

**MEN'S DEVELOPMENT NETWORK
SUBMISSION TO THE OIREACHTAS
JOINT COMMITTEE ON GENDER
EQUALITY WITH REFERENCE TO
THE RECOMMENDATIONS OF
THE CITIZENS' ASSEMBLY
ON GENDER EQUALITY**



**Men's
Development
Network**



**White Ribbon
Ireland**

Men Ending Gender-Based Violence

Table of Contents

Introduction.....	2
Constitutional Reform Recommendations (1-3)	5
Care Recommendations (4-7)	6
Childcare, Disabilities and Older Persons Recommendations (8-12)	6
Social Protection Recommendations (13-19).....	7
Leadership in Politics, Public Life and the Workplace (20-25).....	8
Norms & Stereotypes and Education (26-31).....	9
Pay and Workplace Conditions (32-36)	10
Domestic, Sexual and Gender-Based Violence (37-41).....	11
Gender Equality Principle in Law and Policy (42-45)	13

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Introduction

On behalf of the Board of the Men's Development Network (MDN), its staff, clients, participants, and volunteers, I wish to express our gratitude at being offered the opportunity to present this written submission to the Joint Oireachtas Committee on Gender Equality in relation to implementation of the Recommendations of the Citizens' Assembly on Gender Equality. We see it as both a privilege and necessity for men to be part of this discussion and welcome the opportunity to support the Committee in its work.

Before we share our reflections on the 45 Recommendations made by the Citizens' Assembly on Gender Equality, I think it would be useful to give a brief introduction to MDN and its work and methodologies.

The Men's Development Network celebrates its 25th anniversary this year. It was established in 1997 in the southeast of Ireland by a group of men supporting each other to be the best fathers and partners possible. This initial group of men were developing a greater awareness of how the system of patriarchy impacted negatively on them, their partners, and families. The men also readily acknowledged their own sense of privilege.

In its initial years in existence, the network ran a number of projects working with men who were at risk of or experiencing marginalisation, in the most marginalised communities. During this time the network developed its own methodology of engaging men that has influenced the development of all its programmes and practices. These engagements with men also played a significant role in informing the first Men's Health Policy in the world, with a strong emphasis on a social determinants model of men's health.

From these organic roots, we have grown significantly. We have our headquarters in the southeast, specifically Waterford City, with 17 core staff and a further 22 sub-contracted staff working on all our programmes. We run four national programmes, namely: the MEND Domestic Violence Intervention Programme; the Engage National Men's Health Training Initiative; the Male Advice Line, our national freephone service for male victims/survivors of domestic abuse, and the White Ribbon Ireland Campaign around men ending Gender-Based Violence.

As an organisation we have five core values that, when adhered to, create the conditions for individuals to thrive and grow and for societies to adapt and change for the betterment of all. These values of Equality, Non-judgmentalism, Partnership, Professionalism and Love underpin all our work and ensure that the principles of tolerance, respect and dignity are cornerstones of our non-adversarial approach.

We see our work within a transformative framework, that aims to create positive environments for reflection, analysis, leading eventually to action, whether this is as a society or as individuals. Our approach as an organisation is similar to the process happening here today where we are reflecting on the work of the Citizens' Assembly at this second stage of a process of transformation that will lead to a third stage where action will be taken in the form of agreed proposals for new Legislation or the holding of Referenda.

As Ireland's only member of the global MenEngage Alliance — the social change network working to transform patriarchal masculinities — and MenEngage Alliance Europe, our work is about Transforming Masculinities by providing opportunities to engage men and boys on issues such as their Health and Well-Being, Gender Equality and the ending of Gender-Based Violence; not only in the national programmes mentioned earlier but also in programmes such as our Parent Support Programme, Walking the Talk, FarmConnect, MenConnect, Men's Leadership Programme, and our Counselling Services.

Over the past twenty-five years we have worked hard to develop partnerships and collaborations with the women's rights and feminist movement and acknowledge the leadership shown by women in creating a more equal society as we have today. I hope as a men's development organisation we are viewed as strong allies and supporters of the quest for an end to inequality and the elimination of violence against women and gender-based violence, and although many strides have been taken to address inequality, there is much to be done.

