

# DÁIL ÉIREANN

---

## AN COMHCHOISTE UM CHOMHIONANNAS INSCNE

## JOINT COMMITTEE ON GENDER EQUALITY

---

*Déardaoin, 15 Meán Fómhair 2022*

*Thursday, 15 September 2022*

---

Tháinig an Comhchoiste le chéile ag 9 a.m.

The Joint Committee met at 9 a.m.

---

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Jennifer Carroll MacNeill,	Lisa Chambers,
Sorca Clarke,	Alice-Mary Higgins,
Réada Cronin.	Pauline O'Reilly,
	Fintan Warfield.

Teachta / Deputy Ivana Bacik sa Chathaoir / in the Chair.

*The joint committee met in private session until 9.32 a.m.*

## **Recommendations of the Report of the Citizens' Assembly on Gender Equality: Discussion (Resumed)**

**Chairman:** This is the first public hearing of the autumn term. I remind members that we now have the option of being physically present in the committee room or may join the meeting via MS Teams from Leinster House offices, as some of our colleagues are. Of course, members may not participate in the meeting from outside the parliamentary precincts. If joining on Teams, I ask that they mute their microphones when not making a contribution and that they use the raised hand function. In order to limit the risk of spreading Covid, the service encourages all members, visitors and witnesses to be respectful of other people's physical space and adhere to public health advice.

I would like to welcome the witnesses to our public hearing. I welcome Professor Helen Russell, a member of the expert advisory group to the Citizens' Assembly on Gender Equality from the Economic and Social Research Institute, ESRI. Professor Russell is accompanied by her colleagues from the ESRI, namely, Dr. Paul Redmond, who is very welcome, and Dr. Dora Tuda, who is joining via Teams. Our other witness, who I would very much like to welcome, is a great friend of mine, Professor Yvonne Galligan, directory of equality, diversity and inclusion at Technological University, TU, Dublin, and a leading expert on women in leadership. We are grateful to Professors Russell and Galligan and their colleagues for joining us today.

Before we begin, I will read out an important notice on parliamentary privilege. Witnesses are protected by absolute privilege in respect of the evidence they are to give to the committee. If, however, they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable.

Those participating from a location outside parliamentary precincts are asked to note that the constitutional protections afforded to those participating from within the precinct does not extend to them. No clear guidance can be given on whether or the extent to which the participation is covered by absolute privilege of a statutory nature.

Before inviting the witnesses to make their opening statements, I wish to again express our gratitude to them for coming in to speak with us. Since the beginning of our work, our focus in this committee has been on how best to implement the recommendations of the Citizens' Assembly on Gender Equality, which we see as setting out a clear blueprint for change and bringing about a gender equal society. We are focusing today's hearings on the recommendations on gender equality regarding leadership in politics, public life and the workplace, recommendations 20 to 25, inclusive, and, indeed, pay and workplace conditions, recommendations 32 to 26, inclusive, where appropriate. We are very grateful to our witnesses for coming in to speak with us on those recommendations.

I will call first Professor Russell, who will be followed by Professor Galligan, after which we will open it up to members. I invite Professor Russell to give her opening statement.

**Dr. Helen Russell:** I thank the committee for the opportunity to speak today. In my opening statement, I will focus on recommendations 32 to 36, inclusive. These are the recommendations around pay and work conditions.

I will start with the gender pay gap. The citizens' assembly set out ambitious recommendations to reduce and eventually eliminate the gender pay gap. The latest figures show there has already been a decline in the hourly pay gap since the one that is in the recommendation to 11.3%. This figure hides a good deal of variation across occupations. It is much higher, for instance, in the private sector than in the public sector. It also differs across the wage distribution. Recent ESRI research has found that the unexplained wage gap is much higher at the top end of the wage distribution, that is, the top 20% of earners. The gap is much wider there. In contrast, the gap at the bottom of the wage distribution is much narrower. This points to the importance of addressing barriers in occupational and wage progression for women. In our submission we focus on our recent research findings on the factors behind the pay gap and other labour market inequalities. We focus on the policy levers that the assembly proposed to address these.

In recommendation 36, the citizens recommended introducing a statutory right to flexible working. There is a broad body of evidence that employment flexibility facilitates those with caring responsibilities to remain employed and combine work and care. However, some types of flexible working, particularly part-time work, is associated with a pay penalty. Therefore, increased flexibility needs to occur also in higher paying jobs and jobs with good prospects in order to reduce the pay gap. Enhanced flexibility also needs to be accompanied by greater take-up among men. We do not want it to be the case that all of these flexible options are only taken up by women, because that will just exacerbate inequalities. It is important that there is a greater take up of men and a more equal sharing of caring roles within families between men and women.

The introduction of paid parents leave is an important step in that direction because this is the first paid leave that is available, apart from the two-week paternity leave. This is additional leave of two months for fathers. Looking across Europe, we know that take-up of that leave by fathers is dependent on the rate of replacement pay. The flat-rate payment that we have here is likely to limit take-up by fathers and we see that in figures so far.

The provision of affordable, quality childcare is also key to reducing labour market inequalities. I know that was one of the other recommendations of the assembly. The committee will probably be addressing that in another session, so I will not dwell on it here. There has been much policy development. We were starting from a very low base, so we are still in a situation where our costs to families are among the highest in the OECD. The ESRI has undertaken a lot of research in the area. I am looking at those policy developments that were included by my colleague, Dr. Tuda. We are very happy to discuss those in the questions and answers as well.

I will move on to pay transparency, which was recommendation 33 of the assembly. The citizens recommended the prompt implementation of the gender pay gap information Act. Lack of transparency creates an opportunity for discrimination and bias to occur. Greater transparency in pay scales and the absence of discretionary payments such as bonuses is one of the reasons for the much lower pay gap in the public sector. The UK has introduced a policy similar to the policy here. Recent research has found that was associated with a reduction in the wage gap of 1.6 percentage points which is quite a big impact. That was mainly seen as a reduction in male wages.

Turning to recommendation 34 which relates to minimum wages, the citizens' assembly

recommended aligning the minimum wage with the living wage over a period of three years. Based on the 2021-2022 figures that would be an increase of about 23% in the minimum wage. Research by colleagues in the ESRI and others elsewhere have shown that the introduction of the minimum wage in Ireland was quite significant in terms of the pay gap. It led to a big reduction in the gap among low-paid employees. Some recent research by colleagues in Maynooth University looking specifically at the living wage and introducing that found that women were over-represented in the group affected by that change because they are more concentrated in low-pay work. They found only a small effect on the gender pay gap. This goes back to my earlier point that the gap is widest further up the earnings scale. It has an effect or is likely to have an effect but that is likely to be small.

Minimum wage policy also needs to be cognisant of the adverse employment effects. Evidence for Ireland indicates that the recent minimum wage increases did not lead to job losses. This is based on work by my colleague here. However there was evidence of a reduction in hours worked among some minimum-wage workers. In implementing that policy there needs to be careful consideration of employment effects. That is recognised in the recommendation itself.

**Chairman:** Yes.

**Dr. Helen Russell:** Moving quickly to collective bargaining, the citizens' assembly recommended the introduction of a legal right to collective bargaining. The evidence from comparative research is that countries with stronger collective bargaining systems have lower wage inequality overall and have lower gender pay gaps. This is an important step in the right direction. It is also consistent with Ireland's commitment under a range of international agreements such as the European Social Charter and the International Convention of Economic Social and Cultural Rights, ICESCR.

To conclude that whirlwind, gender inequality in the labour market clearly involves many factors and we need to use multiple policy levers to address it. It also involves multiple actors such as Government, employers, unions and also change within families in terms of gender roles. That can be supported by policy. We need to look at these in the round and consider them alongside the recommendations around care and welfare because they all interact.

**Chairman:** I thank Professor Russell who managed to condense a huge amount of information into a really concise presentation. I am grateful to her for that and for giving such great insight into the context for implementation of recommendations 32 to 36. I appreciate that and colleagues will have many questions for her and her colleagues on that.

I will now move to Professor Galligan who is dealing with the recommendations 20 to 25. I should say we grouped citizens' assembly recommendations together into modules because our timeframe is so short. Hence the reason for considering the two sets. However, as Professor Russell said, these are all inter-related with the care and social protection recommendations which we have already considered and heard from other witnesses on. I invite Professor Galligan to make her opening statement and then we will throw open the discussion.

**Professor Yvonne Galligan:** I thank the Chair. My statement will focus primarily on three themes and recommendations. The recommendations on politics are encompassed by recommendation 20. The recommendation on public boards relates to recommendation 21 and the recommendation on family-friendly practices relates to recommendation 23. I will then make some brief comments on social media, to which recommendation 24 refers and workplace

equality to which recommendation 25 relates. Recommendation 22 is addressed in my written submission.

Looking first at politics, the gender quota recommendation came in two parts: one was to extend the candidate gender quota to all political electoral contests, and the second was to increase the candidate gender threshold from 30% to 40% and apply it to all elections. An analysis of gender patterns of candidates at general, Seanad, local and European elections concluded that a relatively small number of additional female candidates would be required to reach the 40% threshold. Therefore, based on the most recent set of elections, it would be feasible for parties overall to meet the 40% candidate gender quota. It is also realistic to have this quota extended to local government elections.

