



Women & Brexit Report: *Executive Summary & Key Points*

By Mary Honeyball MEP & Hannah Manzur

This report highlights the legal, economic, political, and social implications of Brexit which specifically and disproportionately disadvantage women. Women are being expected to shoulder the costs of a political decision in which their voices and interests have not been fairly represented. Within the grand scheme of Brexit, women's rights and labour have been simultaneously framed as both expendable and as not worthy of mainstream attention.

Future economic policies and trade agreements are set to reprioritise deregulation at the expense of hard-fought women's employment rights and equality standards. Gender-blind austerity measures are expected to continue at the vast expense of women, who are in turn expected to fill the health and social care gaps with their unpaid labour, widening the gender gaps for wealth, time, pay and pensions. Women from poor socio-economic backgrounds and BAME women are most at risk of the economic impact of continued austerity, defunding of key support services, and rising levels of social and racialized tensions. Female EU nationals are being forced to apply to keep their rights and homes through a system which is not designed for them. Yet the Government continues to measure these women against a model of 'productive man' which 'systematically disadvantages women'.

Calls for legally binding guarantees that rights and equality laws will not be rolled back have been widely ignored, whilst calls for the scrapping of these rights and laws by Government and Brexit figures have gone largely uncontested by the (former and current) Prime Ministers and their Cabinets. Men, including those with records of regressive and misogynistic policies and views, have been appointed to key decision-making positions on Brexit at around ten times the rate of women. Media coverage focuses on a handful of white male conservative politicians and women's voices are threatened by rising rape threats and sexist abuse. Parliamentary debates are still dominated by male voices and the issue of women and Brexit has never risen above sparse interventions by female figures, attracting dismissal rather than engagement from the Government. Authoritative voices on women and equality, such as the EHRC and House of Commons Women's Select Committee, have reported their disappointment at the 'unacceptable' lack of Government engagement with their recommendations and its abject refusal to take the clear, necessary steps to protect women and equality from the harmful effects of Brexit. Throughout the past three years, there has been little to no Government attention or action in response to the mounting evidence that women will be the ones to bear the brunt of Brexit, from their rights and prosperity to the slowing progress of gender equality.

If we are to improve, or even maintain, the current levels of equality, protections and prosperity that EU membership directly or indirectly grants women in the UK, we must take decisive, proactive steps to address the very real threats to the future of women and gender equality in

the UK. After three years of excluding, dismissing and rejecting the gendered impact of Brexit, this report seeks to place women's voices and interest firmly on the Brexit map.

Executive Summary

Section 1 assesses the legal implications of Brexit for women's rights and equality law. The loss of the protection floor, EU Charter of Fundamental Rights, ECJ and EU case law means that current rights and equality standards will be vulnerable to amendment, repeal and revocation post-Brexit. The risk to current and future employment rights and standards particularly benefiting women which have been subject to UK resistance and recent calls to 'scrap' is assessed in terms of post-Brexit risk-factor. These include rights and protections for pregnant workers and majority-female atypical workers, new and enhanced rights and entitlements for parental and carers leave, and gender quotas on company executive boards. This report finds that the Government has failed to take the necessary action to protect these rights and standards, actively refused to engage with concerns and recommendations by the EHRC and Women's Committee, and demonstrated a wilful disregard of the significant legal threat posed to women's rights and gender equality by Brexit. The scale of those potentially affected by the loss or erosion of key workers' rights and equality standards is vast, and include a high proportion of women across various areas. For example, post-Brexit pressures on part-time workers rights puts over six million women at risk, with three in four part-time workers being female and with women four times more likely to work part-time largely as a result of uneven caring duties.

Section 2 explores the socio-economic impact of Brexit on women, looking at the ways in which women will be specifically and/or disproportionately affected. The expected continuation of discriminatory austerity measures, where women have shouldered the burden of 86% of the past decade of austerity cuts and act as the primary 'shock absorbers' of family poverty, will likely have the most devastating and disproportionate impact on women. Gender-blind trade policies and agreements, as well as the predicted widening of the gender pay and pension gap will also contribute towards women's economic disadvantage. This section explores the specific ways in which women will be affected as: (1) workers – as a majority of workers in the public sector and precarious employment hit by public spending cuts, employment and wage pressures and eroding workers' rights; (2) consumers – as a majority of household consumers and budgeters hit by rising prices and falling consumer standards; (3) public services users – as a majority of first and second-hand users (due to carer responsibilities) hit by public spending cuts and EU staff shortages; (4) carers – as a majority of paid and unpaid carers hit by falling public services and healthcare, EU staff shortages and increased time and work pressures. Women are likely to bear the economic brunt of Brexit, often in ways overlooked by mainstream Brexit debates and policies. The immediate and long-term economic effects of Brexit are expected to disproportionately disadvantage women in terms of their economic prosperity and independence, work-life balance and time poverty, employment pressures and opportunities, as well as broader implications for economic and social gender equality.