The foundations and structures to transformation to a more equal society exist. The next step is, we feel, the transformation of hearts and minds. The rationale and evidence are now in place to positively engage men and boys in becoming the catalyst and agents of change. This is only one piece to the puzzle but a significant piece nonetheless in creating the cultural shifts that engage the silent majority of men and boys in becoming their most authentic selves and standing together with women and girls, as well as people with intersectional backgrounds, in the ongoing process of creating a society of equality, respect, and non-violence.

Broadly we are in full agreement with the recommendations presented by the Citizens' Assembly but offer a general observation and a specific gender lens on engaging men and boys. I hope this gives you all a context for our contributions and reflections on the various recommendations today and that our mission statement of "Better lives for men, Better lives for all" is seen in the context of what I have outlined earlier and that we offer these observations with an open mind, tender heart, and willingness to engage.



Seán Cooke

CEO, Men's Development Network

Constitutional Reform Recommendations (1-3)

In relation to Recommendation 1, Men's Development Network support inclusion of reference to gender equality and non-discrimination as part of Article 40. To operationalise this recommendation, Men's Development Network recommend drawing on the structure of the Charter of Fundamental Rights of the European Union, where equality before the law is a standalone provision to gender equality and non-discrimination. Article 20 of the Charter retains the principle of equality before the law as a standalone provision.¹ Article 21 of the Charter provides for the principle of non-discrimination.² Thus, we recommend retaining the first line of Article 40.1, '*All citizens shall, as human persons, be held equal before the law.*' as Article 40.1.1. We recommend the inclusion of a new Article 40.1.2. to constitutionally enshrine principles of non-discrimination and gender equality.

In relation to Recommendation 2, Men's Development Network agree that Article 41 of the Constitution should be amended so that it would protect private and family life, with the protection afforded to the family not limited to the marital family. Article 41 as it stands is not reflective of the diversity of families across Irish society today and the concept that family is founded upon marriage is not reflective of the different kinds of families in Ireland today. Case law from the European Court of Human Rights also demonstrates that a family which is not based on marriage does not preclude the application of Article 8 of the European Convention on Human Rights.³ Therefore, Men's Development Network agree with the recommendation that all families should be constitutionally protected, and that Article 41 requires amendment in accordance with the recommendation given by the Citizen's Assembly.

In relation to Recommendation 3, Men's Development Network advocate that Article 41.2 of the Constitution should be deleted and replaced with language that is not gender specific, which obliges the State to take reasonable measures to support care within the home and wider community. Article 41.2 in its language is not supportive of a gender equal society and constitutionally enshrines harmful gender norms of stereotyping on (a) the role of women and (b) the '*non-role*' men in relation to the

¹ Title III, Article 20 Charter of Fundamental Rights of the European Union (2000) <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN>> accessed March 28th, 2022.

² Title III, Article 21 Charter of Fundamental Rights of the European Union (2000) <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN>> accessed March 28th, 2022.

³ *Johnston & Ors. v Ireland* 9697/82 (1986), and see Ursula Kilkelly, '*The Right to Respect for Private and Family Life*' (Council of Europe, 2003) at page 16 <<https://rm.coe.int/168007ff47>> accessed March 27th, 2022.

home and caring roles. The role of the state in supporting caring roles within the home and wider community is vital and an amended Article 41.2. must express this using non-gender specific language.

Care Recommendations (4-7)

Men's Development Network supports Recommendations 4 (a) and (b) in relation to improved terms and conditions for those in paid employment as carers. This is based on the concept of decent work for all⁴ and that pay should be reflective of the qualifications and experience in the work carried out by those in paid employment as carers.

We support Recommendation 5 in reforming Carers' Allowance and wish to highlight the need for an additional Recommendation 5 (e) with regards to means testing. It is our view that means testing should not solely consider a person's income but also their expenditure on items such as mortgage, rent and bills. Failure to bring a more holistic approach in relation to means testing risks reinforcing poverty traps and serving as an invisible barrier to gender equality.