A related recommendation focuses on increasing penalties for party non-compliance. This issue has not arisen to date in a general election context, so no change is required at the moment in the current provision. In regard to local elections, a financial penalty could be linked to party funding in that regard. Seanad elections are somewhat more complex given that parties do not directly nominate candidates but looking at the balance of candidates on the panels, it appears that the Agricultural Panel is least gender-representative with only 20% female candidates.

In regard to public boards, there are 194 public boards with an overall female membership profile of 45% as of February 2022. This masks wide variation in board gender representation. For example, 63 of those boards had less than 40% female members at that time. Some boards have a tiny membership and that militates against a 40:60 gender balance - for example the Army Pensions Board and the Credit Union Restructuring Board have only three members each. At any time there are a number of board vacancies. In February 2022 this amounted to 165 vacancies. Were these vacancies filled only by females the overall gender proportion of board members would come closer to equal that it is at present.

Recommendation 21a is to make funding to these boards contingent on achieving gender balance by 2025. Boards at risk of a funding penalty need to examine closely ways of improving their gender balance. This requires targeted action by all involved. This could include encouraging nominating bodies to put forward female nominees or signalling interest from female applicants through a strong statement in the advertisement for members. It also requires a risk analysis by each board on the viability of its work in the context of reduced funding consequent on not reaching the 40% target. My main conclusion around this is that the consequences of applying that recommendation in terms of reducing the funding to public boards needs to be teased out a little bit more to understand the effect it would have on different boards if it was applied. Some more work needs to be finessed there.

In regard to family-friendly practices, my comments here are an update note to my written submission because on 28 June 2022, the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Peter Burke, received Cabinet approval to introduce maternity leave for city and local councillors. This goes some way to implementing recommendation 23a and is a positive beginning to bringing elected representatives into the ambit of family-friendly practices that apply to all other working parents. Applying this provision to Deputies and Ministers could require a referendum on Article 15.11, and, possibly, on Article 41.2, which I know the committee has already considered. Lessons and practices derived from Covid-19 on remote meeting attendance and decision-making could offer a way of making flexibility in parliamentary working practices routine and disrupting gender stereotypes before a referendum is undertaken, especially if Article 15.11 were the subject of that referendum. I say that because the clause deals with in-person voting in Parliament.

Turning now to social media, recommendation 24 addresses the urgency of providing a legislative and policy framework for making technology and social media companies accountable for their publication and dissemination of online sexual harassment, bullying and other abusive behaviour targeted at women and girls. The Harassment, Harmful Communications and Related Offences Act 2020 addresses the individual experience, but there is further safeguarding work to be done by making social media sites accountable for the publication of such abuse. In that regard, the Online Safety and Media Regulation Bill 2022 being considered by the Oireachtas could address this recommendation. I look forward to the debate on this legislation in the weeks to come.

Recommendation 25 relates to ensuring that workplaces implement gender-neutral recruitment and promotion policies. It would be helpful in promoting gender equality for the committee to reiterate the importance of this recommendation to employers, unions, employees and the public. Encouraging widespread adoption of good practice in this area would enhance equal opportunities between women and men in the workplace, especially as women are more likely to work part time and, post-pandemic, also being more likely to work remotely. I look forward to questions and comments.

**Chairman:** I thank Professor Galligan for being so concise while still conveying so much information. The written submission goes into far more detail, particularly on the issue of the feasibility of reaching the quota in different elections etc. She has given us a clear indication of a recommendation we might wish to make regarding filling vacancies on public boards with women. I now invite my colleagues to contribute. We usually have a time limit on exchanges to enable everyone to get in on a second round, if necessary. Therefore, these are limited to eight minutes. Deputy Clarke must leave early, so I call her first.

**Deputy Sorca Clarke:** I thank the witnesses for their time and expertise. It is invaluable to have them here so we can tease out these issues. I wish to focus on one specific area contained in the opening statement. It concerns the level of wage replacement. What is the norm in other jurisdictions where parental leave is in place regarding employer obligations and the rate of State parental leave payments? It is currently set at a rate of €250 a week here. What impact does Professor Galligan see this having? Are there examples from other jurisdictions that we should be looking at in respect of best practice? I am sure Professor Galligan is familiar with the global gender gap report published in July which found that it would take us more than 130 years to reach gender parity. I note that some of the countries mentioned in respect of being the best performers in this area are countries this committee has heard being referred to before in this regard. I refer specifically to the Nordic countries, which seem to be doing good work in this area. Can Professor Galligan give us an example of the impact of parental leave and the parents benefit rate being set at €250 a week? Is there another jurisdiction that we should be looking to in respect of the best proven practice in this area?

**Dr. Helen Russell:** The Deputy is correct that there is a great deal of variation in parental, paternity and maternity leave systems. An international committee produces a document annually which tries to bring all this information together. When we look at the length of leave, Ireland compares quite favourably across all these different headings. It is becoming complex because we have many different types of leave, such as parental, maternity, paternity and parents leave, for example. When we take all those together, we compare favourably on the length of leave. Moving to consider the generosity of the payments, however-----

**Deputy Sorca Clarke:** I refer even to the indexation of people's earnings.

**Dr. Helen Russell:** That happens in other countries. We are in the low-performing group concerning the payment. We are much lower than the average rate. As Deputy Clarke said, the Nordic countries and some of the other northern European countries also have much more generous payments. What we see therefore is that fathers are much more likely to take up this leave if the payment rate is higher. In some countries, there is a full replacement rate. There are also top-ups from employers. Potentially, we could have some employers here topping up payments, if not perhaps to the full wage rate. The situation in this context is similar to that with maternity benefit, in that it is quite unequal. It is the people who are already well paid and in higher-income brackets who get those top-ups from their employers. Therefore, it is divisive in the context of social class. It is better if the payment is not dependent on the discretion of the employer. I do not give the figures off-hand for the replacement rates in other countries, but this information is produced regularly and I could pass it on. There are certainly many examples of good practice.

**Deputy Sorca Clarke:** That would be interesting. The reason I ask this is because I do not think anyone is unfamiliar with the current cost of living. These things almost ebb and flow. I refer to the situation where there may be a cap on the amount of money that a father, especially, can take home when on leave. When we talk about gender equality, we do not just talk about it from the perspective of women; we speak about gender equality in the round. In that context, are we denying fathers the opportunity to avail of this leave and of spending time with their children because of issues like the cost of living?

**Dr. Paul Redmond:** Regarding the comparison in the context of paternity leave, the research shows that it is leave targeted at fathers that is important in reducing the gender pay gap, and not necessarily parents or parental leave that either a father or a mother can avail of. As my colleague said, our length of paternity leave is comparable with other countries, but the €250 rate of paternity benefit does not compare. When we look across other European countries and those countries in the EU, it is not unusual for the replacement rate to even be 80% to 100% of the father's income. Therefore, one of the key components in addressing gender equality is to try to address the share of the burden of childcare divided between genders. When we compare Ireland with other countries, this is one area where we find that we are a good bit lower than what is achieved elsewhere. This relates to the fact that we often talk about fathers being less likely, as my colleague said, to take leave. We again see this occurring across the EU, but the latest figures for Ireland show that less than half of fathers entitled to paternity leave take it. We might wonder why that is. As was said, it is because of the cost of living-----

**Deputy Sorca Clarke:** It is the cold, hard realities.

**Dr. Paul Redmond:** Yes. If the rate of paternity benefit is €250 weekly, then many people will not be able to take that leave. Therefore, this is one area that could potentially be targeted. I say that because when we talk about general parental leave, or even maternity leave, it is a bit more complicated, because it is not clear how an increase in those levels will impact on the gender wage gap. Research exists which shows that if maternity leave is increased it could have the opposite effect of that intended by extending the time women are outside of work. Therefore, it is the policies that target fathers and that try to address this division of labour that are important.

**Deputy Jennifer Carroll MacNeill:** I am glad my colleague raised the point she did as it means I can deal with other issues. I will pick up on the point made about the balance between men and women when taking leave and returning to the workplace. Cost and pay are a major part of that but culture affects it too. Until there is a culture at senior level in commercial organisations of men freely taking leave or adopting a flexible week for three years after their

partner has a baby, it is impossible, through pay or otherwise, to overcome the cultural barrier. Men must see that ahead of them. It must become normalised and acceptable for a man to do that as part of his career, as much as anything else. Do our guests wish to quickly respond before I move on?

**Dr. Helen Russell:** Absolutely. Those gender norms are very important in influencing behaviour. We need to actively encourage men to take up flexible work options, as I said, to try to rebalance so that it does not become a penalty on women to do that.

**Deputy Jennifer Carroll MacNeill:** Yes.

**Dr. Helen Russell:** The pandemic may have changed the position bit in that we had a type of flexibility with people working from home. That was engaged in by both men and women.

**Deputy Jennifer Carroll MacNeill:** In the annual reports and the requirements we set regarding the gender pay gap it would be interesting to include the proportion of employees, male and female, who are opting for flexible work and make that information visible within organisations.

Professor Galligan touched on the politics of the referendum on maternity leave for Teachtaí Dála and how that works, as well as the point about social media. I introduced a Bill to change the Constitution to remove the barrier requiring Members to be here in person and to make provision for the Houses of the Oireachtas, under their rules, to set the circumstances under which a Member could apply for a period of leave. It anticipates that this could be maternity or paternity leave because there are men in the House who have had babies recently. The Bill would allow Members to vote remotely for a period in order to be available at home. Other circumstances we could anticipate include somebody going through cancer treatment who is immunosuppressed and wants to continue doing the job but cannot be in the crowded environment of Dáil Eireann and further future emergencies similar to the pandemic, for example. The Government supports the Bill. I ask our guests to give their views on that and the politics of having that conversation. I worry about this proposal being perceived as a day off for politicians or making life easier for politicians. How do we reconcile that because I worry about it? People are concerned about making sure the Minister for Justice, Deputy McEntee, can do this. It is worth teasing out the issue now.

