
STATES OF JERSEY



STATES ASSEMBLY GENDER AUDIT: DIVERSITY FORUM REPORT

Presented to the States on 29th July 2019
by the Privileges and Procedures Committee

STATES GREFFE

REPORT

Chair's Foreword

Having moved from my role in Primary Teaching, which is at present a female-dominated profession, to my current role as a States Member, I found myself in a very different working environment. Certainly during my first term of office (from 2014 onwards), I was frequently the only woman in the room. This struck me very early on as being a problem. It did not reflect the world outside the doors of the States Chamber – where women make up half of the population.

Even with the best will in the world, we cannot make decisions that best reflect the needs of Islanders if our States Assembly does not reflect the diversity of the community. At the moment we are not adequately representing large sections of our population. Diversity and inclusion in terms of ethnicity, religion, disability, social background, sexuality, and age needs improvement. However, women are arguably the largest marginalised group within our population.

In 2019 we have 14 women States Members compared to 35 men. Where are all the missing women? Are we really getting the best, most able, elected members from our population? According to OECD data, girls outperform boys at all levels of education. I believe men and women are equally capable of doing politics effectively. Women, from a diverse range of backgrounds and a range of ages, must be present amongst our legislators alongside men. But they must also be active participants within the political system at all levels. This report examines some of the barriers to the full participation of both sexes and makes recommendations for ways we can work towards improving things.

The ultimate aim of any States Member is to make Jersey a better place. I firmly believe that by implementing the recommendations within this report, we can work towards achieving a truly representative and inclusive parliament, that makes robust decisions in the best interests of the wider community.

I want to sincerely thank Privileges and Procedures Committee and the Greffier of the States for supporting the work of the Diversity Forum and those who took part in this Inter-Parliamentary Union Gender Sensitive Parliament Audit with me – Deputy Jess Perchard, Deputy Kirsten Morel, Lucy Stephenson and Peter McLinton. The work we have undertaken together gives me hope that women and men can work side-by-side to tackle these issues in a mutually supportive way.

Deputy Louise Doublet of St. Saviour

A. Introduction

1. The States Assembly Diversity Forum was established in July 2017 following the briefing given to States Members by Professor Sarah Childs of Birkbeck College, University of London, on the subject of her [Good Parliament](#) report. This report looked at how the UK House of Commons could meet the Inter-Parliamentary Union's definition of what constitutes a 'good parliament': an institution which is "truly representative, transparent, accessible, accountable and effective in its many functions". The principles underpinning her work were:
 - a. A greater diversity of MPs should be present in the House of Commons, not least in terms of class, disability, ethnicity, sex/gender, and sexuality
 - b. An inclusive, effective and representative Parliament is about more than simply increasing the diversity of Members elected to the House; it also requires their equal and effective participation therein
 - c. The House of Commons has an important symbolic role to play in British society, over and above its substantive role: it should embody the principle of equality and fairness, acting as a 'role-model' institution
 - d. The responsibility of delivering on The Good Parliament resides with the House of Commons as an institution. In other words, the House should acknowledge its collective responsibility to redress current limitations in representation and inclusion. The report's recommendation that there should be a "House of Commons Reference Group" to monitor implementation of the recommendations in the *Good Parliament* report was the inspiration for the establishment of the Diversity Forum.
2. The Diversity Forum had five initial aims, one of which was to "Initiate an Inter-Parliamentary Union (IPU) Gender Sensitive audit of the States Assembly, to identify future priorities for action".
3. The [Inter-Parliamentary Union](#) is a global organisation that brings together national Parliaments. In 2012, it adopted a 'Plan of Action for Gender-sensitive Parliaments'. A 'gender-sensitive' parliament is defined as one in which "there are no barriers – substantive, structural or cultural – to women's full participation and to equality between its men and women members and staff". The IPU has published a [toolkit](#) which legislatures can use to assess the extent to which they are gender-sensitive and to identify priorities for action. It recommends that a small group comprising parliamentarians and non-Members including media representatives be set up to undertake the self-assessment. The Jersey group comprised Deputy Louise Doublet, Deputy Peter McLinton (who continued as a group member on leaving the States), Lucy Stephenson of the *Jersey Evening Post* and, since the election, Deputy Jess Perchard and Deputy Kirsten Morel. This report has been issued by the Diversity Forum, which is now a Sub-Committee of the Privileges and Procedures Committee (PPC) in order to generate further debate amongst States Members and the public about how to ensure that the States Assembly becomes gender-sensitive.
4. The focus of this gender-sensitive audit is on how the institutional structure and work of the States Assembly respects women's rights. This reflects the fact that the States has been overwhelmingly a male institution, with no female members

until 1948 and only 45 women ever elected to the Assembly. However, gender-sensitivity is about recognising the equal rights of men and women, not discriminating against men. It is also important to discuss further how the rights of people who are transgender or otherwise non-binary are respected and upheld in the States Assembly.

B. Women in the States Assembly

Audit Questions

Numbers and positions of women

By definition, parliamentary democracy requires a parliament to be reflective of those it represents. Women's participation in parliament is therefore a question of democracy. While the story of women's political participation around the world is one of gradual improvement, there is still a need to consider how many women are in parliament and the positions of leadership they hold.

