



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

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**Responses to the list of issues and questions with regard to  
the consideration of the fifth and sixth periodic reports**

**United Kingdom of Great Britain and Northern Ireland\***

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\* The present report is being issued without formal editing.

## **Issues and questions on the sixth periodic report United Kingdom of Great Britain and Northern Ireland**

### **General**

#### **Paragraph 1**

1. The fifth and sixth periodic reports were adopted by the Government through the Cabinet Committee process. Neither report was formally presented to Parliament, although Ministers are accountable to Parliament and the UK's compliance under the Convention is scrutinised regularly through the parliamentary process. This includes through regular interrogation by parliamentary mechanisms such as Ministers for Women Oral Parliamentary Questions in the House of Commons and frequent Written Parliamentary Questions on a broad range of issues falling within the scope of the Convention and the portfolio of the Ministers for Women. Parliamentarians are also involved through regular debates on the floor of both Houses, such as those to mark International Women's Day and through the work of Parliamentary Committees.

2. The Northern Ireland Executive, in its Programme for Government 2008-2011, has undertaken to implement the Gender Equality Strategy 2006-2011, which recognises the Convention, and provides a strategic framework to tackle disadvantage and discrimination. The Northern Ireland Assembly have addressed, through Assembly business, a broad range of gender equality issues falling within the scope of the Convention.

### **Constitutional, Legislative and Institutional Framework**

#### **Paragraph 2**

3. The UK Government places the greatest importance on ensuring equality between men and women and has introduced new legislation building on an already strong foundation of law, to set the highest possible standards for gender equality and ensure compliance.

4. Legislation introduced since the last report in 2005, such as the Equality Act 2006, will take the State party's obligations under the Convention into account and harmonize domestic discrimination laws with these obligations. Since 2005; we have introduced the following legislation:

- the Equality Act 2006. This allowed us to introduce the Gender Equality Duty on 6 April 2007, which requires public sector bodies to pro-actively promote gender equality of opportunity;
- the Gender Directive (2004/113/EC) which introduces the principle of equal treatment between men and women in the access to and supply of goods and services. The Sex Discrimination Act 1975 already applies to the provision of goods, facilities and services<sup>1</sup>.

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<sup>1</sup> The Sex Discrimination Act 1975 (SDA) offers protection against unlawful discrimination to both men and women. It makes sex discrimination unlawful in employment, vocational training, education, the provision and sale of goods, facilities and services, the management and letting of premises and the exercise of public functions. In employment and vocational training, it is also unlawful to discriminate against someone on the grounds that a person is married or a civil partner or on the ground of gender reassignment.

The amendments necessary to implement the Directive are therefore relatively minor. The main changes we are making are as follows:

- make explicit that sexual harassment and harassment on grounds of sex in access to and the provision of goods, facilities, services or premises is unlawful;
- extend protection from discrimination on grounds of gender reassignment to the provision of goods, facilities and services;
- make explicit that less favourable treatment on the ground of a women's pregnancy or maternity in the provision of goods and services is unlawful;
- in relation to financial and insurance products, make clear that where there are proportionate differences in an individual's premiums and benefits as a result of sex being a determinant factor in risk assessment, then these differences must be based on relevant and accurate data, and this data must be compiled, published and regularly updated;
- regulations to prohibit harassment of employees on grounds of sex, by third parties such as customers (introduced in 2008).

5. The Government also committed, in its 2005 General Election manifesto to introduce an Equality Bill in this Parliament to review, simplify and modernise discrimination law. To make this happen, the Discrimination Law Review (DLR) was launched in February 2005 to consider the opportunities for creating a clearer and more streamlined equality legislation framework which produces better outcomes for those who experience disadvantage. The DLR culminated in June 2007 with the publication of the consultation paper: A Framework for Fairness: Proposals for an Equality Bill for Great Britain. The Government is currently considering responses to that consultation and remains committed to introducing a Bill during this Parliament.

6. Public authorities in Wales are subject to the general duty requiring them to have due regard to the need to eliminate unlawful discrimination and harassment and promote equality of opportunity between men and women.

7. The Welsh Assembly Government decided against adopting the proposed gender specific duty in favour of developing 'A Wales specific gender duty' that would best suit the dynamics of Wales. In taking forward this programme of work the Welsh Assembly Government is working with the UK Government and a range of partners in Wales in the statutory and voluntary sectors.