**Chairman:** Yes.

**Deputy Jennifer Carroll MacNeill:** I will speak later about social media.

**Professor Yvonne Galligan:** I thank the Deputy for her question. This measure should be framed in the context of modernising the Oireachtas as a workplace, because it is a workplace for many people - Deputies, Senators and all the staff around the Houses. The Constitution implies that Members will be in the Chamber and voting in person. The interpretation of what voting in person means has changed to one that was never envisaged in 1937. If one were to change that and bring it to a referendum, it would have to be in the context of other changes that also modernise the Oireachtas as a workplace in a way that enables male and female representatives to genuinely reconcile their work and family lives in the same way as all other members of the workplace can do so.

**Deputy Jennifer Carroll MacNeill:** Professor Galligan is right about having a number of referendums. I do not know how interested people might be in a series of referendums on modernising parliament versus a series of referendums on gender equality. Are people more likely

to be sympathetic to the former if we included it in the latter?

**Professor Yvonne Galligan:** That is quite possible because it emerges as a consequence of a discussion and deliberation on the citizen's assembly recommendations. It is, therefore, possible to frame it in that way.

**Deputy Jennifer Carroll MacNeill:** It is in the report of the Forum on a Family Friendly and Inclusive Parliament that was recently published.

**Professor Yvonne Galligan:** Yes.

**Deputy Jennifer Carroll MacNeill:** Do our other guests have views on that?

**Dr. Helen Russell:** I agree. It should be framed as modernising and normalising the situation. These are pretty basic employment rights outside the Oireachtas. It is certainly not a hard sell outside this body. I think there is widespread public support.

**Deputy Jennifer Carroll MacNeill:** I hope so.

On social media, one of the issues arising in the Bill going through the Houses, to which Professor Galligan referred, is the capacity to require social media to have take-down orders, essentially, within a short period. CyberSafeKids argues that if a parent sees something about their child or a video that is being used to bully their child, they should be able to contact the social media company in question and it should be required to take the material down within 24 or 48 hours or they can make an emergency complaint to the Information Commissioner. The effect of that would be, we hope, that the social media companies would take responsibility for either taking it down or dealing with the consequences later. This is obviously especially important with respect to minors. In Australia a model was introduced where minors were looked after first and the measure was then extended to the broader population. However, we can see how misinformation and problem information about politicians are impacting on democracy and what people know and believe. Is there anything we can do to try to protect democracy through social media through a measure like that or something else? Do our guests see what I am trying to say? It is about trying to get rid of genuinely wrong information.

**Professor Yvonne Galligan:** The core of this question rests on the fact that up to this point in time social media providers have not been considered publishers in the same way as the traditional media are publishers. There is a process and well-worked routine for the traditional media to address false information, namely, by taking it down, making retracting statements and taking all other necessary measures to amend the record and in some way redress the harm done to the individual, group or whatever else. Social media providers need to be considered in that context. In that frame, they must be considered responsible for publishing online this misinformation or whatever it may be and should be held accountable, in a similar fashion as the traditional media are held accountable, for those statements and for taking action if those statements can be shown to be misinformation. That is my response on that. It is interesting that the anonymity behind these platforms is also an issue. That feeds into part of the misinformation.

**Deputy Jennifer Carroll MacNeill:** Professor Galligan has been a professor of politics for a considerable period and is a very experienced academic. What is her view on how democracy sits across Europe and the West generally, given the impact of social media?

**Professor Yvonne Galligan:** It is a matter of some considerable concern. On the one hand, social media has provided the public with many good things, so let us not throw out the baby

with the bathwater. On the other hand, because of the anonymity often associated with these pages, accounts or whatever and the very simplistic messages that come across through these accounts, it is very easy to overly influence the understanding of complex problems. That is leading to many expressions of anti-democratic sentiment across Europe, which is a matter of concern.

**Chairman:** That is very clear. I thank you for that response as it was not an easy question to answer by any means.

I call Senator Pauline O'Reilly, who is the Vice Chair of this committee, followed Deputy Cronin.

**Senator Pauline O'Reilly:** I thank the witnesses. It is great to be in the room with such expertise. We will try to get everything we can out of them while they are here.

I want to address the minimum wage and flexible working, which I will come back to, however, Deputy Carroll MacNeill raised the point about politics which I will tease out further. She chaired an excellent session at yesterday's Parliamentary Symposium which was on the issue of gender and participation. Ms Rachel Weston Eschenbacher, the regional policy specialist on political participation and governance for the UN, raised an interesting point. She said that in Malta, if they do not reach a certain level of elected women, ten extra seats will be allocated to be filled by women. This is somewhat similar to the Seanad, where we now have 40% women but we did not get anywhere near that percentage elected through the ordinary process. Nine of the 11 nominees of the Taoiseach were women and that is what made up the difference. I wonder whether there should be a policy instrument to force people to do that. It would be a different way of looking at democracy in order to have better representation. Much legislation has come through the Seanad that specifically addresses some of the issue for women, regarding stalking and character witnesses at rape and sexual assault trials for instance. That is one point I wanted to make as an aside.

I am the chair of the Green Party, one of the roles of which is to find people to run for election. It is often difficult to find women candidates, as Deputy Carroll MacNeill has identified, and it is something we want to do. Some 50% of our elected councillors are women. There is a retention problem. Once women start having children, they find they cannot deal with a full-time job, a part-time job and motherhood. It is quite hard to do. I would love to hear the witnesses' thoughts on retention. Changes to maternity and paternity leave introduced this year will address some of that but they will not address the fundamental fact, which I also raised yesterday, that it is not just about childcare. It is about the fact that we want to spend time with our children. Women, who I am looking for to run for election, want to spend time with their children. They do not want a service to be able to send their child to. The job of a Deputy or a Senator would be much easier if Members did not have to leave their home county and stay in Dublin for the week. It should be framed in terms of it not being about the people who are elected. It is about the people we want to be elected. It is about better participation of the general public in politics. It is not that we are looking for something for those of us who are elected. I am here and I have made those decisions and that is fine. It would be better to frame a referendum in those terms so that our Parliament can be better reflective of society in general.

I refer to the other issue of minimum wage. I believe Dr. Redmond worked with Professor Russell on the impact of increasing the minimum wage on the overall participation within the workforce. We now have an increase to the minimum wage which is the equivalent to €35 per week. If people feel the hours they work allow them to spend more time doing what they want

at home so that they can reduce their hours, that is not a bad thing. The point we are trying to get to is not necessarily to have full participation for full hours in the workforce. We are trying to get to a point where people are paid well enough for the work they do so that they can make decisions for their family. One of those decisions may be that they want to spend more time at home or work part time. This relates to a point Professor Russell made in that if we have more flexibility, but that flexibility is taken up by women and not men, we will continue the pay-gap problem. More women taking up flexible work should not be a problem if they are paid well enough for their leave. If women want to spend more time at home, I think that is fine. Should we look at a shorter working week so that everybody could spend more time at home? We have not addressed the issue of a shorter working week as opposed to just the pay. I will stop so that the witnesses can speak.

**Chairman:** Senator Pauline O'Reilly raised quite a lot there, as always. Who would like to come in first on that?

**Dr. Helen Russell:** I am happy to start. The Senator raised many interesting questions. The long-hours culture she referred to in regard to politicians is something that also applies in other roles in the workplace. Having a long-hours culture signals that one is not valuing care. That must be addressed by employers and unions. Having reduced hours is a positive in terms of reconciling the different commitments people have. The problem is that it can be punished. As I mentioned, there is a pay penalty for shorter hours with people earning less per hour. There is also the perception that if people take up those flexible options, they are not as committed to employment and progression. The key thing is having those options across organisations so that it does not stop. We looked at this in the Civil Service. People could have flexibility up to a certain point, but when they became a principal officer, that flexibility disappeared and they were expected to work very long hours. Therefore, that needs to be addressed. In other countries there is not necessarily the same penalty in working part-time hours. It is not universal, and it does not have to be that way.

**Dr. Paul Redmond:** I will respond to the Senator's question on minimum wage in a moment, but I will first add to what my colleague said. The ESRI did work recently on how men and women select jobs and what characteristics they prefer. I use the word "preference", but preferences can be shaped by discrimination and other factors and so on. We found that men are far more likely to say that they chose a job because of pay, whereas women are far more likely to say they chose a job because it was close to home or it was flexible. What one finds is that there is a trade-off, which we call a compensating differential. Women who are highly educated and could command a high wage seem to trade off a higher salary for increased flexibility. That is a major factor in terms of the remaining gender wage gap, and addressing that is a key issue. It has been described by some as the final chapter in achieving gender wage equality. How does one address this? There is scope for policy to do that. When compared with other EU countries, it is particularly strong in Ireland. Women seem to make this trade-off in terms of flexibility and pay.