1.1 What factors have enabled the election or appointment of women to parliament?

What are the obstacles that hinder a greater participation of women in parliament?

1.2 Is the current level of representation satisfactory (for members of parliament; for the constituency; according to national and international targets)?

What mechanisms are, or could be, in place to ensure a certain numerical representation of women?

1.3 Are women elected or appointed through a temporary special measure (e.g. reserved seats) perceived in the same way as those elected through open competition with men?

1.4 What percentage of leadership positions are held by women?

What positions of leadership do women occupy in parliament?

How are positions of leadership allocated?

1.5 Are there any measures to guarantee women's access to positions of leadership in the parliament?

If yes, what are they?

If not, should they be adopted?

Could, and should, each committee be co-chaired by a man and a woman?

1.6 Are men and women represented in all committees?

In which committees are women mostly represented?

In which committees are women underrepresented or absent?

How is committee membership decided?

Are stereotypes of women's interests reinforced by committee membership?

1.7 How is monitoring conducted of the number of women working in parliament and the leadership positions they hold?

If there is a dedicated monitoring body, is that body required to report publicly and regularly to parliament?

5. There are currently 14 elected women Members out of a total of 49 (28.6%). In 2018 two women topped the senatorial poll for the first time.
6. Comparative figures for other jurisdictions in the British Islands and Mediterranean Region of the Commonwealth Parliamentary Association are as follows:

Jurisdiction	Number of women parliamentarians	Proportion of women parliamentarians (%)
UK (House of Commons)	208 (2017 election)	32
UK (House of Lords)	210 (2018 figure)	26
Scotland	45 (2016 election)	35
Northern Ireland	30 (2016 election)	28
Wales	26 (2016 election)	43
Jersey	14 (2019 figure)	29
Guernsey	12 (2016 election)	32
Malta	9 (2013 election)	13
Gibraltar	2 (2015 election)	12
Falkland Islands	2 (2017 election)	25
St Helena	3 (2017 election)	25
Cyprus	11 (2016 election)	20
Isle of Man (House of Keys)	5 (2018 election)	21
Isle of Man (Legislative Council)	5 (2018 election)	50
Alderney	1 (2016 election)	10

7. There were 12 Members in the Assembly elected in 2014. In total, just 45 women have ever sat in the States Assembly, the first woman being elected as recently as 1948.
8. The Assembly also has five *ex officio* Members: the Bailiff, the Attorney General, the Solicitor General, the Dean and the Lieutenant-Governor. Only one of these posts has ever been held by a woman (Solicitor General from 1994 to 2008). Nor has there yet been a female Deputy Bailiff.
9. Obstacles to more women being elected to the States Assembly, some of which equally affect men, particularly young men and men from minority communities, include the following –
 - Unconscious bias: people tend to think of men as leaders
 - Low turnout and obstacles to voting
 - Cost of standing for election
 - Lack of support when it comes to campaigning and, especially, taking part in hustings, and varying levels of confidence about standing for election
 - Public criticism of politicians and the stress this can cause
 - Public criticism specifically of women, for example suggesting that female politicians should not take time away from work or change their working patterns to have children
 - Absence of childcare options for States Members
 - Long working hours culture in the Assembly and the public's perception that States Members should always be present for debates in the Chamber, no matter what
 - The closed nature of the parish system – it is easier to be elected if you are 'in the know' with the parish. The timing of parish meetings, which tend to be in the evening, is not helpful to people with young families.
 - A perception amongst some people that a 'business man' is the ideal member of the States

- Relatively low pay, compared to roles with a similar level of responsibility, and the absence of pay or career progression
 - Riskiness of leaving a senior role to become a States Member, especially given how hard it can be for women to reach such roles
10. Focusing on factors which assist female candidates –
- States Members can work flexibly and fit their duties around parental and caring responsibilities (this may also apply to men)
 - the vote.je website is an essential source of clear, impartial information for all candidates
 - there are clearly voters keen to vote for competent female candidates, as the 2018 election showed
 - electoral reform, particularly the creation of larger multi-member constituencies, would be likely to help increase the number of female Members, as appears to have happened in Guernsey
11. There are no specific mechanisms to ensure that a certain number of women are elected to the Assembly. **Options discussed by the audit group include requiring there to be an equal number of male and female senators; permitting job sharing; and requiring gender balance in multi-member seats.**
12. In terms of leadership positions –
- Four of the 12 ministers are women (compared to three out of 11 before the 2018 election). The current ministerial team includes a female Minister for Treasury and Resources for the first time. There has never been a female Chief Minister but a woman did serve briefly as Deputy Chief Minister.
 - A further nine Members hold assistant minister positions – none are women. Before the 2018 election one of the 10 Members who held assistant minister roles without also being ministers were women. One female minister also held three assistant minister roles.
 - Three of the five scrutiny panels are chaired by women, as is the Public Accounts Committee. This compares to just one panel chaired by a woman after the 2014 election. The Chairmen’s Committee, which leads and co-ordinates the scrutiny system, is chaired by a woman.
 - The Planning Committee was chaired by a woman from 2014-18. The Overseas Aid Commission has been chaired by a woman since 2014. There is now a female chair of the Jersey branch of the Commonwealth Parliamentary Association



