England and Wales indicates that around 35% of victims are male. The reality of male victims of abuse can be seen here^{iv}

Employment and 'Gendered' pay

19. The Gender Pay Gap is a major subject of discussion for those interested in equality issues. Recent data from ONS^v indicates that much of the reason for the 'gap' lies with women's childcare responsibilities - women working part time as a result. The areas of employment where women predominate are also more likely to be low paid.

20. One such low paid work sector is Early Years and Childcare. The Welsh Government workforce strategy fails to prioritise the recruitment of men into the sector despite the fact that 97% of those employed are female.^{vi}
21. The gender employment gap is also significant in relation to the Public Sector in Wales. Latest data shows that almost twice as many women are employed in the Public sector than men^{vii} It is important that this gender gap is closed in the interests of men and women.

Dads, Poverty and Child Maintenance

22. There is emerging evidence from Royal Holloway College that parents who are assessed under the new 2012 Child Maintenance system face injustice and inequality in their treatment. Around 93% of 'Paying Parents' of child maintenance are male.
23. 'Paying Parents' are required to pay when their income is well below the threshold for National Insurance contribution. In fact statutory payment is required when a 'Paying Parent' works for less than ONE hour at the National Living Wage of £7.50 from April this year.
24. Dads who earn between £100 and £200 per week (£5,200 to £10,400 p.a.) have a Marginal Tax Rate of more than 100% meaning that they actually LOSE more money than they earn for each pound of income
25. The £100 and £200 thresholds for paying more than the Flat rate of £7 p.w. were set in 1998. They have never been increased and there is no provision in the legislation for them to rise.

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ⁱ https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Equality_Objectives_FNF_BPM_focus_group_feedback_final.pdf

ⁱⁱ https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Male_participation_in_Family_Support_services_March_2014.pdf

ⁱⁱⁱ Welsh Women's Aid, for example, receives funding from us to deliver the Live Fear Free helpline – a 24 hour help and advice service for both men and women.”

<http://www.walesonline.co.uk/news/politics/wales-gives-77-times-much-11780326>

^{iv} <http://new.mankind.org.uk/wp-content/uploads/2015/05/30-Key-Facts-Male-Victims-Mar-2016.pdf>

^v <http://visual.ons.gov.uk/the-gender-pay-gap-what-is-it-and-what-affects-it/>

^{vi} Care Council for Wales – Early Years, Childcare and Play workforce survey 2014 – BMG Research

^{vii} <https://stats.wales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Employment/Persons-Employed/publicprivatesectoremployment-by-welshlocalauthority-status>