The question on hours and the minimum wage is very interesting and it is something about which we think a lot. The ESRI has done a large body of work on the effect of minimum wage increases on employment. We found that while one does not really see jobs losses, one tends to see a reduction in hours. A key question is why that is. Where is that coming from? There are two possibilities. It could be that employers are cutting the hours of employees in response to higher wages. It could also be the case, as Senator Pauline O'Reilly said, that if someone is earning higher wages, he or she may decide to work less so as to spend time with his or her

family and so on. It is hard to disentangle these effects and it is likely a combination of the two. There has been research in the UK which would suggest that it generally might come from employers cutting wages. Conversely, we also found some evidence in Ireland to say there is an increase in voluntary part-time work, which would suggest that it is at least partly coming in response to workers themselves. If that is the case then it is not really a concern because we are not generating adverse employment effects in that regard.

**Chairman:** I thank Dr. Redmond. I see Dr. Tuda would like to come in on this. I am conscious of time and other people wanting to contribute. Perhaps Dr. Tuda could come in on this and Professor Galligan might come in after the next questioner and respond to Senator O'Reilly.

**Dr. Dora Tuda:** I will be very quick. I will add to the statements of Dr. Redmond and Dr. Russell. From international literature, especially in the UK, we know that if women choose part-time work after they have children, they never fully catch up with men over their lifetimes in the context of their earnings. That means they miss out on both on-the-job learning and promotion opportunities. The sole fact is that if they do choose flexible or part-time work once they have children they will never fully catch up with men. That is what drives the gender wage gap, even at the top of the earnings distribution.

**Chairman:** I thank Dr. Tuda. That is very bleak and stark.

**Senator Pauline O'Reilly:** It is a very interesting point. The issue, perhaps, is to address it at the far end, as well as saying there is no flexible work, in order that we can have equal pay; we address both and do both.

**Chairman:** I thank Dr. Tuda for that dose of reality. We will move on. In a moment, Professor Galligan will come back in on the other questions Senator O'Reilly raised.

**Deputy Réada Cronin:** I thank the witnesses for their presentations. I want to go back to parental leave, which we know is for fathers. The reason most fathers do not take it is that they cannot survive on €250 because, given that we are talking about the gender pay gap, they are possibly earning more than their wives or partners anyway. Are there any countries where it is obligatory for companies to make up the difference? Where is the gender pay gap in those countries? Is it as stark as it is in Ireland? That is one question.

Do the witnesses agree with the National Women's Council that positive laws rather than soft recommendations could make a difference? Gender quotas can be controversial, in particular when women who are put forward in politics might get on the ticket before men in their group. It is controversial because women want to feel that they got there on merit. At the same time, it is important that women get through the door so that they can make the difference and be seen in politics. Sometimes this generation of women just have to shoulder that burden for future generations. Do the witnesses have any comments on that?

Professor Galligan mentioned previously that she felt parties were not reaching the quotas. Sinn Féin supports increasing the quota to 40%, and for local elections as well. It is very important to put the onus on parties in that regard because when they look around their groups, they will find women who are well capable of working. Politics is about people and policies, and women are quite good at working out new things like that. Does Professor Galligan have any comments on that matter? Deputy Carroll MacNeill stated that the Minister for Justice, Deputy McEntee, is having her second baby. I was so delighted when I heard that. This might sound controversial, but by having a second baby in one term, she is putting it up to the people who

might say “There she is having another baby”. Deputy McDonald got a lot of stick in the media when she was having her children while she was an MEP. Congratulations to the Minister for doing it and for being brave enough to say she wants to have a second baby. The witnesses can share their comments. I will probably come in on the next round as well.

**Chairman:** In fact, perhaps it is a sign that things have moved on. I will go to Professor Galligan first to address the second question Deputy Cronin raises and then to Professor Russell.

**Professor Yvonne Galligan:** On the question of gender quotas, yes, they remain controversial. They are not a particularly popular measure either in the public consciousness or within political parties.

**Deputy Réada Cronin:** Even with women as well.

**Professor Yvonne Galligan:** Absolutely. What we need to do is perhaps speak about gender quotas in a slightly different way. They are seen as being instruments that prefer individual women over individual men who feel that they are more deserving of the position. What we are tackling in that area is cultural perceptions of women’s and men’s roles. When we implement gender quotas, we are going against the grain of our culture, which subconsciously has said that women have to take a back place. Gender quotas are designed to break the cultural norm that we have buried very deeply in our subconscious. Deputy Cronin is quite right that this offers an entry. It offers the first rung on the ladder. Then it is up to a female candidate to prove that she can get elected. That is the test: if one gets elected. Often then when the individual is elected, there is never a question of whether they were a candidate that came through a quota mechanism or any other mechanism. It is an interventionist measure. Because politics has got to do with power, it is always going to be a fraught question. My argument is that parties are right to stick to their guns and reassure women who are elected through processes of this kind that it is not something that is special for them, that it is helping them to redress the historical and institutional biases against women over a long period and that this is only a way of trying to level the playing field.

The other point about the Minister for Justice and others is that they are very important role models for all women and men in society as a whole because they are normalising the fact that being a mother or a parent is a normal part of life and goes on irrespective of one’s occupation or activity in life. That is a very important message to send out. In speaking of my own experience in the workplace and dealing with this issue, which relates to another recommendation, there is often a hesitancy still among women in the workplace to come forward to their line managers or workplace colleagues to say that they are pregnant and they are going to need time off work. That is a great pity in this day and age when at any time we should be celebrating motherhood and parenthood more generally. They are very important role models in that regard.

**Deputy Réada Cronin:** Does Professor Galligan agree that positive laws are the way to go?

**Professor Yvonne Galligan:** Absolutely.

**Chairman:** Professor Galligan played a key role in driving the move towards the gender quota law. We have a history on that. I thank her for that. Senator O’Reilly also made a point in the earlier round about quotas in the context of the Seanad and the Taoiseach’s nominees.

Does Professor Galligan wish to comment on that before I bring in Dr. Russell?

**Professor Yvonne Galligan:** I would be delighted to be able to comment on that. The Chairman is absolutely right about the Seanad nominees. The discretion the Taoiseach has in that respect was important for gender balance in the Seanad. We need to think about how we handle gender representation at local election level in particular. I was struck by the comment by my colleague beside me who talked about how women choose jobs because of their flexibility and closeness to home, and that this is the main reason for doing so. The main reason that always has been given for women taking part in local elections is because of the flexibility and closeness to home of that particular representative role and yet in Ireland, we still only have 25% female councillors. We really need to look at local government in a targeted way to see what can be done to improve gender balance at local level now. Some measures include the Maltese measure, which is an interesting one that is mirrored in the Seanad process, as well as the issue around penalties for parties or some sanction or strong incentive to improve. Local government is the pipeline to national government, be it in the Seanad or as a Deputy. I will just make those points.

I will make a very brief point on representation in public life. While we spoke about women's participation on boards, we did not speak about the chairing of those boards. While there is relatively healthy representation of women in boards, more can be done. The issue is there, however. Representation at the level of chair is still a difficult issue. That, again, is a leadership position that needs to be tackled in terms of public representation in general.

**Chairman:** I thank Professor Galligan. I will go back to Dr. Russell because Deputy Cronin had a specific question on parental leave in any countries in which companies have to pay. I will then go to Senator Higgins for the next round.

**Dr. Helen Russell:** As discussed earlier, we could go back to the Nordic countries where there are much higher replacement rates for fathers on leave. They also have that system, which is what we have done as well, that a person uses it or loses it. It is not transferable between partners because that tends to also lead to lower take-up by men. The UK, interestingly, has just gone down that route to say people can share the leave, which is likely to lead to even lower take-up. The Nordic countries also have a lower pay gap.

**Deputy Réada Cronin:** How long is the paternity leave for fathers in Nordic countries?

**Dr. Helen Russell:** It is like a system of parental leave, I suppose, but it is paid. I cannot remember off the top of my head but we are talking about close to one year or whatever in terms of what a person can take. They also have many other benefits and arrangements in their welfare system. Although they have a narrower pay gap, it is hard to then pin that on the parent's leave. There is also a much different system of childcare provision. As I mentioned, they also have the collective bargaining systems. They have much narrower wage differentials across the board. It is kind of that whole package of measures that leads to a narrow gap. They are not nirvana, however, in that there is still a pay gap even in these countries. That is partly to do with occupational segregation in respect of what jobs men and women are doing in the economy. There are still those patterns, even in the Nordic countries. They have not completely nailed it.

**Deputy Réada Cronin:** Are companies obligated to make up the difference?

**Dr. Helen Russell:** It is more of a statutory benefit. It varies between them. They are paying it into the system.

**Deputy Réada Cronin:** I just want to have those details so we have some gold standard to compare it to when we are doing our report.

**Dr. Helen Russell:** I can certainly send on some more details.

**Deputy Réada Cronin:** That would be great; I would really appreciate that.

**Chairman:** I thank Dr. Russell very much for those comments. Many issues were touched upon there. Senator Higgins indicated to speak next.

**Senator Alice-Mary Higgins:** I have a couple of quick questions for Professor Galligan and then more of my questions will focus towards the ESRI.

I thank Professor Galligan for her work. I will make a comment on the gender quota piece that I have made previously and which others have heard. The research shows that gender quotas are not a matter for women; they are a matter for society and for better decision-making. The research shows that when we have more diversity and representation in a room, everybody works harder and everybody performs harder. In fact, it has a way of stripping out mediocrity or groupthink. Professor Galligan might comment on the research. It is not a leg-up for women; it is a matter of fixing systems that are dysfunctional.

