

“No Deal” Fear-checker

No 6, 14th September 2018

“Brexit is sexist”

The claim (1 of 3)

Brexit risks turning back the clock on women’s rights, according to the [Fawcett Society](#), the [Trade Union Congress](#) (TUC), and, most recently, the [People’s Vote Campaign](#). Freed from the constraints of the EU, it is claimed that UK politicians will be able to weaken women’s rights legislation and workplace protections.

The reality

The EU has created or strengthened a number of pieces of legislation on women’s rights, but many of these rights are replicated in domestic legislation, while other key UK provisions precede the existence of EU instruments altogether. The first Equal Pay Act (1970) predates the UK’s accession to the EU by several years, as do the Abortion Act (1967), the Divorce Reform Act (1969) and the decision to make the contraceptive pill free on the NHS (1961). The Sex Discrimination Act of 1975, though implemented shortly after accession, was not driven by any EU imperative. Female Genital Mutilation has been illegal in Britain since 1985, yet the EU only passed legislation addressing it in 2012.

Assumptions that Brexit will automatically mean the repeal of equalities legislation also overlook many areas where current UK protections exceed statutory EU requirements. For example, Britain’s 52 weeks of statutory maternity leave (39 of which are paid) are considerably more generous than the 14 weeks guaranteed by EU law. [The TUC has warned](#) that women’s paid holiday entitlements could come under fire after Brexit – but this is also unlikely, given that UK holiday legislation pre-dates accession to the EU by 35 years, and more recent government decisions have taken the entitlement for holiday up to 28 days minimum, compared to the EU minimum requirement of 20. There is also a tendency to ignore female-friendly policies which could be pursued *after* Brexit, such as deregulation of the labour market to make it more flexible. Even the so-called “tampon tax”, which levies a 5% VAT on sanitary products and contraception, is required under an EU directive which the government could choose to reject.

Both the TUC and the [Women and Equalities Select Committee](#) have called for the UK government to specifically enshrine EU-related women’s rights into domestic law, to ensure there is no deterioration after Brexit. Yet the EU Withdrawal Bill already does this, and any changes that a future government might make will have to be approved by parliament anyway – making the proposed amendments both meaningless and unnecessary.

Indeed, the current government is clearly moving in the direction of strengthening women’s rights. For example, in 2018, the UK became one of the first countries in the world to require private and public-sector employers with 250 or more employees to publish their company-wide gender pay gaps. Whether you like this measure or not, the fact is that UK lawmakers implemented it entirely of their own volition.

Finally, focusing on EU legislation that has advanced women’s rights as examples of the way in which Brussels is allegedly more committed to gender equality ignores the important counterfactual question of what legislation an independent UK might have introduced. We are invited to assume that an independent UK would have remained frozen in a time warp from 1973 and taken no further steps to promote gender equality at its own initiative. That’s clearly nonsense.

The claim (2 of 3)

Women will disproportionately bear the burden of any Brexit-related economic downturn. The Fawcett Society is one of several organisations to have made this claim, arguing that a “*projected downturn in GDP is likely to result in further cuts to government spending which will have a disproportionate impact on women.*”

The reality

This statement hinges on a chain of (debatable) assumptions. Firstly, that Brexit would leave the economy far worse off. Secondly, that this would trigger significant cuts in public spending, and, thirdly, that women would disproportionately suffer under these cuts.

The first link in this chain depends on the validity of economic forecasting – an area in which the UK economics establishment has a [generally poor record](#). The Fawcett report references several forecasts examining a range of Brexit scenarios, including estimates that the level of GDP could be as much as 9.5% lower in the long run than it would otherwise have been. However, even the [Cross-Whitehall briefing](#) cited several studies where the impact on GDP is much smaller, or actually positive.

The second assumption, that any Brexit-related weakness in the economy would trigger another round of austerity, is also highly tenuous. The pessimistic forecasts in the Whitehall briefing, for example, were presented relative to a baseline where GDP is expected to increase by around 25%. So even if these forecasts are right, the economy would still be growing at a decent pace – in contrast to the steep recession of 2008 and the sharp deterioration in the public finances that followed. There would be no need for ‘further cuts in government spending’.