8. The Welsh Assembly Government developed and published a Gender Equality Scheme in April 2007 setting out how the general gender duty would be met. As a model of good practice, the Welsh Assembly Government has encouraged other public authorities in Wales to adopt a similar approach.

9. In Northern Ireland, Section 75 of the Northern Ireland Act 1998 requires public authorities designated for the purposes of Section 75, in carrying out their functions relation to Northern Ireland, to have due regard to the need to promote equality of opportunity:

- (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- (b) between men and women generally
- (c) between persons with a disability and those without and
- (d) between persons with dependants and persons without.

10. Without prejudice to these obligations, a public authority is also required, in carrying out its functions, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. Each public authority is required to produce an equality scheme stating how it proposes to fulfil the duties. The Equality Commission for Northern Ireland (ECNI) has a role in keeping under review the effectiveness of the duties; offering advice to public authorities and in relation to the provisions in Schedule 9, preparation of guidelines on equality schemes, approving equality schemes and investigating complaints of failure to comply with an approved scheme.

11. As a result of the statutory duty all designated public authorities must screen all of their policies against set criteria in order to determine whether each policy has a significant impact on equality of opportunity or good relations. Policies which have such an impact must be subject to an equality impact assessment. The purpose of this assessment is to determine whether the policy concerned creates an adverse impact on any of the equality groups and/or whether by implementing an alternative policy it is possible to better promote equality of opportunity or good relations.

12. Section 75 requires that public authorities fully engage consultees in a comprehensive consultation process. Section 75 legislation provides legislative guidance on how public authorities must include a commitment to carrying out consultations in accordance with the guidance. For example, in consulting on any matter relating to Section 75, public authorities must engage in at least an eight week long consultation process and consider the use of specific consultation methodologies such as accessibility of language, the time of day and provision of childcare.

13. Section 75 complements existing anti-discrimination legislation in placing a positive duty on public authorities to promote equality of opportunity between men and women. Potentially Section 75 can impact on a range of public sector policies including employment policies, service delivery policies and on public procurement. Section 75 is designed to mainstream equality of opportunity and good relations into all aspects of public policy making and service delivery. Section 75 is widely regarded as an innovative 'mainstreaming' provision which seeks to move beyond traditional approaches to anti discrimination law and to encourage a more proactive engagement with equality. 'Mainstreaming' has attracted attention and action at the national, regional and international levels. Positive duties on public authorities can be distinguished from other mainstreaming initiatives by the fact that they are legally binding and intended to be enforceable.

14. ECNI, in line with its statutory remit, undertook in 2006 an analysis of the effectiveness of Section 75, and reported that: Section 75 had been effective in a number of areas such as a substantial

change in how policy is made and effective consultation leading to an inclusive policy making process. The Commission reported less evidence that the legislation had yet had the intended impacts and outcomes for individuals. (ECNI has identified the production of new guidance on equality schemes as a priority for the coming period.)

### Paragraph 3

15. In answer to the Committee's questions, in October 2007 the Equality and Human Rights Commission (EHRC) was established bringing together 3 former equality Commissions: Equal Opportunities Commission; Commission for Racial Equality; and Disability Rights Commission into one strong, independent body to promote and enforce the highest possible standards of equality and human rights in Britain. Gender equality remains at the forefront of the agenda for the new Commission. Now that the Commission has an integrated mandate, they will also have a renewed emphasis on addressing the particular issues affecting black and ethnic minority women, disabled women, lesbians, and other groups whose issues may not have been properly reflected through the single remits of the previous Commissions.

16. In addition to addressing the classic gender issues such as equal pay, pensions, the impact of caring responsibilities, discrimination and the glass ceiling, the broader mandate is enabling the new Commission to have a sharper focus on issues such as violence against women. Bringing together the six equality areas (including gender) and human rights enriches the work the Commission does on women's issues rather than detract from it.

17. The Commission will continue to work with women's groups as part of its wider stakeholder strategy which is currently being drawn up, and will feed into policy priorities. The Commission believes that interaction with these groups is the best way for the Commission to gain a real understanding of the issues that many women face on a day to day basis. Women's groups will also, for the first time, be able to bid for grant funding from the Commission which will give them added support.