In that regard, building on a couple of the specific points raised by Professor Galligan, I note the 40% quota in terms of corporate boards. Professor Galligan mentioned the EU directive and that eight countries have taken legislative measures. It seems to have been the approach that legislative measures are needed when it comes to the private sector, which is why eight countries have done that and why that EU directive is in place. Professor Galligan might comment on that.

The State boards issue is interesting. We saw, for example, that higher education has one of the highest balances of women. Professor Galligan could perhaps comment on initiatives like the Athena SWAN programme, which has demanded that attention be paid the whole way up the ladder and how that may have contributed to how we are seeing that level of shift there.

Professor Galligan carried out analysis in terms of women not only being on boards, but on what boards. Similarly, the media analysis was not just about women being in media but what they are being asked to discuss. Previous research found that often, women were being asked to talk about their experiences while men were being asked to give their analysis, for example. It highlighted the importance of the types of opportunities being given within media.

My main questions are for the ESRI. Again, it comes back to that same question. What we are looking at here are not just some things for women and how we move them along. We are looking at how we deal with a society that is deeply unjust and badly designed, and similarly in terms of the workplace. I was a little concerned about the idea of the trade-off and the choices women make. The other way one can phrase it is the penalisation that is attached to care or the preference to have invisible care support because all those men are not simply making a different choice; they are relying on an invisible care support in many cases, and on a society that is framed that way. It is about how we frame it, not as being an issue for women but as being an issue for society and how we design it. Why is it acceptable that if a person moves to a part-time role, he or she is somehow not on the same progression ladder or that if a person takes two years out, he or she does not continue up that ladder and that is penalised? Why do we accept that being penalised? It is not simply around why women make different choices or about getting them to make the same choices as men, or that hopefully, if they are this top economic

cohort, which is where much of the focus seems to be in the analysis, maybe they can get paid childcare. We need systemic change. I would like to hear the witnesses' thoughts on that.

I was really disappointed, to be frank, that one of the old tropes we hear about minimum wage and job losses was replicated in the ESRI's statement, even though the same paragraph goes on to point out that the research does not show it. It states "Given that women are more likely to be minimum wage workers than men, such job losses could disproportionately affect women." However, the research shows that it does not actually stand up that there are necessarily job losses. The fact is that the ESRI acknowledges later that Ireland has the highest income inequality; we are 32nd out of 34 in the OECD for income and equality. Perhaps that has a knock-on, in that we are not analysing if top pay differentials have an impact in companies. SMEs are being pushed out when we know, for example, that the big lobbyists, and we should be honest and frank on things like trying to keep the minimum wage down, are very wealthy companies such as major retail companies, the fast-food sector and all of those companies that make vast profits. It may seem like it is just a line to put in when we do this, but what we are doing is fuelling what will be a very real debate affecting women, predominantly, around things like the minimum wage. We are putting out a kind of scarecrow that was out there before that is not proven. The minimum wage is a massive issue. We have measures such as ability to pay to deal with the companies in trouble. However, and this is again in the analysis, why the unexplained gender gap in our wages? We are not simply looking for what cannot be explained by conditions of the market or the fact that people are in lesser-paid work. The issue is that there are certain sectors, predominantly those where women are, where the wages are lower. That is not about women choosing higher or lower-paid jobs; it is about work, where women do it, being valued less.

I am not just critiquing the point that has been made in recommendation 35 on the right to collective bargaining; I want to welcome it also. I would like it if the witnesses from the ESRI could elaborate on the importance of that and on what we need to be doing to address the wage inequality issue in Ireland, which is exacerbated by the fact that women tend to be pooled. I ask the witnesses to also comment on the knock-on effects on pension inequality, where the gap tends to be even wider. I am concerned about the leadership positions, the top positions and the senior executive who gets a bonus and the senior executive who does not get a bonus. At the same time, at a crucial level, if we are to address injustices in society we need to look, not just to the unexplained but to the explanations that are given, whether they are acceptable and whether they need to be systemically changed. I ask the witnesses from the ESRI to comment on some of the explanations given around the wage gap and the measures we should be taking to address and redress them, as well as individuals' choices.

**Chairman:** There is a lot to respond to there. I will invite Professor Galligan to comment first. The first questions Senator Higgins had were on the gender quotas in the boards. I will go to the ESRI for a response after that and I see that Dr. Tuda wants to come in on that as well.

**Professor Yvonne Galligan:** I thank the Senator for her questions and I can link a couple of them because there is a little bit of overlap and similarity in them. On the 40% on corporate boards, the agenda in Ireland has moved on a little bit since my submission, which was in February. Since that point in time Senator Higgins tabled a Private Members' Bill in 2021 and subsequently the EU came to an agreement and there is now a political directive on 40% gender quotas. The Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, accepted the Private Members' Bill that was put forward by Senator Higgins and that will progress. That is the way forward and I agree with the Senator wholeheartedly.

That measure can be accompanied in another way by measures that then require all bodies that look for public funding or that are required to achieve certain legislative measures to have gender equality plans and publish them. That is the model and strength of the Athena SWAN programme, which is in operation across the higher education sector. That programme has not been long in existence; it is only since about 2014 or 2015 that it has been in Irish higher education but it has had a transformative effect on same and has enabled a spotlight to be put on the positives and the needs and challenges for change around gender equality and higher education. The key to it, apart from a close audit, is the publication of plans to advance gender equality in the organisation. I note that is a recommendation that is made by the assembly under recommendation 22 and State boards could be doing the same thing, as could corporate boards.

There are measures that can be taken in that regard. The more diverse a decision-making body and the more diverse viewpoints that are part of the decision-making process then research shows that the more robust those decisions are the better for that organisation and that society. That is clearly indicated in research. Both diversity and quality are partners in this, rather than sacrificing quality for diversity. The old argument is that one cannot have more women or people of other backgrounds because they will dilute quality, which is not the case. In fact diversity enhances the quality of the performance and outcomes of an organisation.

**Chairman:** That is a strong response to Senator Higgins's points and to Deputy Cronin's earlier points as well. We are running short on time and Senator Higgins asked some specific questions of the ESRI.

**Dr. Helen Russell:** Dr. Redmond might talk about the minimum wage first and then I can talk about some of the more general points.

**Dr. Paul Redmond:** On potential negative consequences as a result of a minimum wage increase, it is crucial that we continue to monitor this because the issue is not cut and dry. If we are trying to categorise the evidence on minimum wage increases it is safe to say there are many studies that show that moderate or small minimum wage increases are associated with little to no job loss. There are many credible studies that indicate adverse employment effects and we found adverse employment effects in hours reductions.

The evidence is not cut and dry; there are studies that show negative employment effects but importantly, in Ireland we are talking about targeting a living wage as the minimum wage. The reality is that the evidence on minimum wage increases tends to look at relatively small minimum wages and the truth is we just do not know enough about large minimum wage increases to the extent where the minimum wage is going to 60% of median income, for example. We need to continuously monitor this and investigate whether there are negative employment effects. This is important, especially in light of recent evidence on the UK living wage, which is trying to evaluate the consequences of same.

A recent UK study shows that in general and overall there are little to no job loss effects when a living wage is introduced but when they drill down deeper into the data they show that when one looks at women there were some job loss effects. We have to pay attention to potential adverse consequences therefore and this is something the Low Pay Commission referenced. Usually when one is thinking about a living wage, that differs from a minimum wage as the focus is on what rate it should be and other factors such as the state of the economy are considered less and less. The Low Pay Commission has stressed in its report that even while moving towards a living wage it is crucial to pay attention to other factors and to try to quantify what is happening with employment effects. I take the point that in general we tend to see relatively

limited job loss or negative employment effects to a living wage being introduced but the truth is that we still need to monitor this.

**Senator Alice-Mary Higgins:** I am not questioning whether it would be monitored; I am questioning how much emphasis gets placed on that versus some of the other factors. We know there is heavy lobbying from large companies but the SMEs seem to be the focus of the analysis.

**Dr. Paul Redmond:** We have moved away from the situation we had 30 years ago when it was widely accepted that if the minimum wage was increased then jobs would be lost. The recent evidence has brought us away from that to where we are now.

**Chairman:** I invite Dr. Russell to come in, followed by Dr. Tuda and then we will go to Senator Warfield.

**Dr. Helen Russell:** On the general point, I want to emphasise that I am not saying these differences are about individual choices. That is not where we are coming from or where the evidence is. We are talking about all these different processes that are underlying it. When we talk about unexplained gaps we are talking about when differences between men and women when it comes to education, job experience or age are stripped out and when we look at that we see that the gap is wider. We are saying that if one just looks at the raw gap in the average pay for men and women there is a certain gap but if one controls all these other things and compare like with like then women should be earning more. The adjusted gap is even higher therefore. It is not so much about individual characteristics; it is about employment policies and how we structure opportunities in the labour market. We mentioned occupational segregation and the devaluation of highly feminised jobs. That is something we discussed extensively in the assembly. Certain occupations that are highly feminised such as the care occupations, including childcare, are low paid. We need to address that more structurally. There is some work going on with the employment regulation orders so that there would be an upward shift in pay for that group. I do not know if that will be enough. There is certainly an issue with work being devalued and it is partly devalued because it is done by women. The lower status of women seems to rub off onto the status of the occupation. There is interesting research into how as jobs become more feminised, historically the pay levels come down. I do not think it relates to individual preferences and there are many structural issues we need to address.

