

CHAPTER ELEVEN

WOMEN AND POLICY-MAKING: DEVOLUTION, CIVIL SOCIETY AND POLITICAL REPRESENTATION

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INTRODUCTION

This discussion revisits a chapter, 'Inclusive Government for Excluded Groups', which Sandra Betts, John Borland and I wrote for an edited collection *New Governance: New Democracy? Post-Devolution Wales* (Chaney, Hall and Pithouse, 2001). The chapter was written in the first months of the National Assembly. It discussed the potential implications of devolution for women's political representation in Wales; and was integral to the volume's reflection on the concept of 'inclusiveness'. Referred to at the time as 'the guiding concept that has been widely regarded as the key to the Assembly's future success' (Betts et al, 2001, p. 48), inclusiveness was an elastic term that had many meanings. It was variously a code for cross-party campaigning; as well as a cryptic reference to the proposed use of proportional representation in Assembly elections (anathema to many Labour and Conservative party activists) (Chaney and Fevre, 2001). Yet it was principally employed as a unifying device to say that devolved politics would be different to the past. Not least it would deliver positive change by addressing the longstanding marginalisation experienced by women and other social groups and identities.

Interviewed in 1999, many of the women quoted in the original chapter spoke of their high expectations for the new National Assembly. They expressed excitement and looked

forward to significant change (see also Feld, 2000). For example, the representative of one leading women's umbrella organisation said, 'it will be very exciting. I'm sure that because there are so many people, so many women that have been elected, it will reflect a lot of our concerns'. Similar optimism was echoed by the Women's Officer of a trade union who had 'a high expectation that it [the Assembly] could drive the agenda in a very positive way'; and the representative of a prominent voluntary group felt that 'it is going to give us a much larger voice... I think it's very positive'. Here, almost a decade-and-a half on, this chapter reflects on developments since the Assembly opened its doors with reference to the nature and quality of women's political engagement; as well as the issues and challenges associated with representation and devolved policy work. Following an outline of the methodology, attention centres on political representation with reference to the political parties, the National Assembly, Welsh Government and public life. The chapter ends with the views from civil society organisations.

METHODOLOGY

The first part of the discussion is based on a series of studies conducted over the past fifteen years as well as secondary data sources including Assembly proceedings, policy documents and government reports. The second is based on 75 interviewees undertaken in 2013-14 with managers of a purposive sample of third sector organisations. Unlike 2001, these were not solely with 'women's organisations' but, further to the ethos of mainstreaming, they relate to a broad range of NGOs as it was decided to take views on gender equality from across the sector.

POLITICAL REPRESENTATION

Political Parties

The number of women elected to the first National Assembly was much lauded. Forty per cent of AMs was a vast improvement on Wales' lamentable record of electing women MPs; to date, it is still the case that just 13 women MPs have represented Welsh constituencies since the Acts of 'Union' in the early sixteenth century. The subsequent attainment of gender parity in the second Assembly was a high point, one celebrated as a world first (see Chaney 2003, 2006). There was a modest drop to 47 per cent following the 2007 elections. This striking, and viewed from the perspective of the 1980s and 1990s, unlikely progress was largely the result of positive action measures in candidate selection by Welsh Labour and Plaid Cymru (Chaney et al, 2007).

However, a sharp decline was widely anticipated for the fourth elections in 2011. As McAllister and Cole (2014, p. 184) note, such concerns were based on 'the rescinding of affirmative or positive action used in the first two elections by Labour and Plaid Cymru; the number of women standing down at this election (particularly Labour AMs who had been selected through the party's highly successful, but controversial, 'twinning' policy in 1999 and subsequently benefitting from incumbency); and the high proportion of women contesting marginal seats'. Ultimately, the decline in the number of women AMs (down to 25 or 42 per cent) was not as bad as feared (- 5 percentage points). This was largely a function of Labour's electoral success, which prevented the loss of women previously selected using positive action measures. It was also helped by the Welsh Conservatives fielding more women candidates than in the past.