With regards to Recommendation 6 and the creation of individualised pension solutions, Men's Development Network recognise the importance of pensions to allow people grow old with dignity and have the means required to provide for an adequate standard of living. This is a specialised Recommendation from the Citizens' Assembly and consideration may need to be given in relation to how individualised pensions can be implemented.

Respite provision for carers is vital in recognising and supporting the role and work in the aftermath of the Covid-19 pandemic. Men's Development Network support increasing levels of the Carers' Support Grant and providing access to respite services to meet individual needs as outlined in Recommendation 7. We also believe that greater incentives and encouragement should be provided to men in caring roles to redress gender imbalances in relation to care roles.

Childcare, Disabilities and Older Persons Recommendations (8-12)

Men's Development Network support Recommendation 8 in relation to childcare and agree with the benchmarking of GDP spending to 1% by 2030 in line with UNICEF targets.

⁴ UN Sustainable Development Goal 8 <<https://sdgs.un.org/goals/goal8>> accessed March 31st, 2022.

Men's Development Network agree with Recommendation 9 in relation to paid leave for parents and encourage inclusion of non-transferability of paid leave to encourage sharing of childcare responsibilities. In line with the MenCare Initiative, we wish to highlight that in implementing this Recommendation, it is our viewpoint that non-transferable parental leave is a supplement to maternity leave, not an alternative.⁵ Exceptions to this may however need to be included and provided for in situations where one of the parents are unable to look after their child, for example on physical or mental health grounds. In these cases, there may need to be grounds for transferability of paid leave. Incentivisation targeted towards fathers may also be required as international studies indicate that *"under the right conditions and with the right incentives, paternity and parental leave show great promise for increasing fathers' participation in their children's lives"*.⁶ Studies cited by Promundo indicate that insufficient compensation is the most cited reason by fathers in the European Union for not taking leave and higher levels of income replacement are associated with greater use of paternity leave.⁷

Men's Development Network welcome Recommendations 10, 11 and 12 related to the rights of older persons and persons with disabilities as outlined in the report of the Citizens' Assembly.

Social Protection Recommendations (13-19)

Men's Development Network welcome the Recommendations of the Citizens' Assembly on Gender Equality related to social protection and acknowledge the importance of adequately financed and developed social protection floors in supporting gender equality in Irish society. We agree with Recommendation 14 as it is our position that social protection payments should lift people above the poverty line and be enough to protect and promote an adequate standard of living. In our recent submission to the Low Pay Commission, we highlighted that poverty and income are social determinants of men's health and wellbeing under Ireland's Men's Health Policy.⁸ In ensuring gender equality, it is equally important to highlight that social protection payments which ensure an adequate standard of living is vital in relation to men's health and wellbeing.

⁵ 'The MenCare Commitment' < <https://men-care.org/what-we-do/advocacy/the-mencare-commitment/>> accessed March 29th, 2022.

⁶ 'Engaging Men in Unpaid Care Work' (UNFPA and Promundo, 2018) at page 21 <https://promundoglobal.org/wp-content/uploads/2018/06/Engaging-men-in-unpaid-care-work_ENG.pdf> accessed March 31st, 2022.

⁷ *ibid*

⁸ Colm Kelly Ryan, 'The Minimum Wage and Men's Health in Ireland' (Men's Development Network, 2022) <<https://mensnetwork.ie/wp-content/uploads/The-Minimum-Wage-Mens-Health-in-Ireland.pdf>> accessed March 31st, 2022.

The initiation of a Universal Basic Income pilot scheme is welcomed in creating new initiatives which promote gender equality, and we urge that participants in the pilot are reflective of the diversity of Irish society and that the scheme has the principle of substantive equality in mind.

Men's Development Network support Recommendation 16 regarding the specific needs of one parent families in accessing work or education, including provision of child and after-school care. We also recommend inclusion of supports for one parent families in circumstances where the parent is changing careers.

In redressing historic and ongoing inequalities, Men's Development Network believe that all women affected by the marriage bar for a state pension should automatically qualify for a pension. Being able to have a decent standard of living in older years is vital in ensuring equality and therefore Men's Development Network support Recommendations 18 and 19 on automatic pension savings and a Universal State Pension.