**Senator Alice-Mary Higgins:** I ask for a comment on collective bargaining and JLCs because they are among the tools.

**Dr. Dora Tuda:** In the literature we call it the child penalty if women take a pay cut once they have children. Senator Higgins nailed it there. If men are not really allowed to make a choice of working flexibly or working part time because they are not compensated as women would be when taking parental leave, it is very difficult to expect more equal outcomes after the fact. If replacement rates are made equal for men and women once they are making decisions about parental leave, that would yield more equal choices in the long run over the lifetime. The literature points to this.

When we talk about the unexplained gap, because of the data constraints there, we were not able to include sector or occupation in the analysis. It is true to say that women are normally not compensated as much as men because they work in sectors that are lower paid. That goes into that unexplained gap because of the data constraints when we were doing this analysis. In future I hope to get better data from the Central Statistics Office, CSO, and be able to say something more about sectors and occupational wage gaps.

**Senator Alice-Mary Higgins:** I do not need go back now, but when answering Senator Warfield's questions, our guests might comment on collective bargaining recommendations.

**Chairman:** I thank Senator Warfield for his patience. He is next.

**Senator Fintan Warfield:** I thank our guests. I want to pick up on gender equality and representation at political level. It is much easier to achieve gender balance in the Seanad than people let on. The Taoiseach has been commended on nominating nine women out of 11. Gender equality is entirely linked to Seanad reform. The Seanad reform implementation group has discussed at length how we would achieve gender balance in the Seanad. While we are constrained by the Constitution, the Taoiseach should use the 11 nominees to address any lack of diversity that exists, including gender. It would be possible to introduce legislation stating that the Taoiseach would have regard to having diversity and gender balance.

Of the 43 Members elected from the vocational panels, some are nominated by nominating bodies, many of which have up to 11 nominations. Nominating bodies that can make more than one nomination should be required to achieve a gender balance of at least 40% or 50% to ensure we have a gender balance of candidates in future. On the Agricultural Panel, I think there are nominating bodies that have 11 nominees. Many nominating bodies, including on my own panel, have one nomination. We have proposed a Seanad electoral amendment that where a nominating body has just one nomination, it would be given a second nomination if that achieved a gender balance.

The whole structure and complexity of the Seanad electoral system - the inside and outside subpanels - could be used for gender balance. God, it is so complex. Oireachtas Members nominate and a limited number of those would be elected. A limited number of those from the nominating bodies would be elected. Those inside and outside subpanels could be used for male and female. Therefore, the whole structure of the place could be based on achieving gender balance. That is probably more radical, but the complexities of the Seanad could enable much greater gender balance in representation.

We discussed quotas at a local level when officials from the Department of Housing, Local Government and Heritage appeared before the committee. They said that political funding is tied to Dáil seats and it all revolves around the Dáil election. Therefore, there is no solution yet other than basically imposing penalties on parties. I welcome Professor Galligan's contribution on incentives to reach balance. If those incentives are good enough, we can surely achieve the required change at local level.

**Chairman:** Professor Galligan may want to respond. The point on sanctions is critical.

**Professor Yvonne Galligan:** The Senator's discussion on the complexities of the Seanad electoral system is very helpful. I had not gone into detail on that in my submission. I appreciate his additional comments, especially the potential to require nominating bodies to present gender-balanced candidate slates wherever they can. Obviously if they only nominate one, another provision could kick in. However, we are talking about ones that can nominate two or more. That is a very significant number of them. That is very much in line with the existing legislation that applies to political parties. If we also introduce legislation on gender balance on State boards, there is no reason that nominating bodies could not also be part of this framework, with the expectation that there would be gender balance at all decision-making levels and at the points at which decisions on who the decision-makers are can be made. What the Senator said about the complexity of the Seanad electoral system is very helpful.

Regarding carrots and sticks, it is often worthwhile exploring the carrot approach. It is very easy to reach for the stick approach. Properly constructed incentives can go a long way to achieving the outcomes that are for the good of society more generally.

**Chairman:** Senator Pauline O'Reilly and Deputy Cronin have indicated they would like to contribute again. As Chair, I wish to ask a few short questions before we move to the second round. I thank colleagues for their forbearance.

I thank all the witnesses for their excellent and thought-provoking presentations. In a previous Dáil term, Professor Galligan appeared before the justice committee when we conducted our hearings on women's representation in politics. Our report on that in 2009 encapsulated her research in the five Cs, the obstacles women face on progress in politics. Unfortunately, despite the introduction of quotas, we still see those obstacles - cash, childcare, confidence, culture and candidate selection - obstructing women's career progression. Still only 23% of our Deputies are women, so obviously we have a lot more to do. That has been recognised in the Citizens' Assembly recommendations.

My first question, which is to Professor Galligan, follows from what Senator Warfield said about a carrot-and-stick approach or incentive and sanction. On that interesting model that Senator Warfield proposes, what is the sanction or incentive for nominating bodies for the Seanad or private boards that do not reach quotas? I can see that with public boards there is an easier way of addressing that. Professor Galligan's figures on public boards are interesting. She made the point that if all 165 vacancies were filled with women, we would achieve parity. That would be an important recommendation for the committee to consider. Professor Galligan also pointed out that there are a number of State boards - I think there were five - where there are no women, including the Pensions Authority. That too requires to be highlighted.

Professor Galligan made one very useful recommendation about sanctions, namely, that at local government level, the amount of incentive funding given to parties to promote women candidates could be reduced if quotas for local election candidates were not reached. That is good because when we tried to get local election quotas in previously, in 2011 and 2012 when the then Minister, Mr. Phil Hogan, was introducing the quota legislation, he made the point that there was no clear way of sanctioning parties because funding is tied to Dáil representation. Will Professor Galligan comment on that?

It is interesting in relation to recommendation 22 in the fuller submission that the sports governing bodies appear to be moving ahead of the Citizens' Assembly timeframe on representation, whereas arts bodies have made less progress. Later in the term, the committee will hear from Waking the Feminists and we will ask its representatives about their ideas on that but I ask Professor Galligan to say a little on it.

I thank Dr. Russell from the ESRI for the detailed data she provided. I will home in on the gender pay gap work she has done. I have done a good bit of work on this and I introduced a Private Members' Bill on it before the Government initiative. I am interested in the data showing that the gender pay gap in Ireland has reduced to 11.3%. Will Dr. Russell comment on the reason for that? She pointed out that in Britain, where the legislation has been in place for longer, there has been a reduction in the pay gap. However, the reduction is not due to a movement of women into larger firms or towards higher pay, as we would have hoped, but, rather, is due to a shift in male wages, primarily a decline. She stated that in Denmark a reduction in the gender wage gap was also driven by lower male wages. Clearly, that is not a positive development. In other words, it is an equalising downwards. Will Dr. Russell comment on that? Are

the two linked, or was that just a broader factor that was taking place in any event? What are the implications for the gender pay gap?

I want to clarify an issue related to shared leave versus use-it-or-lose-it leave, which we have discussed already, because it has been a long-standing issue in the discussion on parental leave provision. What is the best way to achieve gender equality? Is it to require that it be fixed so that each parent has a fixed entitlement? I have seen some arguments that suggest shared leave can be beneficial but generally the view is that is not so beneficial in driving equality. I ask Dr. Russell to comment. Perhaps Professor Galligan will respond first.

**Professor Yvonne Galligan:** The question of incentives and sanctions is an interesting one. The calibration of incentives and sanctions is key to affecting the outcome that one requires. It struck me that while incentives can be framed in terms of financial support or financial incentives, sanctions can also be framed in that regard, for example, by local authorities reducing the incentive funding they have received. In the case of other areas such as nominating bodies, I wonder if an electoral commission could actually refuse the list submitted by such a body if its nomination was not a balanced one. Perhaps something could be done around that. This happens quite frequently in other countries. For example, in Belgium lists are refused from parties if they are not gender balanced. I know we operate in a different electoral system and all the rest but it struck me, arising from Senator Warfield's comments on nominating bodies, that this is an area that could be explored.

I would like to link the idea of the requirement to publish gender equality plans with the context of the arts bodies and other bodies. In the publication of those plans it is possible to make those bodies accountable for their lack of progress. This allows for a transparent measure over a period of time - two, three or five years, or whatever - to be able to judge whether arts bodies, sports bodies or any other organisation or body have actually progressed in achieving their gender equality targets and plans. That is a strong incentive mechanism to implement gender equality. It is part of the institutional framework rather than part of the financial context in relation to it.

Private boards probably need to be treated a little differently because they are private entities. Nonetheless, there will be examples and cases in other countries where measures are in place that require private boards that fail to reach gender balance on their boards to address the matter. This may be in the form of a note to them that states they have three months or six months to address the problem such that there can be an increasing level of attention paid to that issue for private boards.

**Chairman:** I thank Professor Galligan. That is very clear.

**Dr. Helen Russell:** I thank the Chair for her questions. On the issue of change over time, on which Dr. Tuda may also wish to respond, one of the issues we face is that we do not have good recent data. We have been working in a bit of a vacuum. The figures I provided, for 2018, are the most recent national figures available on the pay gap in Ireland. There are also EUROSTAT figures out there but they do not feature Ireland, which is a bit embarrassing. However, new data have just become available. It is important that we look at how those data track over time. We have looked at the issue from 2012 to 2018.