For Welsh Labour, as the bitter internal party disputes in Blaenau Gwent and the Cynon Valley attest, the use of all-women shortlists remains a divisive and contested issue. In March 2014 the Party conference voted to use positive action measures in forthcoming elections including the decision to field women candidates in half of its winnable seats at the 2017 Welsh council elections and use all-women shortlists in the 2015 general election. In contrast Plaid Cymru decided that local parties will decide the candidates for council, Assembly and parliamentary elections; however, a gender balance will be required for the top two positions on its Assembly regional list. The Welsh Liberal Democrats have rejected all-women shortlists (but have also ruled out all-male shortlists) for Westminster and Assembly elections. The Welsh Conservatives have no mechanisms to increase the number of women selected. Overall, this combination of strategies means that there is a real prospect that the number of women AMs may fall following the 2016 elections.

However, whilst the fears about the 2011 elections were largely unrealised, evidence of systemic inequality can be seen in the number of women election candidates. Worryingly, in the 2011 Welsh general election under a third (30 per cent) were women; there were just 78 compared to 184 men (Brooks and ap Gareth, 2013, p.8). This is a key concern and suggests that insufficient numbers of women are putting themselves forward as candidates and, notwithstanding gender equality rhetoric from all party leaders, internal selection procedures and party practices are not facilitating equal representation.

The National Assembly

There is mixed evidence on women's political representation in Wales's new national legislature. On a positive note, analysis of the 327 plenary debates held during the first term of the National Assembly provides evidence of how the 'critical mass' of women AMs elected in 1999 acted to promote substantive representation; in other words, the situation whereby women's priorities are reflected in policy and law-making (Chaney, 2006). The analysis affirms this relationship as 'probabilistic' rather than 'deterministic'. The gender-disaggregated incidence of selected key terms in political debate during the first Assembly reveals a significant difference between male and female parliamentarians, with as noted, women exhibiting a greater propensity to engage in debate on 'women's issues'. They account for between two-thirds to three-quarters of all interventions using the key terms analysed, namely inter alia, childcare, domestic abuse and equal pay.¹

This is significant in a number of respects; not least because it provides empirical evidence of the difference that women parliamentarians make. It also underlines that the presence of women in the Assembly shapes the policy and legislative agenda. This is reinforced by the fact that women AMs had a significantly greater propensity than male AMs to *initiate* debate on the gender equality; and such cases comprised approximately two-thirds to three-quarters of all instances when such terms featured in plenary debate. This matters because it shows women AMs taking the lead in shaping the political agenda to advance substantive representation; and their presence is necessary to ensure such matters are addressed. The data also illustrate the role played by feminist activists elected to the first Assembly; key individuals drawn from a range of civil society organisations. These 'critical actors' intervene in debate much more frequently than other female colleagues and account for between,

approximately, one-third and one-half of all women's interventions on the issues in plenary debates.

Feminist institutionalist theory (Kenny, 2007) underlines that the design of political institutions matters. Existing work (Chaney et al, 2007) has charted how measures such as the outlawing of sexist language and family-friendly working hours in the Assembly's Standing Orders; and the cross-party Standing Committee on Equality of Opportunity have been valuable in advancing women's representation. Thus, the data on the Equality Committee show how women Assembly Members have used it to generally good effect to both scrutinise government policies and advance women's representation (Chaney, 2008). Analysis of the transcripts of Committee proceedings during the second Assembly shows female AMs predominate in intervening on key topics in order to advance the representation of women; accounting for 84 per cent of the topics analysed.

This is significant in two important regards. It again underlines the need for equal representation for it again demonstrates that women are more likely to shape the political agenda in order to advance women's interests. It also shows the value of institutional mechanisms such as the Equality Committee in advancing substantive representation. In addition, the data show how the Committee acted as an important nexus between AMs and those outside the Assembly. Thus, when female and male advisors (or 'expert witnesses') to the Committee are compared, the former accounted for 71 per cent of the references to the gender-equality related terms in the committee transcripts (Chaney, 2008), thereby underlining that women's engagement with the legislature is integral to the promotion of substantive representation.

However, there are also some concerns related to women's role in the policy and scrutiny work of the Assembly. A key example, is the demise of the Equality Committee, in March 2011, when it was subsumed into the Communities, Equality and Local Government Committee. This means less Committee time dedicated to equalities matters than before. Moreover, data reveal how, over the first three Assemblies to 2011, women constituted a minority of expert witnesses called to committees (Rumbul, 2013). Thus, they accounted for just a quarter (25.2 per cent) of expert witnesses from civil society organisations called before 387 meetings of seven committees held during the first Assembly. In the second Assembly (2003-7) the proportion increased to just under a third (31.8 per cent);² whilst in the third (2007-11) it remained at a similar level (32.7 per cent). When the first and third Assemblies are compared the number of women expert witnesses rose by just over a third (35 percentage points).