18. For 2006-7 the Commission will receive £58.6million resource and £7million capital funding from the Government Equalities Office to take forward the Duty set out in the Equality Act. It is up to the Commission to decide how best these funds should be used to promote gender equality. For 2007-8 it is expected that the Commission will receive funds in the order of £70million.

19. The Equality Act 2006, which came into effect in April 2007, introduced a General Duty on public authorities which will require them, as employers and service providers, to have due regard to:

- the need to eliminate unlawful discrimination and harassment, and
- promote equality of opportunity between men and women.

20. It also covers breaches of the 1970 Equal Pay Act, and is effective in England, Scotland and Wales. Implementation of the duty by bodies such as local authorities, health authorities, educational authorities and regional development agencies is the responsibility of those bodies themselves, and

not the responsibility of the government departments who are the policy leads in the relevant areas. If they are not implementing the duty properly, the Equality and Human Rights Commission has powers to ensure they do so.

21. There is general advice available via the EHRC website to inform women wishing to make claims of sex based discrimination. The sexual discrimination claim would initially go to the Helpline and then be referred by an administrator to the best qualified practitioner, able to assist.

22. Under their statutory powers: The Equality Act empowers the EHRC to carry out a number of functions and to enforce the law. The general powers conferred on the EHRC include providing information and advice, undertaking research, and providing education and training. The EHRC can also issue codes of practice to help others interpret and abide by laws relating to discrimination and human rights [Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995 Employment Equality (Sexual Orientation) Regulations 2003, and Employment Equality (Religion or Belief) Regulations 2003].

23. In Scotland, listed public authorities were required to publish a gender equality scheme by 29 June 2007, setting out an authority's gender equality objectives and action plan for meeting the Gender Equality Duty. In preparing their scheme public authorities were also required to consult relevant staff, service users and others (including trade unions) and to set out in their schemes the actions which they had taken or intend to take to consult these groups. The Equal Opportunities Commission, replaced in October 2007 by the Equality and Human Rights Commission (EHRC), provided information and guidance to public authorities to support the implementation of the Duty. In addition, the Scottish Government provides funding to a number of organisations to support women to raise awareness of issues for women in Scotland and to engage in the development of public policies.

24. The EHRC is the enforcement body for the Duty and may serve compliance notices on public authorities who fail to meet their legal requirements. To monitor compliance with the Duty, the EHRC in Scotland is, in the first instance, determining which listed bodies have met the requirement to publish a scheme. This information will then be used to determine where further assessment and enforcement action is necessary. This project is ongoing.

25. The Welsh Assembly Government in partnership with the former Equal Opportunities Commission and Wales TUC Cymru completed Phase Three of their equal pay campaign in 2007. The campaign was very successful in raising awareness of equal pay issues in the public sector organisations that participated in Phase Three and in the wider public sector in Wales. The campaign was also successful in promoting solutions and encouraging broader understanding of pay inequality and the impact on staff.

26. For 2007, average hourly earnings for full-time women in Wales were 10 per cent below the average for full time men, (the UK gap was 17 per cent). The gap in Wales has narrowed over recent years, from around 15 per cent in 1999. In respect of earnings for women working part time, the average hourly rate in 2007 was 9 per cent lower than the average for part time men.

27. Northern Ireland has, in many respects, led the way, in terms of equality legislation. For example, Section 75 complemented existing anti-discrimination legislation in placing a positive duty on public authorities to promote equality of opportunity between men and women.

#### **Paragraph 4**

28. As the Committee has noted, from April 2006, public authorities have been required to draw up and publish gender equality schemes, under the new Gender Equality Duty. Gender Equality Schemes will be reviewed every three years. Schemes were to be published by April 2007 and will therefore be reviewed in April 2010. The first set of annual reports were published in April 2008.

29. In terms of its enforcement role, the Equality and Human Rights Commission will be assessing public authorities' Schemes to see how they meet the Gender Equality Duty and will be following the progress of different public bodies in implementing their schemes. The Commission will take targeted enforcement action against public authorities which do not comply. The Commission has significant powers to enforce the equalities duties of organisations and authorities, including, ultimately, launching official inquiries and formal investigations. The Commission intends to undertake investigations in specific sectors such as service provision related to violence against women.