Section 3 addresses the systematic exclusion of women's voices and interests within the Brexit campaign and process, from TV appearances to the negotiating table. Women have been

chronically under-represented in media coverage, parliamentary debates, campaign work, and key Brexit decision-making positions such as Brexit ministers (0%) and negotiators (11-25%). As well as women's voices, the subject of women and Brexit has also been marginalized, with no formal debate given in parliament, just 2-6% of referendum campaign material addressing equality issues, not one mention in parliament by the former or current Prime Ministers Theresa May and Boris Johnson, and little media engagement. This section seeks to illuminate the severe trend of exclusion, dismissal and silencing women's voices and interests and the dominance of male voices and interests, clouded by the myth of a 'gender-neutral' Brexit, within the ongoing campaign and process. It will discuss the prevalence of male figures in TV and press coverage, influential pro-Brexit political groups and discourse-producing campaign boards, parliamentary speaking time on Brexit issues, ministerial and negotiating positions on Brexit, as well as the gender gap in voting patterns and outcome preferences, masculinized language of the campaign, and the silencing tactics used against female politicians and journalists.

Section 4 analyses the potential impact of Brexit on women's organisations and vulnerable groups. This section will first look into the potential effects on women's rights and gender equality groups and organisations in terms of their political influence, advocacy work, networking abilities and lobbying power. The loss or diminishing of these capacities may slow progress on gender equality by inhibiting the work of individuals and groups pushing for change. These groups are also likely to be affected by expected defunding post-Brexit as UK replacement funding is uncertain and details on the amount, priorities, and allocation remain undetermined. This section will also explore the intersectional character of Brexit's impact on women, with certain groups of women being more affected than others. The specific implications for migrant, BAME, Muslim, disabled, and LGBTQI+ women, as well as for victims of violence against women and women living in Wales, Scotland and Northern Ireland, will be included in this section. In particular, female EU nationals face a multitude of challenges and threats as a result of the 'settled status' system which 'systematically disadvantages women'.

Report Objectives:

- To challenge mainstream assumptions that Brexit is gender-neutral.
- To increase public, media and political attention to areas where women are *specifically* or *disproportionately* disadvantaged due to Brexit.
- To illustrate the negative impact Brexit is likely to have on women in the UK in terms of equality, rights, prosperity, representation and opportunities.
- To highlight the under-representation of women's voices and interests, and of gendered perspectives and equality concerns within the Brexit campaign and process.
- To encourage the Government and other stakeholders to take the steps necessary to maintain current levels of gender equality and to prioritise progress in this area through a proactive approach on Brexit.
- To promote the research and policy recommendations by key women's and equalities organisations.

Key Points of the Report

1. Women's Rights and Equality Law Post-Brexit

- Brexit will result in the removal of the protection floor for equality law, as well as the loss of systemic pressure and impetus provided by EU equality legislation and case law on gender equality and women's rights in the UK.
- Post-Brexit, it will be possible for future Governments to amend, replace and revoke key rights, protections and standards within UK equality law, as these will no longer be guaranteed by EU law, nor are they constitutionally protected under UK law.
- The Government has consistently rejected key proposals and amendments to the Withdrawal Act 2018 designed to maintain current rights and protections post-Brexit, including: retention of the EU Charter of Fundamental Rights; inclusion of equality as a protected right; protection of the 2006 and 2010 Equality Acts; a non-regression clause on EU equality law; and an amendment to the 2010 Equality Act enabling parliament and UK courts to determine whether legislation is compatible with UK equality principles.
- The EHRC and House of Common's Women and Equalities Committee have criticised the Government's failure to engage with key amendments and proposals, to include women and gender equality within the Withdrawal Act and Agreement, and an overall failure to sufficiently protect equality law post-Brexit.
- The Withdrawal Act 2018 does not mention women or gender equality once in 107 pages, and the Withdrawal Agreement 2018 includes 4 mentions of women in 585 pages (included in the annex, not the main text). The HoC Women's Committee found that "women are still missing from the Government's agenda on Brexit".
- The Government refused to sufficiently protect the 2010 Equality Act post-Brexit (equal rights are not constitutionally protected and are vulnerable to erosion by future Governments).
- The Government has been "unacceptably reluctant" towards discussing how human rights standards will be protected post-Brexit, which are at risk through non-EU trade agreement pressures, the loss of the EU Charter of Fundamental Rights and other EU equality laws and protections, and Government calls to revoke the 1998 Human Rights Act.
- The Government failed to carry out gender impact assessments on equality law post-Brexit, despite strong calls to do so. The Government's 14 page 'equality analysis' does not sufficiently address gender equality and fails to account for the range and depth of implications Brexit has for women's rights and equality law.
- Strong UK resistance during negotiation and implementation of EU equality legislation (such as on pregnant workers' rights and women on boards), Conservative voting patterns and the expressed intentions of Brexit and Government figures suggest potential regression or reduced progress on gender equality post-Brexit.