Such an increase reflects Assembly Commission Outreach Teams' engagement with representative and community groups to facilitate input into Assembly Business. This is one of a series of such initiatives seen over past years aimed at boosting women's engagement through affirmative action. Other examples include 'Step up Cymru!'³ the Women in Public Life Development Scheme and, Women Making a Difference. The latter is a programme that has also been central in providing women with opportunities to engage with public life by offering a range of courses, mentoring and role shadowing. It has proven impact and has led to positions for women in public life such as community councillors and public appointments. While these measures are invaluable, their modest size and resources are unequal to the scale of structural and cultural transformation needed. When the different sectors are compared women constitute a higher percentage of expert witnesses from third sector organisations (40 per cent) compared to those from public bodies (33 per cent in the third Assembly – up from

23 per cent 1999-2003) and the private sector (17 per cent). Yet for each sector it remains the case that it is men that predominate in engaging with Assembly committees.

Analysis of the Assembly's proceeding shows how women AMs use the breadth of institutional mechanisms to promote women's representation. For example, Written Assembly Questions (WAQs) are tabled by opposition and backbench AMs and are a procedural mechanism to scrutinise the actions of Welsh ministers. Analysis of 2,467 WAQs asked during the second Assembly 2003–2007 reveals that women AMs had a markedly greater propensity than their male counterparts to ask questions about 'equal pay, domestic abuse, women's health and childcare (or 74 per cent of the total) (Chaney, 2008, p. 279).

Given its iconic status, a symbol of the putative 'new politics', it was particularly important that the new legislature led by example as an employer. In this regard the Assembly Commission has made good progress in securing gender balance in staffing. In contrast to the Welsh Office, women make up just over a half of all employees (51.1 per cent of the workforce) and, in 2012-13, exactly half of the senior management team were women. In addition, they constituted 50.9 per cent of the top three grades and 61.4 per cent of management grades (NAfW, 2013, p. 34).

Welsh Government

During the early years of devolution successive Assembly - and later Welsh Government - administrations were strong on rhetoric about mainstreaming gender and other modes of equality into the work of government. However, previous studies have identified a disjuncture between this espousal of gender equality and policy outcomes (Chaney, 2010, 2013). Problems

included the setting of imprecise policy objectives and generalised goals that precluded meaningful assessment. Moreover, comprehensive examination of the work of government departments and policy outputs found attention to gender equality to be highly variable across portfolios (Chaney, 2011). In turn, this was the product of an under-resourced equality unit within the bureaucracy, one that lacked the institutional power to transform policy-making.

Since 2011, there has been an improvement. One key difference seen over the past three years is the setting of clear and legally enforceable policy goals. Thus, gender features in the Welsh Government's Equality Objectives, a statutory requirement under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. Examples include: 'to work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences' (Objective 2); 'to reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse' (Objective 4); and to 'improve the engagement and participation of under-represented groups in public appointments' (Objective 7).

There is also evidence of a more systematic attention to developing the evidence base and improving equality information held by the Welsh Government. Compared to past practice there are now enhanced monitoring and review processes in place including greater use of Equality Impact Assessments. According to a recent statutory assessment by the compliance authority, the Equality and Human Rights Commission Wales, this shift has led to 'progress on outcomes'. It noted that 'there were good examples of progress being made in relation to age, sex, race, disability and sexual orientation' (Mitchell et al, 2014, p.8). According to the EHRC review 'a great deal of progress had already been achieved'. Cited examples included:

‘organisations demonstrate[ing] steps they had taken to review and address the gender pay gap’ and ‘colleges and universities [... making] progress in a number of areas including ... addressing gender stereotyped subject choices, gender segregated career paths and the consequences for seniority and pay’ (Mitchell et al, 2014, p. 32).