30. Before undertaking enforcement procedures, the Commission would expect to engage in informal correspondence and communication with the public authority concerned, giving non-compliant authorities the opportunity to comply without proceedings.

31. When preliminary means of communication have resulted in no or insufficient progress, the Commission can enforce the special duty via compliance notices, and enforce the general duty via compliance notices or judicial review. An application could be made by a person or group of people with an interest in the matter, or by the Equality and Human Rights Commission.

32. The Gender Duty is intended to encourage greater focus on policy outcomes and impacts. Public authorities need to ensure that they understand, at an early stage, what impacts their policies will have on women and men. If there is an adverse impact, then they should investigate this thoroughly and seek appropriate remedies. In doing so, they should consult relevant stakeholders; employees; Trade Unions and service users, many of whom will be women.

33. Compliance notices can require public authorities to provide information on how they intend to comply with the general or specific duties, including information on what steps they intend to take or propose to take to comply with the duties.

34. Prior to the launch of the Gender Equality Duty, the Government Women and Equality Unit undertook an awareness-raising exercise across central government and with public authorities.

35. The political, cultural and demographic landscape of Scotland means that race and employment issues are significantly different to that of England and Wales. See this report:<http://83.137.212.42/sitearchive/eoc/Defaultbdae.html?page=18694&theme=print>.

36. The Scottish Government-funded Scottish Women's Convention held discussion groups with Black and Minority Ethnic women in 2007 to discuss particular areas of concern for them. Reports from these discussions are under consideration.

37. There is wide ranging research available that has looked at the barriers and aspirations of ethnic minority women, particularly Pakistani and Bangladeshi, who seem to have the lowest levels of employment and high inactivity rates. The research is clear that second and subsequent generation women from these backgrounds have very different views to their older relatives. Most want to work but report that they face many barriers, especially employer attitudes.

38. In Scotland, Glasgow has the largest ethnic minority population. For this reason the Scottish Government has been working with Glasgow City Strategy Consortium, Glasgow Works BME sub-group to agree a strategy for engaging, recruiting and progressing ethnic minorities in the labour market.

39. The Glasgow Works BME sub-group has developed an action plan around engagement and progression. The action plan has a particular focus on women and young people from a BME background as they have low economic activity rates. A range of strategic BME and mainstream agencies are represented on the sub-group. These include Black and Ethnic Minority Infrastructure in Scotland (BEMIS), Careers Scotland, Glasgow Anti Racist alliance (GARA), Glasgow City Council, Glasgow Community Planning Ltd, Jobcentre Plus, NHS Scotland, Scottish Enterprise and the Scottish Government.

40. To help with the implementation of the action plan, the Scottish Government is providing Glasgow Works with funding for a BME Policy Manager post. This presents the Scottish Government with an opportunity to learn what works and how this can be taken forward in future policy developments.

41. In the preceding paragraphs, we have indicated the working and, to some extent, the impact of the statutory gender equality duty in Northern Ireland. More detailed information on Northern Ireland's enforcement mechanisms, training of Northern Ireland's public authorities, and their consultations with key stakeholders, can be provided.

## **Paragraph 5**

42. The UK does not have a unified national strategy and policy for the implementation of the provisions in the Convention. Devolution has enabled the development of policies and legislative measures that fully reflect regional needs and priorities across the UK. It is envisaged that the post CEDAW Action Plan will address issues of coordination and best practice, to ensure that the Committee's recommendations are considered and tailored to meet the differing local circumstances.

43. Work to promote gender equality is given the highest priority, as demonstrated by the leadership provided by the Ministers for Women and Equality and other Ministers with this portfolio across the Devolved Administrations. Many matters have been devolved to ensure that policies and



legislation reflect fully, regional needs and priorities. But work is conducted across the various Administrations, where appropriate. For instance, the implementation of the Corston Report on Women in the Criminal Justice System has application only to England and Wales, as criminal justice is a devolved issue for the Scottish Parliament and in Northern Ireland. However, the report is available to Scottish Prison Service staff and should inform policy development, particularly the Scottish Prisons Commission's work, and has been noted in Northern Ireland.

44. Through the use of strategic targets (such as the Public Service Agreement [PSA] for Gender Equality) and the introduction of the Gender Equality Duty in 2007, gender equality issues are being mainstreamed through the public sector. The Ministers for Women, through the National Gender Machinery located within the Government Equalities Office, engages regularly to share best practice with the private sector.