- The UK will lose the EU Charter of Fundamental Rights. The Charter's equality chapter protects women's rights in employment, work and pay, and includes key rights not equally covered in UK law, such as the right to dignity, non-discrimination on the basis of sex, fair and just working conditions and children's rights (the loss of which will particularly affect women).
- Independent legal advice commissioned by the EHRC found that the loss of the Charter will mean: less power to protect rights; less flexibility to create new rights and reflect change; a lower level of protection for fundamental rights; creating gaps in basic human rights; losing the Charter principles; and legal uncertainty and confusion on equality law and rights post-Brexit.
- The loss of ECJ jurisdiction and EU case law will reduce the level of legal protections for women and the level of resources for equality law standards in the UK. The ECJ and EU case law have played a progressive role in ensuring gender equality in the UK, the loss of which will result in increased legal uncertainty for equality law and the loss of EU legal pressures and impetus towards improving equality standards.
- Pregnant workers' rights and protections at work will no longer be secure post-Brexit. The UK has opposed laws and rulings protecting these rights within the EU and domestically, there is ongoing opposition to these rights from key Brexit figures, and the PM has refused to rule out scrapping the Pregnant Workers' Directive.
- As a result of the Directive, UK women were entitled to paid time off for antenatal appointments, workplace protections for pregnant & breastfeeding mothers, protection from dismissal, replacement or maternity-based discrimination, and additional protection of maternity rights, including leave and pay entitlements.
- The UK has been particularly resistant to the EU Working Time Directive during its negotiation and implementation within the EU, and attempted to have it annulled prior to its passing. There is strong ongoing opposition to the EU Working Time Directive within the UK, which is at risk of deregulatory erosion post-Brexit. The Directive directly benefits women workers and encourages gender balancing of paid and unpaid labour.
- The Agency Workers and Part-Time Workers Directives are also under threat from deregulatory pressures and opposition from Government and Brexit figures. As a growing majority of agency and part-time workers, women will be particularly affected by the erosion of rights protected by the Directive, including equal maternity rights. Legal counsel for the TUC has highlighted these laws as 'vulnerable to repeal or radical adjustment' post-Brexit, citing previous and ongoing UK resistance towards them and increasing deregulatory pressures to scrap or amend these rights and standards.
- Women will miss out on new rights and protections provided by recent and upcoming EU laws, including paid parental and carers leave, 40% gender quotas on boards, greater accessibility for people with disabilities, and stronger protections against gender discrimination.

- There are concerns that UK is unlikely to fully implement the Work-Life Balance Directive, which it lobbied against and the stalled during negotiations, as it has made no commitment towards its implementation. If implemented, UK citizens would be entitled to paid parental and carers leave, reducing the childcare burden on women and encouraging gender equality within households.
- The UK may also fall behind the EU after Brexit on gender balance in company board membership. The UK has shown significant resistance to the upcoming Women on Boards Directive within the negotiation and opposes the use of gender quotas on company boards.

2. The Socio-Economic Impact of Brexit on Women

- Austerity is predicted to continue due to Brexit, largely at the expense of women who have shouldered 86% of the cost of austerity measures since 2010.
- Predicted public spending cuts will hit women hardest as the primary users of public services, recipients of welfare benefits, public sector workers, and unpaid carers.
- Women are the primary shock-absorbers of family poverty and will bear the brunt of Brexit-induced increases in household expenditure and a decrease in household income.
- Continued austerity will disproportionately affect women by increasing family and female poverty, gender-imbalanced tax and benefit changes, cutting female-dominated public services, decrease female labour participation and widen the gender pay gap. The Government has not taken sufficient steps to address these economic threats to women.
- Women will be affected by gender-blind trade policies and agreements post-Brexit, which will impact women through environmental, consumer and public service standards. The UK is neither equipped nor has it taken steps to maintain current standards of gender equality within post-Brexit trade deals.
- Brexit may result in a widening gender pay gap (UK 4th worst in EU) due to loss of the EU Charter and founding treaties protecting equal pay for equal work (no longer guaranteed), EU case law extending and securing equal pay rights, EU funding tackling the gap, and the EU's Gender Pay Gap Action Plan. Brexit-related economic and deregulatory pressures are also likely to stall progress on closing the gap.
- The UK has been resistant to various proposals aimed at tackling the gender pay gap. Parliament rejected several measures to close the pay gap, including EHRC action and reports to tackle the gap. Conservative MEPs voted against requiring big companies to disclose their gender pay gaps (despite government policy).
- The gender pension gap (almost 40%) may also widen due to increased rates of women in unpaid care work due to public services pressures, and the economic impact of Brexit on pensions (public spending pressures on pension payments, rising living costs, a weakened GBP and falling insurance rates are likely to hit pensions post-Brexit).