However, such progress needs to be seen in the context of the formidable scale of the prevailing policy challenge. Women and girls in Wales continue to experience deep-set patterns and processes of inequality and discrimination. For example, they are twice as likely as men to be victims of sexual violence, or of non-sexual violence by their partner or family; they are by far the most likely to be victims of rape (90 per cent of offences were committed against females); and with regard to fear of crime, more women feel unsafe than men (8 per cent of 16-59 year old women compared with 1 per cent of men), and 20 per cent of older women feel unsafe. Moreover, women continue to experience significant segregation within the Welsh labour market. They are concentrated into health, education and administrative work and are more likely to report being discriminated against regarding promotion than men. In addition, women are more likely to live in low income households than men (this is principally because most lone parents, a group with a high risk of low income, are women) (EHRC, 2011).

Notwithstanding such challenges another aspect of political representation that has seen significant progress as a result of devolution is women’s presence as ministers in successive Welsh Government cabinets.⁴ The number of women ministers has increased from 40 per cent in 1999, to a world-first with gender parity - and then a majority - in the cabinet between 2000 and 2007. It is a pattern broadly mirrored by junior ministerial posts for the

number of women rises from a zero-base in 1999, peaks at three-quarters 2009-11, and falls to a third thereafter (Brooks and ap Gareth, 2013, p.9). This is significant for ministerial posts afford women power to challenge male norms and shape the policy agenda. Analysis shows how this operates in plenary debates. Data covering the first Assembly show that women predominated in ministerial interjections on 'women's issues', typically accounting for two-thirds to three-quarters of all such interventions (Chaney, 2006, p.699). Similar evidence of women ministers acting to advance gender equality can be found in analysis of the papers and minutes of the Cabinet meetings held during the first Assembly (Chaney, 2005). These record women ministers intervening in Cabinet discussions in order to promote women's interests across the breadth of policy portfolios.

At the outset of devolution many in the political classes repeatedly stated the need to avoid replicating the male-dominated institutional culture of the Welsh Office (Chaney et al, 2000), the territorial ministry that served Wales from 1964 to 1999. Whilst it is clear that there has been some progress in this regard, it is also the case that gender disparities remain. For example, of the Welsh Government's 5,560 strong workforce, women constitute a majority (58 per cent). Yet, they make up less than half of the senior civil service (42.9 per cent) and Executive Band 1 and 2 posts (38 and 44.8 per cent, respectively). Whereas they constitute almost two-thirds (62.9 per cent) of the lowest grade Team Support roles (Welsh Government, 2014a, p.18).

Current data also indicate that more needs to be done with regard to equalities training for, of the 5,560 employees, 1,900 women and 1,190 men – just 55.6 per cent of the workforce, have attended core training (Welsh Government, 2014b, p.4). This is notwithstanding the fact

that just months after the Assembly was founded, in April 2000, the Assembly's Equality Committee published its 'Baseline Equality Audit'. It stated: 'Training: It was considered by almost all Divisions that there is a need for greater equality awareness training within the Assembly... It was suggested that innovative ways of meeting these requirements *should be looked at as a matter of urgency*' (NAfW, 2000, p.3, emphasis added). Fifteen years on it remains an issue that has yet to be fully addressed. The latest Welsh Government Equality Strategy states: 'we recognise that reporting on training completed from our core offerings does not go far enough. We are in the process of developing an individual record for each employee that will be aligned to the performance management cycle which will give details of training applied for (successfully or otherwise) and completed by protected characteristic. The new platform will be in place to allow for a full reporting cycle from 2014-15' (Welsh Government, 2014b, p. 31).

Public Life

Half way through the second decade of the twenty-first century women continue to be marginalized and under-represented in many aspects of public life in Wales. For example, only one of the country's 22 Council leaders is a woman. In charting a modest rise in the number of women elected to local government from 18.2 per cent in 1999 to per cent in 26.3 per cent, the Electoral Reform Society (2012, p.1) paints a bleak picture:

At this slow rate of progress women will not have an equal voice in Welsh local authorities until 2076. Decisions about the future of key services and council tax levels will continue to be made with too few women around the table. At the current rate of

progress a girl born today will have to wait until retirement before she will have an equal say in how her local council is run.