13. There is no 'Minister for Women' or 'Equalities Minister', as exists in some other jurisdictions.
14. Most leadership roles are elected by the whole Assembly using a variety of methodologies. However, the role of Chief Minister is crucial as the Chief Minister nominates candidates for all ministerial roles (and her (or his) choices are usually elected by the Assembly) and has a say in endorsing the selection of assistant ministers by ministers. **The absence of descriptions for roles, particularly assistant minister roles, which can be very varied, was identified by the audit group as a barrier to women putting themselves forward. This is something which should be addressed.**
15. **The audit group considered that it should be mandatory for the Chief Minister to have at least one male and one female Assistant Chief Minister.** (One of the three Assistant Chief Ministers appointed in 2018 is a woman).
16. There are no arrangements in place to guarantee that women hold a certain number of leadership positions in the Assembly. One option suggested by the IPU audit is that committees could be co-chaired by a man and a woman. This is not permitted under the Assembly's rules. It is also not guaranteed that this would promote gender equality. It could easily be perceived as a man 'helping' a woman to chair a committee, or as tokenistic.

17. There were no women on the Economic Affairs Panel appointed in June 2018 (although that situation has now changed) and nor were there any women on that panel during the 2014-18 period. On the other hand, three out of five members of the Corporate Services Panel are women and there is equal representation on the Chairmen's Committee and the Health and Social Services Panel. **The audit group considered that it should be a formal requirement that all panels and committees comprise both men and women.**
18. Committee and panel chairs are elected by the Assembly and are then expected to propose the committee/panel membership. Any member can put forward their own alternative candidates but it is unusual for the chair's nominees to be challenged and even more unusual for them to be rejected.

C. Policy and the law

Audit questions

The legal policy and framework

Parliament has a fundamental role to play in ensuring that legislation does not discriminate against men or women and that it promotes gender equality. At the national level, this is achieved by implementing gender-sensitive legal frameworks, including gender equality laws. Parliaments can also be role models in promoting gender equality. For instance, they can ensure that their own internal processes and rules do not discriminate against any of their members. They can also design and implement gender-sensitive plans of action and strategic plans.

National framework

2.1 What national laws ensure gender equality?

How gender-sensitive is the country's constitution?

What are the most significant laws that parliament has adopted in the past two to five years to advance gender equality?

2.2 How are gender equality-related laws initiated or amended in parliament?

Is there a need to improve this process?

2.3 Is there a law or policy that mandates gender mainstreaming across the government and parliament?

If so, who or what is responsible for overseeing its implementation in parliament?

If not, is such a law or policy needed?

Parliamentary work

2.4 How does parliament ensure that existing and proposed laws comply with the Convention on the Elimination of All Forms of Discrimination against Women and other international and regional gender equality obligations?

2.5 Does parliament analyse laws from a gender perspective, so as to measure their differing impacts on men and women?

If so, who or what is responsible for that analysis in parliament?

Parliamentary policies and practices

2.6 Are the rules of parliament gender-sensitive?

If the rules of parliament have been analysed from a gender perspective, who or what was responsible for that analysis?

2.7 Does the parliament have an overarching strategic plan or plan of action that promotes gender equality?

If so, how is that plan implemented, monitored and evaluated?

If not, how could such a gender equality plan be developed?

2.8 Are there other plans of action in the parliament?

If so, are they gender-sensitive? Are there mechanisms to ensure monitoring and evaluation of these plans?

If not, how could these plans become more gender-sensitive?

19. Gender equality is primarily protected under the [Discrimination \(Jersey\) Law 2013](#).
20. Jersey, like the UK, does not have a codified constitution, although it has various constitutional statutes, such as the States of Jersey Law. These do not pay any regard to gender.
21. Jersey's statute book was 'degendered' in 2004, so that the only references to a gender should be ones which are relevant (for example, legislation relating to pregnancy).
22. Other than the Discrimination Law, the most significant law adopted in the last five years to advance gender equality was the [Employment \(Amendment No. 8\) \(Jersey\) Law 2014](#), which introduced the following measures –
1. Antenatal care – Paid time off work to attend ante-natal appointments (no qualifying period of service).
 2. Maternity leave – a maximum of 18 weeks' maternity leave and the right to return to the same job after the relevant period of maternity leave.
With no qualifying period of service –
 - 2 weeks' compulsory leave immediately after childbirth at full pay (paid by the employer, subject to the deduction of Maternity Allowance); and
 - 6 additional weeks' unpaid maternity leave which may be taken before or following the birth;
 and, subject to 15 months' service –
 - an additional 10 weeks' unpaid leave.
 3. Parental leave (referred to as paternity leave in the UK) – With no qualifying period of service, 2 weeks' unpaid parental leave for a man or woman (other than the mother) who has, or expects to have, parental responsibility for the child.
 4. Adoption leave – The right to unpaid leave on the adoption of a child of any age; the periods of leave being equivalent to maternity and parental leave, but available to either adoptive parent, irrespective of gender –
 - up to 18 weeks' adoption leave, consisting of 8 weeks' unpaid leave with

no qualifying period of service, and an additional 10 weeks' unpaid leave if the employee has 15 months' service with their employer; and
- 2 weeks' unpaid leave for the other parent.