45. The introduction of the Gender Equality Duty in 2007, which has been discussed fully in earlier paragraphs, puts the onus on public bodies to be proactive in promoting gender equality of opportunity and reducing the scope for discrimination. It applies in a slightly different form in Scotland, Wales and England, though not in Northern Ireland which already had similar legislation in place.

46. The Equality and Human Rights Commission established in October 2007 was set up by the Equality Act 2006. to bring a new, inclusive approach to promoting equality and human rights and provide more effective support for discrimination legislation. The EHRC (the Commission) covers England, Scotland and Wales. In Scotland and Wales there are statutory committees responsible for the work of the EHRC. Both the Scotland and Wales statutory committees advise the Commission about the exercise of the Commission's functions in so far as they affect Scotland and Wales. EHRC will review public authority progress on the implementation of the Gender Duty and be able to call public bodies to account.

47. The Northern Ireland Executive's Programme for Government 2008-2011 undertakes to implement the Gender Equality Strategy for Northern Ireland 2006-2016, which is referenced to the Convention and provides a policy framework for work to mainstream gender equality and tackle gender inequalities, and to monitor progress across government.

## **Paragraph 6**

48. Addressing the obstacles faced by many women from racial, ethnic, or religious minority groups, remains a focus for activity throughout the UK and we have been engaged in a range of activities in all regions. Promoting the participation of BME women in public life is one of the 3 policy priorities of the Minister for Women. The Home Office has provided direct support to organisations including IMKAAN and Southall Black Sisters to deliver individual projects that will benefit victims of domestic violence and/or refugees from Black, Asian and minority ethnic communities.

49. These projects are on-going. They include:

- Funding to Southall Black Sisters to develop a step by step information pack for Black, Asian and minority ethnic victims of domestic violence; and,
- Funding to IMKAAN to develop database to monitor Black, Asian and minority ethnic access to refuges.

50. In the past, the Home Office has provided funding to the Women's Aid Federation of England to bolster its Last Resort Fund to help meet the living costs of a small number of victims in refuges that cannot be covered by the Supporting People arrangements (and similar arrangements have applied in Northern Ireland). However, this was only a temporary solution and many government department's have been working together to find long term solutions for those victims with no recourse to public funds.

51. The latest Labour Force Survey results, for the fourth quarter 2007 show that overall the ethnic minority employment rate is at 61%, 13.9% below the rate for the UK as a whole. This gap is down from 17.8% in 1997. The male employment rate for ethnic minorities stands at 70.1%, 9 percentage points below the overall male rate for the UK, while the female rate stands at 52.1%, representing a gap of 18.3 percentage points with the overall female rate. The ethnic groups with the lowest female employment rates are those of Bangladeshi and Pakistani origin. Bangladeshi women have an employment rate of 25.6%- that of Pakistani women is 28.3%. In 2001, the employment rates for Pakistani and Bangladeshi women were 21.0% and 16.6% respectively.

52. A number of policy initiatives that benefit ethnic minority women have been established by Government. Some of these are targeted at ethnic minority women, some at ethnic minority groups generally.

53. Harriet Harman announced in December her intention to set up a cross-party taskforce to find practical ways to substantially increase the number of BAME women councillors. It is due to be launched in May. Research has been commissioned to the Fawcett Society on ethnic minority women's routes into, through, up, and out of decision-making positions. The findings will be published shortly.

54. Government is taking action to support grass roots women to take a greater role in local decision making. The 'Women Take Part' campaign, launched in October 2007 will, for the first time, identify what currently exists to help these women become active as school governors, tenants association leaders etc. and how we can build on this and provide effective models and networks which will make a lasting change. A national conference seeking the views of women and key organisations that recruit people to these roles was held on 13 May. This will feed into the final report to be published later in the year.

55. In October, the Ministers for Women and Equality commissioned Operation Black Vote, a leading non-party political organisation whose main aim is to increase those from different ethnic communities and backgrounds to take a greater part in the electoral process, to produce a report on the

options for increasing the percentage of elected political representatives from ethnic minority backgrounds. Currently just 2.3% of MPs are from non-white backgrounds compared with just over 8% of the overall UK population. The report will be published shortly.