Elsewhere fifteen years of devolved governance has signally failed to address gender inequality in many other aspects of Welsh public life. The litany includes: no women amongst Wales's four Police and Crime Commissioners (with women making up just 13 per cent of candidates for such posts); and no females in charge of the country's three Fire and Rescue Authorities (in two authorities women constitute just 21 per cent of members and they make up a quarter in the other). In local Health Boards women total just 14 per cent of Chairs and 43.1 per cent of Board members. They constitute 40 per cent of Wales's public Commissioners, for example, the Older People's, Children's and Welsh Language. Furthermore, just ten per cent of chief executives of Welsh Government sponsored bodies are female – and under a third (31 per cent) of board members. Women are also under-represented in education. They make-up a fifth of university vice-chancellors, 24 per cent of heads of further education colleges, and 32 per cent of secondary school head-teachers. Furthermore, just a quarter of Wales TUC Executive Committee members are women - the same proportion as are chief constables in Wales. The malaise is not confined to the public sector. A survey of the top 50 Welsh companies found only two women in the most senior position (EHRC, 2012).

CIVIL SOCIETY

Interviewed in 2013-14 there were mixed views from civil society organisations on the nature and extent of women's political engagement in Wales following devolution. For some there was a degree of cynicism. The manager of a women's NGO said "they dine out on us. Every time they [AMs] want to be seen as acting for women they parade us in the Senedd or

somewhere”. There was also evident frustration coupled with fears that any gains made over the past fifteen years might be reversed. For example, a women chief executive of a third sector organisation said, “we haven’t made as much progress as we’d hoped. I’m really concerned with the effects of the current austerity measures on women, that we are going to be travelling backwards”. Others were more optimistic, yet acknowledged that progress also required a change in social attitudes and norms: “I sense a growing interest in this area [gender equality] but we’ve still got a massive cultural change to make – in our collective psyche we’ve got that thing about men earn first and care second, women care first and earn second – we’ve still got to really challenge that”.

Some interviewees echoed a concern expressed by women in the original interviews in 1999-2000. They alluded to a wariness and reluctance on the part of some women to engage in policy work for it was seen as too ‘political’. For example, the manager with one women’s organisation observed: “for some reason that commitment and enthusiasm [for devolution] hasn’t translated into a really strong engagement... I was really interested when I joined the organisation but there are a lot of women that are not terribly comfortable with that [policy work/ political engagement] and I actually heard someone say “we are not a feminist organisation” – and I thought “what?!” How can you say we are not a feminist organisation?” Another noted a lack of confidence or assertiveness: “there are lots of women who are involved in policy development, lots who are brilliant, but it’s still that thing about women not pushing themselves forward and not wanting to put themselves in the firing line”.

There was further continuity with the original interviews for respondents again identified one of the biggest challenges as securing adequate resources to facilitate engagement. However, in contrast to 1999-2000, the key difference today was meeting this

challenge during a time of austerity. One said, 'it's about how you cover all the policy areas and the law [-making] side now as well, with fewer and fewer people because with organisations like ours it's often the case if you've got to make cuts it's the policy people [policy officers and researchers] that are the first to go'. Some interviewees referred to the need for women's NGOs to work harder to better use the political opportunities presented by devolved governance: "whether we have – or are "pushing the envelope" as it were is something we all have to ask ourselves – I don't think that we have [done so] as much as we should or could have... it's got to come from us". Another noted, "I don't really get a sense of organisations reacting as perhaps they should have as if they properly understood devolution". Others spoke of greater access to government following devolution, something that presented more lobbying opportunities than at Westminster. One said, "I say to our colleagues in London 'look we can probably get stuff delivered here, we can get calls delivered here that can then become drivers for change in England'". Several interviewees also spoke of what they saw as a strong desire by women in civil society to engage in the policy work of the Assembly and Welsh Government. One said: "I think they *really do* want a voice in it. I think double amputees really want a voice for women – they do. I think the transgender women do, they really do – *they all do, we all do*".

A number of interviewees saw the first two Assemblies as a high point in relation to gender equality. They noted how the rapid development of the National Assembly and move to a parliamentary mode of working had slowed or reversed progress. For example, one noted: 'politics has become more male, certainly the cabinet has become male-dominated... is that just a gentle shift? Will it move back? We have moved from an Assembly that was consensual – now we have law-making powers, a government and opposition – it's more oppositional – is

that part of the reason why we've had the shift [back towards male-dominated politics]?" Others reflected on what was seen as a failure to deliver the early post devolution rhetoric on mainstreaming equality. They alluded to how gender equality was effectively 'siloed': "I feel that equalities is very much in a section, in a box and not across everything as it should be".