5. Flexible Working – Employees who have caring responsibilities (for adults and children) will have the right to request a change to their working conditions, including, for example a change to hours, times or location of work, subject to 15 months' service with their employer.
6. Detriment and dismissal – Protection against detriment and dismissal on grounds relating to pregnancy, maternity and the above rights.

These provisions were extended in [September 2018](#). In particular, periods of maternity and paternity leave were increased and all employees were given the right to request flexible working. Further family-friendly [reforms](#) were recently proposed by the Minister for Social Security but were withdrawn.

23. Other examples of legislation which tackled gender discrimination include the [Marriage and Civil Status \(Amendment No. 4\) \(Jersey\) Law 2018](#), which introduced same-sex marriage in Jersey and also provided that a religious official cannot be compelled to consent to solemnize or participate in the solemnisation of a same-sex marriage; and the [Gender Recognition \(Jersey\) Law 2010](#), which provides a legal process for people to change gender.
24. However, some legislation entrenches gender discrimination, most notably the Income Tax Law which formally requires a husband to be responsible for the taxation of his wife's income. Moves to end this administrative practice and introduce independent taxation have recently commenced. **Ending gender discrimination in this area remains a high priority.**
25. Legislative change may be proposed by any Member in the form of 'in principle' propositions, which, if adopted, lead to Ministers (or PPC) bringing forward the appropriate legislation. Ministers (and PPC) may also bring forward draft legislation without there being a prior 'in principle' debate. It is very rare for backbenchers to introduce legislation directly themselves.
26. There are several ways in which this process could be improved, including more research support for backbenchers, access to independent legal advice and direct access to the legislative drafters to discuss how to change the law.
27. There is no law or policy which requires the government to assess the implications for men and women of any planned legislation or policy change (this is known as gender mainstreaming). Nor are there any mechanisms for the Assembly to tackle gender mainstreaming. It could be made a requirement for any Member (or any Minister) lodging a proposition to provide a statement of the effects of the proposition on men and women, but this would require considerable thought and planning in terms of how this would be implemented by departments and backbenchers in order for the statements to be meaningful.
28. The UK introduced a '[public sector equality duty](#)' in 2011, which requires public sector bodies to have due regard to the need to eliminate discrimination,

advance equality of opportunity and foster good relations between different people when carrying out their activities. **The audit group considers that ministers should consider the merits of introducing a similar duty in Jersey.**

29. The Assembly does not have a mechanism to analyse laws from a gender perspective (for example identifying different effects of legislation on men and women).
30. The Convention on the Elimination of Discrimination Against Women (CEDAW) has not been extended to Jersey. The [Minister for External Relations](#) recently told the Assembly that work was underway to assess the extent to which Jersey complied with the Convention, prior to the Convention being extended to the Island, but there is no timetable in place to achieve this. **The extension of CEDAW to Jersey has not been prioritised by ministers: the government should pledge to achieve extension during 2019 and to publish an action plan for resolving any areas where the Island does not full comply with the Convention.**
31. The Assembly's Standing Orders are not gender neutral, particularly in requiring formal use of the term 'Chairman'. **PPC should bring forward changes to Standing Orders to make them gender neutral. Jersey law has been gender neutral for 15 years so bringing the Standing Orders into line with modern best practice is long overdue and should be uncontroversial.**
32. The Assembly does not have a strategic plan for promoting gender equality. There is a PPC [strategy](#) for promoting public engagement but it does not yet have a gender component and nor does the States Greffe business plan. There is a States [equality and diversity policy](#), but it relates primarily to States staff. The States' [Common Strategic Policy](#) includes a common theme on nurturing a diverse and inclusive society but it is unclear how this will influence ministers' priorities during this Assembly. **The Council of Ministers should publish an action plan for nurturing a diverse and inclusive society, including a strand on promoting gender equality.**
33. There is also reference in the Common Strategic Policy to the need "to increase the diversity of candidates standing for election and to provide them with more assistance to stand", something which falls within the responsibility of PPC. **We will work with PPC and others to find ways of meeting this objective in time for the 2022 election.**

D. Mainstreaming gender equality

Audit questions

Mainstreaming gender equality

Parliaments require mechanisms and expertise to ensure that gender equality is systematically addressed, and that the impact of laws, policies and budgets is analysed from a gender perspective. Those mechanisms could be a dedicated parliamentary committee or a women's caucus. But they could also be a less formal structure, such as a network of focal points. Whatever the form of the mechanism or

structure, relationships with organizations, such as national women's machineries and women's nongovernmental organizations, are essential.

3.1 What mechanisms or structures are used to mainstream gender equality in the work of the parliament?

For example, is there a dedicated committee on gender equality or a women's parliamentary caucus? Are there gender focal points? Is there a dedicated gender desk or unit to provide information and advice?

Should one or more of the above mechanisms or structures be established?

3.2 What tools has the parliament created for gender mainstreaming?

Has the parliament developed checklists by which to assess legislation from a gender perspective?

Does the parliament have access to sex-disaggregated data, and if so, how are they used?

Have any other tools proved useful in mainstreaming gender equality concerns in the work of the parliament?

Are sufficient resources allocated to gender mainstreaming?