56. The Equalities Public Service Agreement (PSA) for 2008-2011 was published on 9 October 2007 setting government objectives and targets. It addresses the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief. This reflects the Government's determination to fight discrimination and ensure everybody in Britain can make the most of their talents. The Equalities PSA focuses on several key areas including empowering and encouraging more women, people from ethnic minorities, disabled people and young to engage in public life, in important roles that underpin our communities, such as school governors, magistrates, tenants association leaders, and as local councillors.

57. In January 2008, the Department for Communities and Local Government launched the National Muslim Women's Advisory Group. This group of women, who are in positions of leadership, or who are working with communities, will act as role models and advise government on policy.

58. In Wales, Dr Brian Gibbons AM, Minister for Social Justice and Local Government has lead responsibility for the equality, diversity and human rights agenda. One recent example of many, is work with the Henna Foundation.

59. In 2005, the Welsh Assembly Government commissioned the Henna Foundation to hold engagement events with Muslim women across Wales. The Campaign aimed to provide a voice to Muslim women and establish links between the Assembly Government and the Muslim community. As a result the Henna Foundation has gathered extensive evidence of issues affecting Muslim Women in Wales. It has developed a toolkit for practitioners to tackle honour based violence (HBV), which has been welcomed by many local authorities in Wales. It has also developed stronger partnerships with the police and local authorities to address HBV.

60. As part of International Women's Day 2008, the Welsh Assembly Government funded the Henna Foundation conference, on honour killings. It included speakers from the Crown Prosecution Service and the Foreign Office and was aimed at identifying honour based abuse and improving services and working practice.

61. Fuller details of how Northern Ireland is addressing issues of women from minority racial, ethnic or religious groups, can be provided.

## **Paragraph 7**

62. The Government Equalities Office (GEO) sponsors the Women's National Commission (WNC). The WNC, as an advisory Non Departmental Public Body, plays a central role in providing a voice for women and women's organisations in the UK and helps facilitate the exchange of views between women and government. The WNC has over 400 partner organisations which represent several million women and a diverse range of women's interests.

63. The WNC operates independently from the GEO. However, in its unique role, the WNC liaises with, and is consulted by the Government Equalities Office as well as other government departments. The WNC is considered a key strategic partner for government and, as an illustration, is always included in the UK Delegation to CSW. The WNC receives a government budget of approximately of £330,000 per annum.

64. Women's organisations in the UK are eligible to apply for a range of grants from both local and central government. It is common for organisations such as Rape Crisis Centres and Refuges to receive some official funding. No central data has been kept on total government funding to women NGO's since 2000 due to the complexity of collecting such data from thousands of possible grant giving bodies, many of which are independent of Government.

65. Following a light touch review of the WNC in 2007 it was recommended, that in future all commissioners will receive remuneration at a daily rate in line with central guidance. This is because it is important that individuals are not restricted from applying to become a commissioner for financial reasons. This view was endorsed by Ministers, who agreed that additional funding should be provided. This will be implemented from the next recruitment round due to commence in June 2007.

66. Fuller information on the approach, and funding arrangements in Northern Ireland is available and can be provided to the Committee.

## **Violence Against Women**

### **Paragraph 8**

67. All work on gender equality in the UK seeks to involve men as decision makers, family members and responsible citizens. Involving men and boys in gender equality issues in the UK was given higher profile by the Commission on the Status of Women Review Theme 2007 'Men and Boys and Gender Equality', and work has been increased to involve men and boys in issues relating to violence against women.

68. In January 2008, the Ministers for Women hosted an event, with women's NGO's and the newly formed Men's Coalition which contained five key workshops including one on violence against women (co-presented by the UK *End Violence Against Women Coalition* and *Respect*). As a result, the Government Equalities Office commissioned a mapping exercise to identify gaps in government policy and recommend effective ways for women and men to work together to achieve gender equality.

69. The Home Office provides funding to organisations such as the Men's Health Forum, the Men's Coalition and Respect which target and involve men and boys in efforts to prevent violence against women, in particular domestic violence. This includes helpline projects such as the Men's Advice Line (which deals primarily with male victims of domestic violence, but also provides advice to men who are concerned about their own abusive behaviour), and Respect's Perpetrator Line and related programmes.