For some, there was cynicism about Welsh Government policy consultations. For example, "we used to respond to them all [calls for consultation responses] we're much more selective now. It is something that comes up at our executive [meetings] again and again... do they listen? Does it make a blind bit of difference what we say? ... I think members are right to question this... it is hard to point to a bit [of policy] and say 'we did that – they listened'". Others questioned the representativeness of policy consultations and whether they were anything but an executive exercise: "the people who give the responses are the people who are like the chief executives or the policy officers for those organisations. How much real consulting do they do? I think they take it on hearsay – 'this is our policy and this is what we want to get through to you'... I don't think they are rolling real women out in front of ministers saying this is the story, this is how it is". Another noted: "if you are not consulting [your membership] it's your opinion – *not* the people you are representing and that's quite different. Is that right?" Comments about consultation fatigue and NGOs' policy capacity echoed the original interviews. One interviewee reflected the wider view: 'in my day job it's hard enough to get funded to do the job I'm doing, I can't sit there for a week and a half doing this research and producing their papers'.

Others referred to the fall in the number of women AMs in 2011 and current debates about parties' use of positive action as a 'wake-up call', one that underlined the need for

continuing activism. Thus, a woman policy officer said: “I think there’s quite a battle to come... lessons have been learned, you can’t be complacent, you’ve got to have positive action... there’s been a waking up amongst those that want fair play and want gender balance because if we don’t do something now goodness knows what it’s going to be like”. Others were quick to state that the largely liberal approach to gender equality seen over the past decade-and-a-half had not delivered. A number called for a more radical stance. One said, ‘it is time for quotas! [Previously] I thought we can educate these women, we can empower these women – it’ll be fab – we’ll have loads of women at all these levels [but] No! – So, why don’t we start being brave? So if thirty per cent [of women] is the critical mass let’s say we want thirty per cent – or [if this is not achieved], you leave those places empty because if you can’t fill them with women *don’t* fill them with another man... somewhere along the line we’ve got to start making some positive change”. Yet others were less certain. One said, “I have some sympathy with that [quotas for women in public life] but there are other ways that we have not exhausted yet – like informal approaches. Finding out who the good women are, sounding them out, encourage them to apply for posts. It’s not favouritism, its common sense... make sure you get the best people”.

Some interviewees lamented about what they saw as a loss of momentum. One said: “there’s new blood coming into the Assembly but then again with the [Welsh Government cabinet] reshuffle [c.2013] no women came through in that - and the make-up of the cabinet we are so far away from [where we were] ten years ago”. The political parties came in for significant criticism from interviewees. For example, one said “they have got to change. While we leave it to a voluntary code of conduct they can play all these stupid games, and mind-sets and try and convince us they are putting women forward – they’re not!” Others referred to

what they saw as missed opportunities: “there is a lot more that the Welsh Government could demand of the organisations that they fund through [public] procurement”.

Interviewees were asked to identify areas of progress and challenges related to the impact of devolution on women’s political representation. Amongst the positive aspects one noted: ‘we’ve got a woman party leader in Plaid Cymru and the Liberal Democrats so we’ve got more equality in relation to political leadership in the Bay... I guess it’s progress in relation to the visibility of women in some public roles”. Others referred to (albeit) belated attention to domestic abuse: “we have a fantastic piece of legislation coming up in the Violence Against Women [Domestic Abuse and Sexual Violence (Wales)] Bill and this is a real opportunity to drive forward education policy”.

