



**150 YEARS**  
**Fawcett** ▶  
*Equality. It's about time.*

### Campaign Briefing Note

July 2016

The #Faceherfuture campaign is focussing on several key areas of risk for women; women's representation, women's rights, the economy and women's safety.

#### Women represented at the Negotiating Table

Apart from the Prime Minister herself, all of the Cabinet ministers leading on Brexit negotiations are men (David Davis, Boris Johnson and Liam Fox). For women's interests to be represented, it is essential that women are at the negotiating table at every level. Otherwise we risk "Boys-only Brexit". **We want to see women represented at every level of the negotiations.**

#### Women's Rights

Equal rights for part-time workers including pension rights, maternity rights, the right to equal pay for work of equal value, the right to parental leave and time off for dependants rights have all derived from the UK's membership of the European Union. These rights are now incorporated into UK law. As such leaving the EU doesn't immediately threaten them but it does mean this Government or future governments could choose to repeal or roll back these rights. In particular, we are concerned that it may become more 'acceptable' to weaken women's rights at work making them less effective in practice or apply to fewer people, particularly in response to a post Brexit recession.

The difficulty is the interpretation of them. Much of this is derived from European Court of Justice (ECJ) decisions and it is not clear that, if a UK court had to decide a case after Brexit, it would be bound by decisions of the ECJ (even those that were decided pre-Brexit). Once the UK has left the EU we may also fail to keep up with further changes at European level and we will not have the European Court of Justice (ECJ) to turn to. A number of key rights for women have derived from ECJ judgements and the court has proved a vital 'backstop' on sex discrimination cases where UK courts have not.

Women are also affected by other anti-discrimination directives, such as those protecting against discrimination based on race, age, religion or sexuality. For example, a female Muslim mother in work will be facing potential rollback on numerous protections.

Key areas at risk:

- We may see a narrowing of the definition of sex discrimination or harassment.
- A cap on discrimination tribunal awards, reducing back pay compensation for equal pay claims
- Exemptions for small or micro businesses, weakening protections for their employees
- The introduction of qualifying periods for rights which are currently day one rights
- Removing the entitlement to 90% of pay for the first six weeks of maternity leave
- Weakening part-time workers' rights, not giving them the same entitlements as full-time workers.

**We want to see a clear commitment from Government that there will be no weakening of women's rights.**

## Women and the economy

One of the consequences of the decision to leave the European Union may be a downturn in the economy. There are already some indicators suggesting that this may now be underway. This may help to create a climate in which it becomes 'necessary' or 'desirable' to weaken women's rights. Women working part-time, those on low pay or in insecure employment may be particularly vulnerable.

We have seen in the past that any cuts in public spending or welfare reforms impact disproportionately on women because they are more likely to be working in the public sector, and so lose their jobs, they are more reliant on the services or benefits being cut back and they are also more likely to have to fill the gap in service provision, providing care for family members for example. **We therefore want to see a gender impact assessment carried out of any major spending decisions. Without it we risk seeing women hit hardest again and bearing the brunt of any recession.**

## Women's Safety

### Violence against women and girls

Domestic abuse and violence against women are key priorities of the EU's gender strategy, and women's safety has been improved across Europe by the UK and other states working together. The EU has encouraged, and sometimes required, member states to improve protection and support for victims of crime. It has also required member states to develop a national strategy for ending violence against women and girls.

Key areas at risk:

- Without external pressure from the EU there is a risk that this will simply become less of a priority for government
- It could be harder to locate and help trafficked women in the UK
- If you have suffered domestic violence, you may not be able to rely on the restraining order obtained in your home country protecting you wherever you are in the EU
- combatting sexual exploitation of children and images of children
- Working to end Female Genital Mutilation (FGM).

**The Government must make ending violence against women and girls a key strategic priority, including the need for international co-operation to do so.**

To demonstrate this, we would encourage the Government to finally ratify the Istanbul Convention on domestic violence that the UK has already signed to demonstrate their commitment to tackling violence against women and girls.

## Racist abuse

Evidence suggests that the EU Referendum has resulted in a spike in racist hate crime. Hate crimes surged 42% in the two weeks following the vote to Leave.<sup>1</sup>

Further recent evidence also suggests that women are particularly vulnerable to these sort of attacks in the UK – Tell MAMA’s recent report on anti-Muslim hate crime, produced together with the late Jo Cox MP, found an increase of over 300% from last year, and that visibly Muslim women suffered 46% of all attacks.<sup>2</sup>

**We call on the Government to address as a matter of urgency the racism and violence that many women and men are experiencing or living in fear or on a daily basis. Recognising the particularly gendered aspect of this violence is essential.**

## Migrant Women in Britain

Although the numbers of both female and male migrants have increased over time, women have constituted a small majority of the UK’s migrant population stock since at least 1993. In 2014, 54% of the foreign-born population were women<sup>3</sup>. Many will be working in sectors such as health and social care which women are particularly dependent upon. There would be a considerable economic cost of losing these workers but also a human cost of forcing families to leave their homes, of potentially splitting families or separating parents from their children. **We call upon the Government to immediately reassure people from other EU member states who are already living and working in the UK to be allowed to remain in the country.**

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<sup>1</sup> <http://news.npcc.police.uk/releases/hate-crime-undermines-the-diversity-and-tolerance-we-should-instead-be-celebrating-1>

<sup>2</sup> <http://tellmamauk.org/geography-anti-muslim-hatred-2015-tell-mama-annual-report/>

<sup>3</sup> [http://www.migrationobservatory.ox.ac.uk/sites/files/migobs/Migrants%20in%20the%20UK-Overview\\_0.pdf](http://www.migrationobservatory.ox.ac.uk/sites/files/migobs/Migrants%20in%20the%20UK-Overview_0.pdf)