Leadership in Politics, Public Life and the Workplace (20-25)

Men's Development Network support Recommendation 20 and believe that gender quotas should be extended to all elections: local, European, Dáil and Seanad. However, clarity may be needed in relation to the "penalties" aspect of what's proposed, by way of example, if there will be minimum or maximum penalties for repeat breaches. As a gender equality organisation, we favour the 40% minimum quota as recommended.

Men's Development Network are in favour of Recommendation 21, though clarity may be warranted regarding the size of the companies this will apply to *e.g.*, will small family-type businesses also be required to comply with the recommendation.

Men's Development Network consider Recommendation 22 as a good starting point in relation to public funding, with a view to eventually reaching beyond the 40% quota targeted by 2030. Clarification may be needed under 22(c) in relation to who organisations will report to.

Men's Development Network agree with Recommendation 23 in relation to the extension of paid maternity/paternity/parental leave for representatives elected to public office as a gender equality measure and the development of universal family-friendly practices in the workplace. This vital in ensuring that women can aspire to and enter public office without additional barriers to their

participation. We support such flexible practices outlined in the Recommendation to encourage greater parental participation and occupational flexibility.

Recommendation 24 is required and reflects the need in contemporary Irish society to strengthen reporting and monitoring of social media platforms. This position aligns with the views contained in Men's Development Network's policy and position paper on the draft Third National Strategy on Domestic, Sexual, and Gender-Based Violence vis-à-vis hate crime/speech legislation⁹ and we support strengthened reporting and monitoring of social media platforms.

With regards to workplace recruitment, we support Recommendation 25 and recommend that substantive equality and intersectional representation are supported through recruitment and promotion policies and practices.

Norms & Stereotypes and Education (26-31)

Men's Development Network support Recommendation 26 and note the importance of appropriate resourcing of schools in countering gender stereotyping and provision of gender-neutral career information.

We also approve of Recommendation 27 and encourage comprehensive inclusion of all bases in prevention work and highlight the Istanbul Convention Prevention Pillar which also includes engaging men and boys in the most appropriate ways as allies for gender equality and in ending gender-based violence

We support the holistic approach of the education system in advancing gender equality outlined by Recommendation 28. However, we believe the role of the relevant Government Department in the recommendation should be not only to lead, but also to **develop and support** this work.

Part-time courses should be eligible for the Third Level Grants Scheme as outlined in Recommendation 29. Furthermore, the Scheme currently require students to improve their existing accreditation level to avail of funding. This requirement should be reviewed and changed to ensure supports for lifelong learning and more opportunities for public engagement in third-level education and involved in institutions which support gender equality will have a positive net effect for society.

⁹ See Recommendation 10(a), Colm Kelly Ryan, John Doyle and Vongdarareach Chhour, *Policy and Response Paper of Men's Development Network and White Ribbon Ireland to the Draft National Strategy on Domestic, Sexual and Gender-Based Violence* (Men's Development Network, 2022) at page 10 <<https://mensnetwork.ie/wp-content/uploads/MDN-WRI-DSGBV.pdf>> accessed March 31st, 2022.

Men's Development Network agree with Recommendation 30 and the wording of this recommendation may need to specifically reference **positive discrimination** be introduced towards strengthening existing programmes. The encouragement of men into female-dominated careers as referenced in 30(b) is necessary in changing and challenging existing norms which are contrary to gender equality.

We support Recommendation 31 and advise that 31(c) should also include "*...the visibility of men performing caring and **civic-minded** roles*".

Pay and Workplace Conditions (32-36)

Men's Development Network support the inclusion of recommendations on pay and workplace conditions in advancing gender equality. We believe that Recommendation 32 is however too phased in its implementation and the gap gender pay gap needs to be eradicated by 2025 as opposed to 2035 as this constitutes structural discrimination on the grounds of gender.

We also support immediate passage of the Gender Pay Gap Information Bill into law as outlined in Recommendation 33.