However, many interviewees found it easier to identify policy challenges. One said, “the obvious one is that the gender pay gap still exists in the public sector in Wales and we didn’t deal with it in ‘the [pre-2008] time of plenty’”. Another noted “nobody’s using the [legal] equality duties [under the Equality Act, 2010] properly at the moment across the range of sectors - you know, organisations should be setting equality objectives now [under the Welsh PSED], I’m thinking we should be using these more as drivers [of gender equality]”. Another interviewee reflected the views of many: “there are still huge challenges, challenges about roles that are seen as stereotypically female – or male roles – and the current austerity climate that we are going to face for many years to come is going to further increase the gap between men and women – and between the highest and lowest paid which is going to impact adversely on women”. Another alluded to the view that the extension of equalities law across a greater number of protected characteristics has diluted the focus on gender with adverse

consequences: “I fully embraced the development of the Equality and Human Rights Commission but I remember listening to the debates around the potential loss of focus across all protected characteristics and I think that some women might say ‘long live the Equal Opportunities Commission’ – it’s [impact has] been questionable”. Another identified challenges shared by many interviewees: “its women in the economy. Giving women the opportunity to do what they want to by vastly improving childcare provision [and] the costs of childcare provision... it’s reaching out – and this is such a challenge because things can become so elitist but it’s reaching out as much as possible to as many women”.

DISCUSSION

Centuries of gender inequality and sex discrimination were never likely to be overturned in a decade-and-a-half. Yet such was the excitement and expectations of those interviewed back in 1999-2000 that even the most sceptical and cautious interviewees acknowledged the potential for progress. The swift gains made in the number of women AMs through the use of positive action measures by Welsh Labour and Plaid Cymru reinforced already heightened expectations. Weighed against these initial hopes, progress in women’s political representation, in both public life and policy-making, has been disappointing in three key respects – depth, breadth and permanency. Although there are gaps in the information base, extant data confirm the endurance of long-established patterns and processes of inequality faced by women across many social and economic aspects of life. Thus ‘depth’ refers to the fact that whilst the past fifteen years has seen some progress, it has fallen short of achieving gender parity and eliminating inequality. Allied to this, ‘breadth’ refers to variability across policy areas and issues; some have seen greater progress whereas others have registered little

change. 'Permanency' refers to the fact that, as interviewees alluded to, the gains made to date are vulnerable to reversal, notably in the face of current austerity and spending cuts.

A number of factors explain the limited advances made in women's representation. First, as noted, there has been an over-emphasis on the number of women elected to the Assembly. By international comparison, this has been high; and for a few years, world beating. However, the disproportionate attention given to this aspect of governance has given the false impression that devolution has transformed gender relations in Wales. This is far from the case. The gains in the number of women AMs have been based on a flawed mechanism – positive action. This exaggerates progress. Worse, it fails to address the underlying structural and cultural dimensions to gender inequality – and, as the 2011 election (and, most likely 2016 ballot) attest, once it is removed, things tend to revert to type; and old male-dominated practices reassert themselves. A further break on progress has been the limited resources, expertise and capacity of a chronically under-sized legislature (typically there are just 45-50 AMs outside the executive). As if this was not bad enough, during its crucial developmental phase the Assembly's powers were not only limited but ill-defined and the whole institution underwent the, wholly necessary but diverting, distraction of a major redesign on parliamentary lines (in place of the corporate body). All in less than a decade.

Notwithstanding this, there are some positive aspects. Devolution has seen the development of a range of legal instruments, institutional mechanisms and policy-making procedures with the potential to advance the substantive representation of women and promote gender equality. These were largely absent during the Welsh Office era. Compared to the early years of devolution the policy tools available to ministers today are stronger and more

sophisticated. Will these will deliver greater progress over the next decade? That depends upon effective monitoring and compliance, and a 'step-change' in equalities training in the Welsh Government bureaucracy and wider public sector. It is also conditional on extending political engagement ; and for women (and men) in civil society to lobby and pressure AMs into introducing further reform. It also requires two further, more elusive commodities, determination and imagination.

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REFERENCES

Betts, S., Borland, J. and Chaney, P. (2001) 'Inclusive Government for Excluded Groups' in Chaney, P., Hall, T. and Pithouse, A. (eds) *New Governance: New Democracy?* Cardiff: University of Wales Press.

Brooks, S. and ap Gareth, P. (2013) *Welsh Power Report: Women in Public Life*, Cardiff, Electoral Reform Society Wales.

Chaney, P., Hall, T. and Dicks, B. (2000) Inclusive Governance? The case of 'minority' and voluntary sector groups and the National Assembly for Wales, *Contemporary Wales: an annual of economic and social research*, Vol. 13, pp. 203-229.