- Women workers face Brexit-driven job losses (especially in female-dominated clothing, services and care sectors), slow wage growth and widening gender pay gap, working time reductions (especially for female-dominated precarious and informal employment) and eroding employment standards.
- Female entrepreneurs are also less able than men to take advantage of post-Brexit business opportunities due to lower resources and flexibility.
- Predicted spending cuts and staff shortages as a result of Brexit will heavily impact female NHS workers (77% female workforce), by placing additional pressure on working hours, wages and working environment. Women in the NHS will most likely attempt to shield patients from the impact of staffing and spending problems on care standards by increasing their workload despite wage cuts.
- Women are the primary household budgeters and consumers, and the main purchasers and preparers of food for families. Predicted food price increases and shortages, as well as risks to consumer standards and protections, produced by Brexit will disproportionately affect women, particularly those in low-income households.
- Predicted public service spending cuts and staff shortages will disproportionately affect women as the primary users of these services. Legal aid and policing are two examples where women's access to justice are inhibited due to public spending cuts. NHS cuts and shortages post-Brexit will likely have the most detrimental impact on women in terms of public services.
- As the primary users of NHS services, the impact of Brexit in terms of spending cuts, staff shortages and possible medical supply disruptions will disproportionately affect women. As recipients of reproductive and maternity care, as carers of high-use groups (including children, people with disabilities and the elderly) and as lower-income users, women will be hit hardest by limited services and falling care standards post-Brexit.
- Women are expected to make up for the shortfall in health and social care post-Brexit, by shifting from paid to unpaid work. Women make up 80% of paid and 60% of unpaid carers, and are 4 times more likely to swap paid employment for unpaid care work.
- This forced shift in the female labour force will result in increased monetary and time poverty for women, widen the gender pay and pension gaps, reduce women's career opportunities and economic independence, and entrench gender inequality within the labour market & households.
- Women are also at risk of losing EU rights for unpaid carers and will be disproportionately effected as receivers of social care for elderly people and people with disabilities.
- As well as adult social care, falling numbers of EU staff and public service funding means that women will again be forced into additional unpaid childcare work in order to fill this gap. Women also make up the majority of early education and childcare roles, as workers

and volunteers, and will further be affected by expected wage freezes/real-term cuts, increased work pressures and stretched resources.

3. Where are the Women? The Representation of Women's Voice and Gendered Perspectives within Brexit

- Women have been consistently under represented in media coverage of Brexit, which has been dominated by white male voices. During the referendum campaign, men took up 85% of press coverage, as well as 73% of speaking time for TV coverage and 92% of press quotations. Men also made up 93% of media appearance on Brexit among the top-20-figures, with 70% going to four male conservative figures and Nigel Farage.
- There is a small, but persistent gender gap in terms of the referendum vote, Brexit opinions and outcome preferences between men and women: women voted 51% in favour of remain (45% for men); twice as many young men voted leave than young women; and women prefer second referendum, remain, and single market deal options more than men, who prefer a no-deal outcome 44% more than women.
- The EU referendum campaign failed to engage with women's interests and equality issues, with only 6% and 2% of Remain and Leave campaign coverage discussing equality policies, respectively. Campaign and policy material published by key Leave organisations was particularly absent of these issues, with only 7 mentions of women in nearly 400 pages of material.
- Brexit has been largely expressed through masculine language and male voices. Producers of Brexit campaign narratives are predominantly male, with 77% and 98% of the Leave Means Leave and Vote Leave board membership being male.
- Female politicians and journalists who speak out on Brexit have seen a sharp increase in online and in-person abuse, including death and rape threats. Growing misogynistic and anti-feminist sentiments and language have accompanied the Brexit campaign and process, as well as the 2019 EU election campaign. Women's voices have not only been excluded, but threatened and intimidated into silence within a male-dominated Brexit campaign and process.
- Female politicians have been under represented in parliamentary debates on Brexit, with male MPs taking up 87% of speaking time during debates.
- The issue of women and Brexit has been almost completely absent from these debates, with approximately 3 hours spent across all parliamentary discussion (mostly key interventions by female politicians), against 500 hours of formal Brexit debates. Theresa May has never discussed the issue in parliament and there has been no formal debate of how Brexit will affect over half the population.