**Chairman:** Does the figure of 11.3% relate to 2018?

**Dr. Helen Russell:** Yes, 2018 is the last-----

**Chairman:** I thought the figure in 2018 was still 13.9%. I was obviously working off old figures.

**Dr. Helen Russell:** Yes, and we had been working off old figures in the Citizens' Assembly as well.

**Chairman:** Yes.

**Dr. Helen Russell:** This is fundamental information. We need to have data on a regular basis because the focus on monitoring progress is important. One of the early recommendations of the Citizens' Assembly was that we get these disaggregated data on gender.

**Dr. Paul Redmond:** If I may add to that, as my colleague said, new data have become available from the CSO. Our labour force survey now includes administrative wage data. To update the committee, 20 minutes before we came in this morning, I was looking at data from 2021 to see what the gender wage gap was from then. The figure was approximately 10%. It is a similar figure but it may have decreased slightly. The new data available to us now should be invaluable to us in getting more current estimates.

**Chairman:** However, we cannot yet say why this has happened. That is my question.

**Dr. Helen Russell:** Exactly. Dr. Tuda may wish to respond.

**Dr. Dora Tuda:** I can comment on this. There were two forces that went in a similar direction in decreasing the gender wage gap. The first is that male wages have decreased. This was especially the case during the great recession and, as the Chair mentioned, this decrease has cut the gender wage gap for the wrong reasons. There was also an increase in female participation on the labour market and an increase in their wages, especially with regard to tertiary education. This decreased the gender wage gap in a positive way.

**Chairman:** I thank Dr. Tuda. That is encouraging.

**Mr. Paul Redmond:** I want to back up what Dr. Tuda has said. When we look at Ireland, particularly when we compare it with other EU countries, the level of highly educated women is very interesting. When we look at the percentage of women in Ireland educated to a tertiary level not only is it far higher than the average but it is far higher than every other EU country. This is a very important factor.

**Dr. Helen Russell:** On equalising downwards, which is not where we want to be, if pay transparency moderates very high wages at the top perhaps it is not such a bad thing. If we are speaking about executive level pay it is not necessarily something that would be too negative. If it is lower down the scale then that is an issue. We do not want to equalise downwards. Pay transparency will mean organisations will have to justify and explain the differences. If it is because some executives have excessively high levels of pay it is something that will be open to scrutiny. It may be the less problematic side of it.

When the citizens' assembly looked at shared leave the evidence was that having non-transferable leave was important. Where there is shared leave it tends to be transferred to women. Having to use it or lose it seems to be more associated with higher take-up of the leave by men. This is an area where we need better data. We do not have good data on who takes parental leave and whether there are top-ups by employers. There is a real gap that we need to fill.

**Chairman:** I thank the witnesses. I know the citizens' assembly recommends the non-

transferable approach.

**Senator Pauline O'Reilly:** I want to go back to something that Senator Warfield said. I was not commending the Taoiseach; I was suggesting that future Taoisigh could be forced to introduce gender equality measures through some form of legislation, as has been mentioned. The Taoiseach did do us a service in the Seanad by having nine of the 11 nominees as women but it should not be up to him. He took on board within the 11 the nomination of the Minister, Deputy Eamon Ryan, of Senator Eileen Flynn. This was also a good thing. We could have it whereby the Taoiseach is required to do this.

On the other points raised with regard to the Seanad, our party had an internal selection process that gave preference to women because of the number of men in the Dáil and to balance it out. We cannot look at the Seanad in isolation from the rest of the political system. It is an opportunity to have a greater voice for women than there would be in the Dáil on the basis that not many women are getting elected.

A point that has not been touched on is that many parties put men in winnable seats and women in unwinnable seats when it comes to selecting candidates. They hit their gender quotas but the women are the third candidates in a constituency and unlikely to get elected. This is a core reason we have very little movement in the number of women getting elected. I would love to know how the witnesses would look at addressing this point.

I want to go back to a point raised by Senator Higgins, which I very much agree with, which is why I raised the point on the minimum wage. Too often reports focus on employment rates as a positive or negative for women as opposed to looking in the round at well-being. Reports should include the fact that more women do leave the workforce but we should address it in the way I referred to earlier, which is by stating it is okay if women want to stay at home. We do not need to give a value to it but we should include other measures so that if it is the choice of women advice can be given and they can be supported. They should still have a living wage even if they are doing more caring. We have to recognise that perhaps it is not such a bad thing that our culture has women staying at home. It is not a negative and is something we need our policy instruments to recognise and then address through how these women are supported in this caring role. The citizens' assembly has found that caring is not a negative but a positive. It is often framed as a negative with regard to employment and that women have to do the caring. They want to do the caring and they are looking to the State to support them in this care.

**Chairman:** I thank Senator O'Reilly. It is a reframing.

**Senator Pauline O'Reilly:** It is a reframing of how we speak about employment.

**Dr. Helen Russell:** I take the point on State supports for caring and valuing care. It is extremely important. One of the issues we did not mention was supports for re-entering the workforce. People do take a break for caring and there should be systems in place so they can re-enter. We have been having a debate for 20 years about training supports not being geared towards re-entrance to the labour market.

**Senator Pauline O'Reilly:** It is a critical point. My point is that too often it is separated into another report. It needs to be reframed when we are speaking about employment. It does not mean that fewer women being employed is a bad thing. It just means we have to recognise where things are and support them in a different way. This is my point. The point on re-entry is valuable and we have not discussed it.

**Chairman:** It is very good to have that on the record. I will ask Professor Galligan to speak on the point on winnable seats.

**Professor Yvonne Galligan:** I thank the Senator for her comment and explanation of how her party approaches the issue. Seeing a more gender-balanced Dáil and representative body as a whole comes down to the will of party leaders, and I make this a plural in every sense. One could say that perhaps for open seats, such as where a party is contesting a seat where the incumbent has retired, preference should be given to women candidates in these circumstances. Over a cycle of two or three elections this could change the face of the representative body.

A measure I would like to tease out a little further is putting measures in place that would determine an outcome and state our Parliament must be 50:50 male and female. Of course we want this to happen but we would need to think through and consider very carefully putting in place a measure that states it has to be 50:50. There might be more room to do it in the Seanad because of the different lists and because of the opportunity to give preference to female candidates over male candidates on a panel if that panel is not coming out equally representative. It needs more teasing out rather than rushing into it. If the route of encouragement and exhortation is not working, then we have to look at what else can be brought into play.

**Deputy Réada Cronin:** On collective bargaining to address pay equality, how does Ireland compare to other jurisdictions? If the culture is not there, we have to make sure we legislate. My colleague has a Bill around the right to collective bargaining. Women are less inclined to ask for a pay rise and employers do not generally tap you on the shoulder to offer one. That is important.

The national minimum wage was only introduced in Ireland in 2000. There were warnings that it would result in many job losses and it did not, as Dr. Redmond said. It protected employers selling a service or product from being undercut by other employers giving bad wages. That shows how the State can provide that basis. The State has to move in and put things in place, such as school buses and childcare, to make it easier for women to remain in the workplace. Women have told me they might have to give up work because their child has not got a place on the school bus and they have to be in work for 8.30, and all this kind of stuff.

I am glad I am not the only one in the room saying equalising downwards around high pay is not necessarily a bad thing. I am not a feminist because I am a woman, but because I am an egalitarian republican. There is no need for some men to be earning as much money as these high-end executives earn. Where that pay has come down, is it because they have a better quality of life now and are not working huge long hours? Has there been a change in the last couple of years around that? When you improve things for women, you improve things for everyone. There might be something there.

**Chairman:** I am looking at that note on the decline in male wages. It does not say if the decline was at the top end or the lower end. That is a good question.

**Deputy Réada Cronin:** I would be interested to know that.

**Chairman:** I think those questions are for the ESRI.

**Dr. Helen Russell:** On collective bargaining, it is quite a complex picture when you are trying to compare across countries. I think we are middle of the table. There has been a decline in union membership but other indices look at the amount of power unions have in wage bargaining and there seems to be less change in that in Ireland. People may not be in a union but

are still covered by collective bargaining, so those partnership agreements we had gave wider coverage.

The other complication is that the level of unionisation is much higher in the public sector. There is much less inequality between men and women in terms of pay, promotion and things like that. That is partly to do with the fact those workplaces are unionised. That has played a role.

**Deputy Réada Cronin:** Does Dr. Russell have any information, even if she does not have it here, about how Ireland compares to other jurisdictions around the right to collective bargaining?

**Dr. Helen Russell:** That is in other states. Other EU members have that right.

**Deputy Réada Cronin:** Are we the only state in Europe that does not have it?

**Dr. Helen Russell:** We are not the only one. I do not have-----

**Deputy Réada Cronin:** We are one of the few.

**Chairman:** We follow the British model of voluntarism in collective bargaining. We might come back to the point on collective bargaining when we have ICTU in with us in the coming weeks.

**Dr. Helen Russell:** Senator Higgins mentioned the JLCs, which we did not respond to. That is an area where there can be improvements. There is a JLC around wages in the childcare sector, which are particularly low and it is a particularly feminised workplace. There was much talk during the pandemic about trying to bring up the wages of care workers but it has not happened. The action has not followed the talk but it is on the agenda at the moment. It will be interesting to see where that level is set.

**Chairman:** We will be looking at that when we write the report on the care recommendations.

**Deputy Réada Cronin:** If the ESRI has information on where equalising downwards is happening and whether it is at the very top, will its representatives write to the committee? We would appreciate that.