We agree with Recommendation 34 in relation to the minimum wage as a living wage which keeps pace with inflation and the cost of living,¹⁰ while ensuring extra allowances and protections for small businesses.

The right to collective bargaining is expressed in the Universal Declaration on Human Rights,¹¹ in regional human rights instruments¹² and in instruments of International Labour Law¹³ ratified by Ireland. The right to form and join trade unions and to collectively bargain must be enshrined in Irish law in advancing a gender equal society.

Men's Development Network agree with Recommendation 36 in relation to introduction of a statutory right to reasonable access to flexible working.

¹⁰ Colm Kelly Ryan, *'The Minimum Wage and Men's Health in Ireland'* (Men's Development Network, 2022) <<https://mensnetwork.ie/wp-content/uploads/The-Minimum-Wage-Mens-Health-in-Ireland.pdf>> accessed March 31st, 2022.

¹¹ Article 23.4. Universal Declaration on Human Rights (1948).

¹² Article 11 European Convention on Human Rights (1953).

¹³ ILO Convention No.87 on Freedom of Association and Protection of the Right to Organise (1948) and ILO Convention No.98 on the Right to Organise and Collective Bargaining (1949).

Domestic, Sexual and Gender-Based Violence (37-41)

In March 2022, Men's Development Network submitted a paper to the Department of Justice in relation to the Third National Strategy on Domestic, Sexual and Gender-Based Violence. The recommendations in the submission were as follows:

- To provide a clear outline of available resources to implement the National Strategy and its Action Plans.
- To ensure prevention and awareness raising efforts target the '*general public*' rather than specific sectors of society, in accordance with Article 13(1) and (2) of the Istanbul Convention and Article 30(b)(ii) of CEDAW General Recommendation 35.
- To ensure awareness raising programmes address the root causes of DSGBV in accordance with International Law.
- To ensure engagements with men and boys is based on international and national best practice in the most appropriate ways: from a strengths-based, non-judgemental, non-adversarial approach and that there is a positive call to action for men and boys which instils supports to build capacity and safety in prevention of DSGBV.
- The development and funding of the White Ribbon Campaign and similar initiatives which engage with men and boys as allies for gender equality in ending Gender-Based Violence.
- To expand the proposed content of awareness raising activities and training programmes beyond the aspect of consent to include themes mentioned in Article 14(1) of the Istanbul Convention, such as gender equality, respect, non-violent conflict resolution in interpersonal relationships, Gender-Based Violence, and integrity.
- The inclusion of the role of non-formal education settings under the Prevention Pillar, including 'cultural, leisure facilities and the media', in accordance with Article 14(2) of the Istanbul Convention.
- The integration of perpetrator programmes into the delivery of frontline professional training.
- The ratification of ILO Convention No.190 and implementation of its accompanying Recommendation No.206.
- The introduction of hate crimes/speech legislation in acknowledgement of the links between racialised and Gender-Based Violence. We recommended the passage of a single piece of Hate Crime/Speech legislation in accordance with the conclusions of the Report on the Public Consultation Legislating for Hate Speech and Hate Crime in Ireland.
- Specific inclusion of anti-racism and equality/diversity training within the prevention pillar training and capacity-building programmes.

- To review the Regularisation of Long-Term Undocumented Migrants Scheme and commitment to periodic regularisation processes, with reduced processing fees, given the evidence that absence of legal status among undocumented women leads to fear of reporting domestic violence to An Garda Síochána.
- To include the participation of the private sector and media in the prevention of DSGBV, as required by Article 14(2) of the Istanbul Convention.
- To recognise the existing National Domestic Violence Intervention Programme within the National Strategy.
- To analyse effective regional structures that worked in the past *e.g.* the Regional Planning Committees where there was representation from key statutory and non-statutory agencies. This was a recommendation of the Task Force on Violence against Women (1997).
- To conduct research on the factors which contribute to domestically violent behaviour.

In addition, Men's Development Network have specific thoughts in relation to Recommendations 37-41 on Domestic Sexual and Gender Based Violence.