3.3 How effective are the bodies responsible for gender equality in the parliament?

What relationships do they have with the national women's machinery, civil society organizations, the private sector, the media and others?

Do they have sufficient powers?

How well resourced are they (in terms of staff, meeting rooms, budget etc.)?

What changes have they been able to make in support of gender equality?

Should their positioning in the parliamentary organization be revised or upgraded?

3.4 If there is a parliamentary women's caucus, how does it work?

How is it organized? How are decisions taken?

How do those who are not members of the caucus perceive it?

3.5 Where there is more than one parliamentary body dealing with gender equality, how do they relate to each other?

Is there a formal coordination mechanism between them?

Is the working relationship effective?

3.6 Is gender equality mainstreamed in the budget and the budget oversight process?

If so, are there any difficulties faced in this process?

If not, how could gender be mainstreamed in this process?

34. There is no dedicated women's committee in the States Assembly and no women's caucus but there are two less formal bodies with an interest in gender equality issues: the States Assembly Diversity Forum (now a sub-committee of PPC) and the Jersey branch of the Commonwealth Women Parliamentarians (CWP).
35. There is some interaction between these bodies and individual Members and community groups such as the Community Relations Trust and Liberate on gender-related issues. Joint working, particularly between the Diversity Forum and the CWP has been limited.
36. A States Member was instrumental in establishing Jersey Women in Politics, which began as an informal group aiming to increase women's representation in the Assembly and is continuing to raise women's awareness of and involvement in political issues. Jersey Women in Politics consists of representatives of several organisations including the Diversity Forum, Jersey Community Relations Trust, the Diversity Network and Soroptimists International Jersey. A Youth CWP group has also been set up and could provide ideas and feedback to other groups.

37. There is no official statistical output on gender issues. Some sex-disaggregated data is published as part of official statistics in other areas and in written answers to Assembly questions. **We recommend that the Diversity Forum engage with the Statistics Unit on making more official sex-disaggregated data available in Jersey.**
38. The resources available to research and promote gender issues in the Assembly are generally very limited.
39. There is no obvious mechanism by which gender equality issues are taken into account in budget setting by the government or in the Assembly's oversight of expenditure.

E. The culture, environment and policies of the Assembly

Audit questions

The culture, environment and policies of parliament

Women have tended to enter parliament later in comparison to men. Parliaments' facilities and procedures are therefore usually designed by and for men. One possible consequence of this is that aspects of parliamentary routine and infrastructure affect men and women parliamentarians in different ways. Members of parliament are expected to conform to their institution's written and unwritten rules and norms. These become the parliament's culture and create the space in which members feel comfortable (or otherwise) doing their jobs. Adjusting to that culture can be challenging, particularly when members first enter parliament.

4.1 In general terms, how is gender equality perceived in parliament?

Are there measures taken to enhance understanding of and support for gender equality?

What (other) measures would be useful to enhance support for gender equality in parliament?

4.2 How would you describe the culture (language, customs, dress codes) of the parliament with respect to gender: is it gender-sensitive, gender-neutral or gender-blind?

4.3 Are there discriminatory and derogatory stereotypes about women in parliament? If so, how can these be eliminated?

4.4 Has the parliamentary building ever been reviewed from a gender perspective?

Do services available include those mainly sought by women?

How does the parliament building cater to the needs of the women and men who work there?

How does the parliamentary building cater to MPs with babies and young children?

Are there, for example, special rooms for breastfeeding mothers, a childcare centre or a family room?

Does parliament provide childcare facilities?

How important is it to have such infrastructure in parliament?

4.5 Do the parliament's conditions of work allow MPs to balance work and family obligations?

Do sitting hours allow MPs to spend enough time with their family?

Are MPs given sufficient parental, maternity or paternity leave?

What happens to a member's vote while she or he is on parental, maternity or paternity leave?

4.6 Can the parliament be considered a gender-sensitive work space, in terms of both of facilities and symbolic references?

What criteria determine the allocation of office space and equipment in the parliament?

Do the names of rooms in the building reflect both men and women leaders and historical figures?

Who is responsible for taking decisions in this regard?

Has the artwork displayed in the building been commissioned from women and men artists?

4.7 Does the parliament have policies to ensure that the workplace is free of discrimination, sexism and harassment?

Is there a code of conduct? Is it used effectively to ensure appropriate behaviour in parliament?

How could the code of conduct become more gender sensitive?

Is there an anti-harassment policy and a mechanism to address complaints of harassment and discrimination? Have complaints been resolved efficiently and effectively?

Is there a policy against discrimination?

4.8 What criteria determine the allocation of travel opportunities for members of parliament?

Is there agreement that these are distributed equitably among men and women parliamentarians? If not, what prevents an equitable distribution?

4.9 Are the communications (or media) and public outreach policies of the parliament gender-sensitive, gender-neutral or gender-blind?

How could these policies better reflect and give visibility to the work of the parliament on gender equality?

Has the communications material produced by parliament ever been reviewed or audited from a gender perspective? Did the review include communication on social media?

During public events held in parliament, do women and men participate in equal numbers?