**Dr. Helen Russell:** I have not seen any evidence around that.

**Deputy Réada Cronin:** It would be interesting to see where it is happening.

**Chairman:** The research the witnesses have cited is interesting and concerns a hypothesis around the reduction in the gender pay gap in the UK and Denmark being due to lower male wages, rather than increasing women's wages. Is there any more qualitative data about the nature of the male wages being reduced? I think the witnesses said it was to do with the broader economic context and there was no direct causative link with the gender pay gap legislation.

**Dr. Helen Russell:** Another interesting facet of that study in the UK was they did a survey around the same issues and found that when women were presented with information on the size of the pay gap in different companies, they were much less likely to say they would take a job in those companies. There could be a movement once this information becomes available and people who see it say they do not want to work for company X because it has a massive pay

gap. That is another layer to it. People can then make choices. Companies are very conscious of such reputational issues so that is an important lever.

**Dr. Dora Tuda:** We can find out where the decrease in male wages came from. We did not include it in that report but we have the data to calculate it and see where it is coming from.

**Chairman:** Thank you so much. That would be great.

**Senator Alice-Mary Higgins:** Deputy Cronin started where I wanted to start, which was on collective bargaining. Is there supplementary information? Dr. Russell mentioned that collective bargaining systems are a feature of most societies where wage inequality is low. It would be useful to get more data on that.

I ask about recommendations, bearing in mind we have to follow through, around how to embed the right to collective bargaining.

Employment orders and JLCs have had lots of legal battles. JLCs were a good step forward that was challenged. How do we support or embed those, potentially? How have other countries embedded them as solid tools that can be used? This is not about the individual asking for a wage rise in many cases but about the collective voice on this issue. It is about income inequality coming into this as an issue again.

To elaborate on my earlier comment that Ireland has some of the highest income equality in the world, we are 32nd of 34 countries based on the 2018 OECD figures, before taxes and transfers are considered. What is happening therefore is that Ireland is doing a great deal of work through our tax and transfer systems to address what is high income inequality. In this section, the question is whether enough is being done to tackle this income inequality. If families are having to rely on family income supplement, FIS, to be able to live on a minimum wage, the State is effectively providing an indirect subsidy to the employer. We are also subsidising companies that are very capable of addressing that.

Therefore, in respect of this analysis, and diving down into the information, this is what I mean by moving past a kind of anecdotal or example version of this topic and, instead, looking at the detail to try to determine, for example, if fewer hours were involved but the workers were coming out with the same wages. That could perhaps be a positive thing. If there are issues or concerns, it could be a case of seeing what steps could be taken to ensure we do not have a blanket suppression of the minimum wage to deal with a handful of situations when we have mechanisms, such as ability to pay, which could be addressed in this regard. This is what I mean when I refer to the need to have detailed scrutiny. There was a flaw when the minimum wage legislation was initially enacted. It is why we are still talking about this issue. I was with the National Women's Council of Ireland, NWCI, at the time and I remember that we pushed hard for the word "adequacy" to be included in the terms of reference, but it was not. This is why we must now address adequacy and the reason the gap continues to have to be addressed through social transfers.

I ask for more of a breakdown and analysis in this area because we need a greater depth and richness of analysis of the minimum wage. Within that context, there is also the income inequality, referred to by Deputy Cronin, regarding wages at the top and at the bottom. Alongside that - because it addresses the same structural issues - do the witnesses have breakdowns of the proportion of company profits and incomes being spent on wages versus, for example, returns to shareholders and how that proportion has shifted?

This is relevant in respect of Deputy Bacik's - Senator Bacik as she was then - excellent legislation concerning company pay transparency. What I thought was really good about that, if I am correct, is that it addressed the other parts of the remuneration packages, including whether it is men who are predominantly getting share packages and dividends. The witnesses might comment on what research exists on who gets shares because this information is not always captured on the wage packets, and on the level of shareholder returns versus wages and if this ratio has shifted. We must find ways to address that if it has changed.

I also ask the witnesses to comment on pension inequality and the question I already referred to of the knock-on impact of this element of the system, especially for the two categories of those in part-time or low-paid work. Then there is the question of the disproportionate level, as highlighted by the witnesses, of our spending on pensions that goes to pay for the marginal rate tax relief for those on the very highest incomes. Research by the witnesses has shown that the beneficiaries in this regard are disproportionately likely to be men. I ask the witnesses to comment on all those points.

**Chairman:** There is a lot there. I am conscious some of the questions go to the recommendations of the assembly that we did not ask initially.

**Senator Alice-Mary Higgins:** Even answers in writing would be fine for some of my last questions.

**Chairman:** The Citizens' Assembly addressed the pension issue under social protection recommendations 17 to 19, and we will be hearing next week from representatives of the Department of Social Protection.

**Senator Alice-Mary Higgins:** The work of the ESRI captures the other part of this issue.

**Dr. Helen Russell:** Yes, and one of our colleagues, Dr. Adele Whelan, came and talked to citizens at the assembly about the pension pay gap. It is obviously a big issue and mirrors those inequalities across people's careers because they will not be accumulating that wealth in later life either. The Senator is right about the subsidies as well. The analysis in that regard shows that the tax reliefs are regressive and the level of spending on them has been extensive. That has come down a good deal but it is not my area of expertise. Perhaps one of my other colleagues would like to come in on this point.

**Dr. Paul Redmond:** I would have to follow up on that point. To answer a specific question, the Senator asked how reductions in working hours relate to the minimum wage and if workers are coming out with the same wages. We looked at this subject recently. We examined three minimum wage increases from 2016 to 2018 and we found that industry and hospitality and accommodation were the two main sectors where workers had experienced a reduction in hours. We then asked that question of whether the increase in the minimum wage was enough to offset, or more than offset, the reduction in hours. The short answer is that it was enough. Even when we looked at this in real terms, it was enough for those working in industry, while accommodation and food workers broke even. Therefore, the minimum wage increases were large enough to offset the reductions in hours.

**Senator Pauline O'Reilly:** That is a good thing. That is the point that needs to be highlighted in these reports so we are not just saying there is a reduction in hours and therefore less employment.

**Chairman:** The point is exactly that being made by the Senator. This is about whether we

portray this as an adverse or neutral effect. It is interesting to hear this perspective.

**Senator Pauline O'Reilly:** It could also be positive because people are coming out with the same wages and they get to spend more time with their families.

**Chairman:** We do not know if that is the reason.

**Senator Pauline O'Reilly:** Fair enough, we do not know what the reason is.

**Dr. Paul Redmond:** We do not know if people are choosing this situation or whether it is being imposed on them by employers. Therefore, we must be careful what we say. In the most recent report, we highlighted that it seems the minimum wage increase was large enough to offset the reduction in wages. Whether that can be viewed as a positive thing is another question. Just because it was large enough to keep workers' wages flat may not mean it is a desirable outcome either.

**Senator Pauline O'Reilly:** Absolutely, but Dr. Redmond already stated that research shows that in Ireland there is an indication that more people are choosing this outcome and, therefore, it could be said that adding this in as an overall policy is slightly more positive. It may not be possible to say it is 100% positive because we do not know what everyone is doing or why, but based on the evidence it is slightly more positive.

**Dr. Paul Redmond:** I take the Senator's point. It is just a question of how this is framed.

**Chairman:** I am conscious of time-----

**Senator Pauline O'Reilly:** I was using up Senator Higgins's time. I am sorry.

**Chairman:** We will get a follow up from the ESRI on some of the points made by Senator Higgins.

**Senator Alice-Mary Higgins:** I refer especially to the breakdown of shares, for example. I am looking for figures on that.

**Dr. Helen Russell:** The evidence certainly is that the area of bonuses and discretionary pay is one where there is a large gender gap favouring men. Partly because those types of payment are not transparent, people do not know what the person next to them is getting. This makes the situation even more open to this type of discrepancy. The evidence I looked at is old, so we will have a dig around to see if there is some more recent material.

**Senator Alice-Mary Higgins:** I also asked about the overall share of company spending and how much is allocated to shareholders versus wages.

**Dr. Helen Russell:** Yes. There is again a literature on this area and how the labour share has changed. I will check that with some of my colleagues.

**Senator Alice-Mary Higgins:** I thank Dr. Russell.

**Chairman:** We are sorry to burden her with that task. We are examining how best to recommend the recommendations of the Citizens' Assembly and I am conscious that Dr. Russell, particularly in her role on the expert advisory group, has already engaged in this respect. Significant work went into the production of these recommendations. We are looking at their practical implementation rather than their merit or otherwise. We think they are really positive recommendations and a blueprint for gender equality, as I said, and we are exploring how to

implement them.

I will draw our meeting to a conclusion on that positive note. I express sincere appreciation and thanks to all our witnesses for engaging with us today in such a constructive and thoughtful manner on the recommendations of the Citizens' Assembly. I refer to recommendations 32 to 36 on pay and workplace conditions and 20 to 25 on leadership and politics, public life and the workplace. I thank those engaging with us online as well, because many members of the Citizens' Assembly do that and we are delighted to have their engagement as we proceed to our final set of hearings and the production of our report on 1 December 2022. Their expertise, submissions, contributions and exchanges with members will be helpful to us as we draw up our final report. We thank them all again.

The joint committee adjourned at 11.40 a.m. until 9 a.m. on Thursday, 22 September 2022.