In relation to Recommendation 37, under the Third National Strategy on Domestic, Sexual and Gender-Based Violence will create a new statutory body which will be coordinated by the Minister for Justice with direct responsibility for implementation of the strategy. The development of this agency will add stability and sustainability to this work.

Regarding awareness raising, prevention and education campaigns for children in relation to DSGBV as outlined in Recommendation 38, Men's Development Network believe the Recommendation needs to be extended beyond its current expression. The trainings should be based on the Prevention Pillar of the Istanbul Convention to include engaging with men and boys in the most appropriate ways as allies for gender equality and in ending Gender-Based Violence.

In relation to Recommendation 39 on supporting justice for victims/survivors, Men's Development Network acknowledge sub-recommendations (a) – (e) as presented by the Citizens' Assembly on Gender Equality and note overlaps with objectives in the Third National Strategy on Domestic, Sexual and Gender-Based Violence. To advance justice for victims/survivors of DSGBV, Men's Development Network also recommends including the option to develop restorative justice/practice processes where appropriate.

Men's Development Network support Recommendation 40 as presented and encourage that such provision is as inclusive as possible to all genders and their children, with due regard to the fact that the majority of victims/survivors of DSGBV are women.

With regards to female genital mutilation as a ground for seeking asylum as expressed in Recommendation 41, UNHCR publications¹⁴ as well as a wide range of jurisprudence in case law¹⁵ indicate that female genital mutilation is a ground to seek asylum and for granting refugee status and therefore Men's Development Network support this position.

Gender Equality Principle in Law and Policy (42-45)

Men's Development Network support the creation of a statutory body for gender equality, as outlined in Recommendation 42. However, clarity may be needed as to whether gender equality is also within the remit of the new DSGBV agency, or whether a second new body will be created.

Men's Development Network welcome the focus in Recommendation 43 on gathering data on key gender equality issues. Research may be required to see what the reasons are for gender inequality in any particular area are, is it historical, linked to remuneration or gender conditioning. It is important that those statistics are gathered but as important is the quality of research itself. Clarity is required in relation to who is going to be responsible for gathering and processing this information.

As allies of the feminist and women's rights movement, including organisations such as National Women's Council who have called for gender budgeting and impact assessments, the Men's Development Network support the implementation of Recommendation 44. We urge that such gender budgeting and impact assessments are guided by the principle of substantive equality, and the impact on all levels of society, especially those on the margins including traveller women, LGBTQI+, migrants etc. The needs of those on the margins should be prioritized given that there will always be limited resources.

Men's Development Network agree with Recommendation 45 related to anti-discrimination and equality legislation being reviewed in relation to effective monitoring, investigation, reporting and enforcement. The structures of inequality can be deeply embedded in organisations especially, but not uniquely, in large organisations which can make it difficult for real change to occur as opposed to box ticking exercises taking place. Again, an external statutory body is required to have the proper legislative weight and objectivity to deal effectively with deeply ingrained practices of inequality.

¹⁴ 'Too Much Pain' (UNHCR, 2014) < <https://www.unhcr.org/53187f379.pdf>> accessed March 27th, 2022.

¹⁵ Principle outlined in *Aminata Diop* CRR 164078, (18 September 1991) < <https://www.refworld.org/docid/3ae6b7294.html>> accessed March 30th, 2022. For successful examples of the principle in application, see: *Mlle Kinda*, CRR 366892, (19 March 2001) and *Khadra Hassan Farah, Mahad Dahir Buraleh, Hodan Dahir Buraleh, Canada: Immigration and Refugee Board of Canada*, (10 May 1994) available at: <https://www.refworld.org/cases,IRBC,3ae6b70618.html>.

Protecting whistle-blowers is also essential in relation to speaking out about issues of discrimination and inequality in a workplace and may need to be included to ensure strengthened reporting on instances of gender discrimination and inequality within the world of work. Finally, in relation to Recommendation 45(b), Men's Development Network recommend that trainings on anti-discrimination and equality legislation must go beyond '*employee training*' and that the scope of the training needs to be extended to '**workplace training**' to include not just salaried staff but also volunteers, interns, sessional contractors among others in a changing world of work.