40. There is little open opposition to gender equality in the Assembly but in private the issue tends to be minimised and treated as a niche concern of a handful of Members. The situation seems to be improving, perhaps because of changing demographics.
41. States Members tend not to understand the effects of masculine culture and language on women's participation in politics. When the issue is raised, some politicians assume immediately that women are campaigning for quotas. There is a lack of subtlety in the debate and an unwillingness to listen to the arguments and think about the issues. Too often women's concerns are dismissed as 'complaining' and it is assumed that elections invariably result in the 'best person for the job' being elected. Some male and female leaders adopt patriarchal attitudes, contributing to the dismissal of women's concerns.
42. There are sometimes conversations in private about whether women are capable of taking on certain senior roles or whether, if they do take on such roles, they are being influenced or manipulated by men behind the scenes. Questions may be raised about whether women can combine senior roles with looking after children or managing domestic duties; these issues are not raised in relation to men.

43. Gender balance rarely seems to be a factor when committees are elected or informal working groups are put together. For example, when the future hospital policy development board was first created its membership was all male and few States Members commented on this. **Informal committees and working groups comprising States Members should always include both men and women.**
44. Openly misogynistic speeches and comments in the Assembly are rare but are not usually challenged. Indirect comments or insinuations about women are more frequent and also tend to go unchallenged.
45. Dress in the Assembly is extremely gendered. Men must wear a suit and tie, even though the wearing of ties is in steep decline elsewhere. There is no formal dress code for women but some women Members have been privately admonished for inappropriate clothing, which undermines women.
46. There is no policy on parental leave for States Members and Members who are absent because of childcare or for related reasons must seek the permission of their peers to be absent. There is sometimes grumbling behind the scenes that it is inappropriate for Members to be absent because of childcare. There is no provision for proxy voting. **The Diversity Forum will shortly bring forward proposals to amend Standing Orders to enable Members to be recorded as absent because of parental care responsibilities without it being possible for this reason for absence to be challenged and voted on. Making similar provision in respect of other caring responsibilities should also be considered. The Forum will also review options for the introduction of proxy voting, following the adoption of proxy voting in other jurisdictions.**
47. Breastfeeding is not permitted in the Chamber. An informal breastfeeding facility was made available for a States Member in 2017 . Some Members did not seem to accept the validity of provision being made for breastfeeding. Special arrangements were made to accommodate the time taken to get from the room to the Chamber to vote. **A room where priority is given for breastfeeding mothers should be made available in the States Building when it is next required.**
48. The States building has never been reviewed from a gender perspective. There have been issues with the provision and disposal of sanitary products as well as with the location of bathrooms and seating for pregnant women. There is no provision for space for parents to look after children and no childcare facilities, although Members' guests, including family members, may make use of the common room. **The Diversity Forum will look at different models for childcare provision in other parliamentary bodies and in relation to local businesses.**
49. Sitting hours are generally family-friendly but late sittings can be agreed without notice, which causes problems for Members and staff with childcare responsibilities. **The audit group considers that the Assembly should decide by lunchtime whether or not to sit beyond 5.30pm, to provide time for Members with parental and other caring responsibilities to make plans so**

that they can stay late. If necessary, this could involve changing Standing Orders.

50. The names of rooms in the States building (and Royal Court) are male (eg Blampied, Le Capelain). No facilities are named after women. There is no policy on commissioning artwork for the building from female and male artists (although a painting by a woman artist hangs in the entrance to the Court Building). **The audit group recommends that two rooms in the States Building – perhaps the Members’ Room and the Common Room – should be named after prominent Jersey women politicians, such as Ivy Forster (the first woman to be elected to the States), Iris Le Feuvre (the first woman Constable) or Gwyneth Huelin (the first woman senator). In addition, PPC should seek to buy or commission artwork for the States Building by female artists.**
51. There are no specific policies on discrimination, sexism and harassment in the Assembly. There is a code of conduct for elected members and complaints on these matters could be submitted under that code to the Commissioner for Standards. There are no specific guidelines on how such complaints might be considered by the Commissioner, despite the obvious sensitivities and difficulties in dealing with such matters. The UK House of Commons is consulting on the introduction of a behaviour code which applies to everyone working in or visiting the Commons, although it is unclear at the moment how complaints under this code will be dealt with. **The Diversity Forum will consider these matters further during 2019.**
52. Travel opportunities are largely determined by the local branches of the Commonwealth Parliamentary Association (CPA) and the Assemblée Parlementaire de la Francophonie, which generally aim to share travel amongst the whole membership. The CPA branch executive committee has recently agreed a formal policy on how travel opportunities are allocated to Members.
53. Some Members have encountered suggestions that Members at overseas conferences should network in bars and at dinners and that failure to do so will count against future opportunities being provided. It is also impossible to combine attendance at CPA and APF events with breastfeeding or childcare. **The audit group recommends that the Jersey branches of the APF and CPA should ask what policies those organisations have in place on breastfeeding and childcare provision at conferences.**
54. States Members may sometimes be invited to take part in discussion panels at events arranged by other organisations. It is sometimes the case that such panels only include people of one gender, usually men. The audit group’s view is that States Members have a responsibility to challenge single-gender panels and reserve the right not to participate in events where speakers do not include both men and women.
55. PPC/Greffe policies on public engagement and external communications could be reviewed from a gender perspective to ensure that women are visible, for example in photographs and social media about Jersey representation at overseas conferences, and to promote the work of the Diversity Forum and the

CWP. The audit group recommends that this is undertaken for any new publications in future.