- Women have been systemically excluded from key positions of influence and decision-making power. Female politicians are chronically under represented in influential political groups (19.5% ERG; 5.9% BDG); Brexit ministers (0%); Brexit negotiators (11% in 2017; 25% in 2018); and ministers of departments responsible for Brexit (11%).
- Whilst women have grown in political prominence over the Brexit period (notably Theresa May), they face a glass cliff, whereby discrimination persists and their position is dependent upon them managing a largely male-manufactured crisis without long-term power gain.

4. The Impact of Brexit on Women's Organisations and Vulnerable Groups

- The loss of the WNC in 2010 and ongoing defunding means that women's lobbying & advocacy power has already been weakened in the UK. Brexit risks further weakening women's networks and influence by cutting ties between UK and European women's organisations, which would reduce political influence, lobbying power, network and collaboration strength, and limit access to EU funding streams.
- The EU provides billions in funding for social and gender equality projects, and millions specifically for women's organisations and support services. Post-Brexit defunding for groups & services is already reaching breaking point from austerity would deny vital support for 'life-changing, life-saving' services for thousands of vulnerable women.
- UK replacement funding is precarious and preparations disorganised: the UK Shared Prosperity Fund has still not released details of the amount, allocation, length, or priorities of the fund - leaving women's groups and services in limbo, and risks severe defunding (especially for specialist services). A Government report has acknowledged that funding may decrease as a direct result of Brexit, despite their public rhetoric suggesting otherwise.
- Brexit poses several risks to female victims of sexual and domestic violence at a time when women's support services are chronically underfunded, the UK continues to indefinitely delay ratifying the Istanbul Convention, rates of female-targeted violence in the UK are among the worst in Europe, and violence against women is on the rise.
- Victims will no longer have access to cross-border protections like EPOs (Gov rejected amendments to keep them), vital EU funding for support services is under threat, domestic violence is expected to rise as families face Brexit-induced economic hardship, key rights and protections like the EU Victim's Directive are no longer protected, and legislation protections may be lost or undermined (loss of EU case law and ECJ).
- Migrant Women: The UK's 'right to reside' requirements *systematically disadvantage women*, as a result of economic inactivity due to caring responsibilities, their prevalence in informal and precarious employment, challenges in acquiring settled status for children, their inability to access required documents, and various other factors.

- Non-EU partners of EU nationals, victims of domestic violence and human trafficking, low-income and economically inactive EU nationals, long-term and elderly residents, and carers, all of whom are disproportionately female, face further barriers and challenges to securing settled status through a system designed for ‘productive man’.
- BAME women will be additionally and disproportionately affected by the impact of Brexit as already substandards of healthcare (especially maternity and pain relief) for BAME are exacerbated, austerity continues to hit BAME women and families the hardest, public spending cuts disproportionately disadvantage BAME female employees and beneficiaries, and Brexit uncertainty leaves Zambrano women and families in limbo.
- Muslim women are disproportionately targeted in anti-Muslim hate crimes, which have seen a sharp rise since Brexit (475% increase in the days following the Brexit vote).
- Brexit-induced threats to LGBTQI+ women include rising post-referendum homophobic attacks; risks to medical supplies for transgender patients; and the loss of key rights and protections enshrined in the Charter and ECJ rulings.
- Brexit will impact women with disabilities through the loss of the EU Charter’s right to non-discrimination on the basis of disability; predicted welfare and public service cuts; loss of EU funding for disabilities charities; and missing out improved access rights and provisions through the 2019 EU Accessibility Act; as well as impacting their majority-female carers.
- Due to high levels of EU funding in Wales, post-Brexit defunding of key gender equality projects and women’s support services in Wales would have a damaging effect on gender equality in Wales and for women living in Wales.
- Women living in Scotland are likely to bear the brunt of various Brexit-related costs to the Scottish economy and pressures on women’s health services in Scottish hospitals.
- Potential border checks between Northern Ireland and the rest of the UK would result in additional barriers to Northern Irish women’s access to safe abortions. Women in Northern Ireland will also be particularly affected by the loss of EU funding (esp. the PEACE fund and women’s rights and services funding) and an increased risk to equal rights and standards compared to the EU and UK.