The third assumption rests on the common view that austerity impacts women more than men. [Several proponents](#) have referenced the influential statistic that “[86% of public spending cuts have been borne by women since 2010](#)”. Yet this calculation takes a cavalier view of spending cuts as ‘gendered’, and, indeed, what constitutes ‘austerity’ in the first place.

Few would consider the removal of child benefit from relatively well-off families ‘austerity’ in its truest sense, yet part of the 86% figure derives from child benefit reductions – since, it is argued, such payments are overwhelmingly *claimed* by women. Of course, just because mothers are more commonly nominated as recipients of child benefit doesn't mean its removal will not affect fathers too. Many of these studies also often factor in the raising of female retirement age to 65. First announced in 1995, this change was based on principles of equality and widely supported by economists as a proportionate response to the ageing of the population, unrelated to ‘austerity’.

In short, claims like those of the Fawcett Society rely on highly dubious interpretations of the link between ‘austerity’ and gender.

The claim (3 of 3)

Many have suggested that Britain's departure from the EU will adversely impact women “as users of public services”, following similarly flawed logic to the austerity proposition outlined above (Brexit -> recession -> cuts to services used more by women). The Fawcett report goes further still, playing heavily on fears of deteriorating food standards and an American takeover of the NHS in the event of a US/UK trade deal.

The reality

Though trade agreements with third countries may mean that more NHS contracts currently being awarded to private British or EU companies go, in future, to private companies from the US (or elsewhere), there is no inherent reason the nationality of providers of goods and services to the NHS should undermine the fundamental principles of our health service. On the contrary, increased competition from suppliers would be more likely to improve standards and drive down costs. Unless the UK government decided otherwise, healthcare would remain universally available and free at the point of delivery.

(continued overleaf)

The reality (continued)

The Fawcett Society also suggests that women would disproportionately feel the effects of deteriorating food standards after Brexit, in particular, a feared influx of certain products in the event of a US/UK trade deal. They partly base this claim on the fact that women are the biggest *purchasers* of domestic products, tending to manage household budgets and do more of the shopping than men. This is correct, but their subsequent conclusion that women would suffer “disproportionately”, seems highly disingenuous, implying that the entry of new products into the market after Brexit will somehow prevent female consumers from deciding their own shopping habits.

What’s more, even if you do accept the [flawed argument](#) that chlorinated chicken, for example, is “unsafe”, it is nonsense to argue that women are somehow more at risk just because they are more likely to do the family shopping. This ludicrous argument confuses buying a chicken with eating it!

It has also recently been argued that restrictions on freedom of movement after Brexit will lead to a [shortage of care workers](#), which in turn will force thousands of women to quit their jobs to care for elderly relatives. Putting aside the sexism inherent in the view that only women can apparently care for their families, this outcome seems predicated on the government doing nothing to address or prepare for potential shortages of care workers. It is not obvious why UK lawmakers could not, or would not, act unilaterally, e.g. by exempting care workers from the Tier 2 (General) limit after Brexit, as is already the case for doctors and nurses.

Conclusions

Although the EU has been influential in the development of equalities legislation, Brexit would be unlikely to put these rights in jeopardy. Historically, the UK has led the way when it comes to women’s rights and workplace and family protections, and this will surely continue. The worry that undermining women’s rights is part of a secret Brexit agenda is verging on the paranoid.

What’s more, even if a future UK government did want to ‘turn back the clock’, it would require the support of parliament and, ultimately, those responsible have to answer to the public at the polls. It is very unlikely that any future administration would be able to roll back women’s rights in the ways feared.

Likewise, claims of a link between Brexit, austerity and women simply do not stand up to scrutiny. The argument that public spending cuts are “sexist” is already inherently questionable – but to claim the same will be true of Brexit depends on absolute worst-case scenarios, flawed logic, and an assumption that recession-level spending cuts would automatically follow our departure from the EU. Take these assumptions away and there is very little left at all.

Madeline Grant

Editorial Manager, IEA