56. Public events in the Assembly invariably focus on the men who hold the principal leadership roles, particularly the Bailiff, the Lieutenant Governor and the Chief Minister. This reinforces perceptions that the Assembly is a male environment in which women are a marginal presence. Recent focus on the number of men appointed to senior roles in States departments highlighted this. **The government Communications Unit should do more to promote the work of female ministers and senior officers.**

F. Sharing responsibility with men

Audit Questions

Sharing responsibility with men

In most societies, both men and women have become increasingly aware of the importance of challenging the social norms that perpetuate gender inequality. In addition, an increasing awareness of the same issue among younger men has resulted in stronger partnerships between men and women on gender equality. Gender equality cannot be achieved without the support and involvement of men and women. Moreover, it is increasingly clear that social and economic progress depend on the eradication of all forms of inequality. Parliamentarians understand that their electorates no longer accept the absence of women from the political sphere.

5.1 Is gender equality understood to also concern men and to be part of their responsibility?

Have men parliamentarians been involved in initiating or co-sponsoring legislation on gender equality?

What factors commonly motivate men to address these issues?

5.2 Do male parliamentarians take public stances on gender equality and, if so, what particular issues do they tend to publicly champion?

How regularly do men take the floor during parliamentary debates on gender equality?

How often do men parliamentarians raise their constituents' concerns on gender equality issues?

5.3 How receptive are women to men's involvement in, and contribution to, gender equality issues?

5.4 Could, and should, men and women MPs share the leadership of parliamentary committees dealing with gender equality?

5.5 Are there professional development or training opportunities provided to men and women parliamentarians? Do these include seminars on gender equality issues?

5.6 Are men included on study tours or international delegations dealing with gender equality or gender mainstreaming?

5.7 Can the parliament be considered a role model for gender partnership?

If so, why has the partnership succeeded?

If not, how could the partnership be strengthened?

57. There are some good examples of men working with women to promote gender equality. For example, men were involved in setting up the Diversity Forum,

introducing the Discrimination Law, asking questions in the Assembly about the Convention on the Elimination of Discrimination Against Women, and working on this gender audit.

58. The factors which encourage men to get involved with gender equality issues include fairness, injustice, and economic factors, such as the economic benefits of having more women in the workforce.
59. Nevertheless, analysis of 2018 election manifestos shows that few men actively stood on a platform of gender equality.
60. There has been no opposition from women in the Assembly to men's involvement in gender equality.
61. Men are not permitted to participate in the Commonwealth Women Parliamentarians, which may reinforce the view some hold that gender equality is not an issue of concern to men.
62. There are no specific internal seminars on gender equality. Professor Sarah Childs visited the Assembly in 2017 to speak about her *Good Parliament* report and this session was open to all Members and was very well attended.

G. Parliamentary staff

Audit questions

Parliamentary staff

Parliament is also a workplace for many professionals who support the chambers, committees and individual members. In many parliaments, the working conditions of parliamentary staff are similar to, or exactly the same as, those of government employees and are not the same as conditions for parliamentarians. However, while parliament is in session, parliamentary staff can often keep the same hours as parliamentarians, rather than government employees. In this sense, there is merit in reviewing the policies that apply to parliamentary staff.

7.1 Is there a gender balance in the number of staff working for the parliamentary administration?

If so, have special measures been used to ensure that balance?

If not, should special measures be adopted to redress the imbalance?

Are there disparities among parliamentary services or units regarding their gender composition?

Who is in charge of setting up recruitment panels? Are gender requirements applied when panels are formed?

7.2 Are men and women represented equally among the senior staff of the administration?

Which departments or units are led by women?

7.3 Does the parliamentary administration have policies to ensure that the workplace is free of discrimination, sexism and harassment?

Is there an anti-harassment policy and a mechanism to address complaints of harassment and discrimination? Have complaints been resolved efficiently and effectively?

Is there a policy against discrimination?

Is there an equal pay policy? If so, what mechanisms exist to ensure non-discrimination among male and female staff?

7.4 Are there equal development opportunities for men and women?

7.5 Do the parliament's conditions of work allow staff to balance work and family? Are staff entitlements to parental, maternity or paternity leave considered sufficient? Is financial support provided to staff with dependants in order to cater for childcare and elderly care expenses?

How are staff compensated for long parliamentary sitting hours?

7.6 How does the parliamentary building cater to staff with babies and young children?

Are staff entitled to use any special rooms for breastfeeding mothers, childcare centres or family rooms that exist?

Does parliament provide childcare facilities?

7.7 Does the staff of the parliamentary administration include experts on gender equality?

Do the specialized staff provide services to all MPs or to a dedicated structure such as a parliamentary committee?

How are the staff in charge of gender perceived in parliament?

Do the specialized staff have access to the same information as other staff in the secretariat?

Are they able to provide expert advice on all legislation?

7.8 Are there professional development opportunities provided to parliamentary staff who work on gender equality?

Are these provided to all staff, male and female?

Does performance appraisal of staff include gender-equality related objectives?