Chaney, P. and Fevre, R. (2001) Ron Davies and the Cult of 'Inclusiveness': Devolution and Participation in Wales, *Contemporary Wales*, 14, 21-49.

Chaney P., Mackay, F. and McAllister, L. (2007) *Women, Politics and Constitutional Change*, Cardiff, University of Wales Press.

Chaney, P. (2003) 'Increased Rights and Representation: Women and the Post-Devolution Equality Agenda in Wales', chapter 8 in Dobrowolsky, A. and Hart, V. (eds) *Women Making Constitutions: New Politics and Comparative Perspectives*, Basingstoke, Palgrave.

Chaney, P. (2005) 'Women's Political Participation in the Welsh Assembly', in J. Aaron and C. Williams (eds), *Postcolonial Wales*. Cardiff: University of Wales Press, pp. 114–33.

Chaney P, (2006) Constitutional Reform and Women's Political Representation, in Sawer, M., Tremblay, M. and Trimble, L. (eds) *Representing Women in Parliament*, London and New York, Routledge.

Chaney, P. (2008) Devolved Governance and the Substantive Representation of Women: The Second Term of the National Assembly for Wales, 2003-07. *Parliamentary Affairs*, 61, 2, 87–102.

Chaney, P. (2010) Delivery or Déjà vu? Gender Mainstreaming and Public Policy, in Charles, N. and Davies, C.A. (eds) *Gender and Social Justice*, Cardiff, UWP.

Chaney, P. (2011) *Equality and Public Policy*, Cardiff, University of Wales Press.

Chaney, P. (2013) New legislative settings and the application of the participative-democratic model of mainstreaming equality in public policy making: evidence from the UK's devolution programme, *Policy Studies*, 33, 5, 455-476.

Electoral Reform Society (2012) *Women and local government*, Cardiff, Electoral Reform Society.

Equality and Human Rights Commission (2011) *How Fair is Wales?* Cardiff, Equality and Human Rights Commission.

Equality and Human Rights Commission (2012) *Who Runs Wales?* Cardiff, Equality and Human Rights Commission.

Feld, V. (2000). 'A New Start in Wales: How Devolution is Making a Difference', in A. Coote, (ed.) *New Gender Agenda: Why Women Still Want More*, London, Institute of Public Policy Research.

Kenny, M. (2007) 'Gender, Institutions and Power: A Critical Review', *Politics*, 27 (2), 91-100.

McAllister, L. and Cole, M. (2014) The 2011 Welsh General Election: An Analysis of the Latest Staging Post in the Maturing of Welsh Politics, *Parliamentary Affairs*, 67, 172–190.

Mitchell, M., Beninger, K., Rahim, N. and Morrell, G. (2014) *Review of the Public Sector Equality Duty (PSED) in Wales*, Cardiff, Equality and Human Rights Commission.

National Assembly for Wales (2000) *Equal Opportunity Baseline Survey*, Cardiff, NAFW.

National Assembly for Wales, Assembly Commission (2013) *Annual Equality Report April 2012 – March 2013*, Cardiff, NAFW.

Norris, P. and Lovenduski, J. (2001) *Blair's Babes: Critical Mass Theory, Gender, and Legislative Life*. John F. Kennedy School of Government Harvard University, Faculty Research Working Papers Series.

Rumbul, R. (2013) Unpublished data analysis – women's participation in selected National Assembly Committees 1999-2011.

Welsh Government (2014a) *Welsh Government Employer Equality Report 2012-2013*, Cardiff, Welsh Government.

Welsh Government (2014b) *Strategic Equality Plan and Objectives 2012-2016*, Cardiff, Welsh Government.

¹ It is acknowledged these are not exclusively policy issues that apply to women. Rather, their use in the earlier analysis is consistent with Norris and Lovenduski's (2001) notion of women's issues as being defined through a process of politicization that is acknowledges that such issues may be disproportionately affected by prevailing patterns and processes of gender inequality – such that they may be regarded as 'women's issues'.

² 297 meetings of 6 Committees

³ A partnership scheme aimed at widening democratic participation launched by the Presiding Officer in 2009 involving 33 participants from under-represented groups given the chance to shadow local Councillors and Assembly Members over six months.

⁴ Or equivalent executive capacity during the years of the NAFW as a corporate body.