63. There are more women employed in the States Greffe (the parliamentary service) than men and the senior leadership team of five comprises three men and two women.
64. Recruitment to the Greffe, and to positions related to the Greffe such as the Commissioner for Standards and membership of the States Members Remuneration Review Body, is overseen by the Greffier of the States and always involves gender-balanced recruitment panels.
65. States policies on discrimination, sexism, harassment, parental leave, equality and diversity and equal pay apply to the States Greffe.
66. Staff can work flexibly to accommodate the demands of family life and this is encouraged by the Greffier. Staff have taken up to 12 months maternity leave, depending on their requirements. If staff work long hours because of the Assembly's sitting hours or the workload of committees or panels they can be compensated using flexi-time or time off in lieu.
67. There are no childcare or breastfeeding facilities in Morier House, where the Greffe is based.
68. There are no staff specialising in gender equality issues.
69. Performance appraisal of staff does not generally include gender-equality related objectives.

Summary of recommendations

Elections

1. There are no specific mechanisms to ensure that a certain number of women are elected to the Assembly. **Options discussed by the audit group include requiring there to be an equal number of male and female senators; permitting job sharing; and requiring gender balance in multi-member seats.**
2. There is reference in the Common Strategic Policy to the need “to increase the diversity of candidates standing for election and to provide them with more assistance to stand”, something which falls within the responsibility of the Privileges and Procedures Committee (PPC). **We will work with PPC and others to find ways of meeting this objective in time for the 2022 election.**

Positions in the Assembly

3. **The absence of descriptions for roles, particularly assistant minister roles, which can be very varied, was identified by the audit group as a barrier to women putting themselves forward. This is something which should be addressed.**
4. **The audit group considered that it should be mandatory for the Chief Minister to have at least one male and one female Assistant Chief Minister.**
5. **The audit group considered that it should be a formal requirement that all panels and committees comprise both men and women.**
6. **Informal committees and working groups comprising States Members should always include both men and women.**

States Assembly rules and facilities

7. **PPC should bring forward changes to Standing Orders to make them gender neutral. Jersey law has been gender neutral for 15 years so bringing the Standing Orders into line with modern best practice is long overdue and should be uncontroversial.**
8. **The Diversity Forum will shortly bring forward proposals to amend Standing Orders to enable Members to be recorded as absent because of parental care responsibilities without it being possible for this reason for absence to be challenged and voted on. Making similar provision in respect of other caring responsibilities should also be considered. The Forum will also review options for the introduction of proxy voting, following the adoption of proxy voting in other jurisdictions.**

9. **A room where priority is given for breastfeeding mothers should be made available in the States Building when it is next required.**
10. There is no provision in the States building for space for parents to look after children and no childcare facilities, although Members' guests, including family members, may make use of the common room. **The Diversity Forum will look at different models for childcare provision in other parliamentary bodies and in relation to local businesses.**
11. **The audit group considers that the Assembly should decide by lunchtime whether or not to sit beyond 5.30pm, to provide time for Members with parental and other caring responsibilities to make plans so that they can stay late. If necessary, this could involve changing Standing Orders.**
12. **The audit group recommends that two rooms in the States Building – perhaps the Members' Room and the Common Room – should be named after prominent Jersey women politicians, such as Ivy Forster (the first woman to be elected to the States), Iris Le Feuvre (the first woman Constable) or Gwyneth Huelin (the first woman senator). In addition, PPC should seek to buy or commission artwork for the States Building by female artists.**
13. There are no specific policies on discrimination, sexism and harassment in the Assembly. There is a code of conduct for elected members and complaints on these matters could be submitted under that code to the Commissioner for Standards. There are no specific guidelines on how such complaints might be considered by the Commissioner, despite the obvious sensitivities and difficulties in dealing with such matters. **The Diversity Forum will consider these matters further during 2019.**
14. **The audit group recommends that the Jersey branches of the APF and CPA should ask what policies those organisations have in place on breastfeeding and childcare provision at conferences.**
15. PPC/Greffe policies on public engagement and external communications could be reviewed from a gender perspective to ensure that women are visible, for example in photographs and social media about Jersey representation at overseas conferences, and to promote the work of the Diversity Forum and the CWP. **The audit group recommends that this is undertaken for any new publications in future.**
16. **The government Communications Unit should do more to promote the work of female ministers and senior officers**

Policy and legislation

17. Some legislation entrenches gender discrimination, most notably the Income Tax Law which formally requires a husband to be responsible for the taxation of his wife's income. Moves to end this administrative practice and introduce

independent taxation have recently commenced. **Ending gender discrimination in this area remains a high priority.**

18. The UK introduced a '[public sector equality duty](#)' in 2011, which requires public sector bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. **The audit group considers that ministers should consider the merits of introducing a similar duty in Jersey.**
19. **The extension of CEDAW to Jersey has not been prioritised by ministers: the government should pledge to achieve extension during 2019 and to publish an action plan for resolving any areas where the Island does not full comply with the Convention.**
20. **The Council of Ministers should publish an action plan for nurturing a diverse and inclusive society, including a strand on promoting gender equality.**
21. **We recommend that the Diversity Forum engage with the Statistics Unit on making more official sex-disaggregated data available in Jersey.**

Re-issue Note

This publication is re-issued to add a sentence to clarify a paragraph.