70. The Home Office funded The Centre for Public Innovation to host two seminars on changing men's behaviour in 2006/7. The seminars were attended by a wide range of groups who all have an interest in this agenda. This grouping has joined forces with the Men's Health Forum and formed the Men's Coalition which includes a number of organisations who deal with men's health and behaviour, creating a powerful male voice to address violent behaviour. We are currently establishing processes to determine the volume and nature of calls received by helplines that are funded by the Home Office.

71. 'Tackling Domestic Abuse: The All Wales National Strategy' is the Welsh Assembly Government's overarching strategy for tackling domestic abuse in Wales. It is the result of collaboration between the Welsh Assembly Government and a wide cross-section of Welsh agencies and organisations. The Welsh Assembly Government and its' partners firmly believe that the implementation of a national strategic 'joint-agency' approach is the right way forward to deal with the problem of domestic abuse in Wales. It aims to facilitate the development and implementation of a 'joined-up' problem-solving approach which addresses domestic abuse holistically – providing protection for individuals who suffer domestic abuse and simultaneously addressing the causes of domestic abuse.

72. More detailed information on the approach to violence against all women, (including domestic violence) taken by the Northern Ireland administration is available and will be provided separately.

73. The Scottish Government has committed over £40million over the next 3 years to tackling violence against women in Scotland and currently funds specialist support services for BME women such as Amina, the Muslim Women's Resource Centre's Violence Against Women PPP project, and the Council of British Pakistanis (Scotland) who carry out awareness raising work within communities that might be affected by forced marriage. A number of applications for funding are currently under consideration for work with BME women over the next 3 years, via the Violence Against Women funding stream.

74. The Scottish Government supports the work of Amnesty International Scotland and Men's Health Forum Scotland who organised a conference in 2006 for men who were concerned about men's violence against women. As a result the White Ribbon Scotland Campaign was launched on 30th November 2006. It is part of a global campaign to involve men in working to end violence against women. The Scottish Government has raised awareness of the campaign during the 16 Days of Activism Against Gender Violence.

## **Paragraph 9**

75. The comments relate to the Sexual Offences Act 2003, which applies only in England and Wales. The Sexual Offences Act 2003 does not affect general evidential and procedural matters such as the standard of proof. It does introduce the concept of capacity which relates to offences involving an absence of consent. Key statistics relating to cases of sexual assault on women can be found at **Annex A**.

76. Section 74 of the Act defines consent. Under this definition a person consents only if they agree by choice and have the freedom and capacity to make that choice. It also set out a series of situations where a court will start from the presumption that consent was unlikely to have been given (section 75).

77. In September 2007, the Scottish Government announced that it would bring forward a Bill to reform the law on rape and other sexual offences, in light of the final report of the Scottish Law Commission on rape and other sexual offences, which was published in December 2007. A public consultation is currently being undertaken on the Commission's final report and recommendations for reform. It is expected that the Bill will be introduced into Parliament later in 2008.

78. In 2006, the Crown Office & Procurator Fiscal Service (COPFS) published its final report and recommendations on reform of the investigation of sexual offences in Scotland. The report made 50 recommendations to improve the investigation and prosecution of rape and other serious sexual offences. COPFS is currently in the process of implementing these recommendations, which will enable victims to have increased confidence in the investigation and prosecution of rape and sexual offences.

79. Detailed information on sexual assault on women and convictions is available for Northern Ireland and will be provided separately.

### **Paragraph 10**

80. In response to the Committee's questions, we set out below, developments in the way the Home Office's Border and Immigration Agency (BIA) handles cases that fall within the domestic violence provisions of the Immigration Rules and have no recourse to public funds.

81. In 2002, the rules were amended to widen the category of evidence which victims of domestic violence may use as proof of domestic violence:

- indefinite Leave to Remain (ILR) applications from victims of domestic violence are now prioritised; and,
- an assessment of whether the applicant is destitute is carried out, which can lead to the usual fees for their ILR application being waived.

82. Although victims of domestic violence who are still subject to immigration control cannot access public funds until their application has been decided, they can, get access to housing-related support through the Supporting People arrangements. The Government has introduced new steps to improve application processing and evidence gathering. We are currently negotiating a fast track system to deal with any of these cases brought to the attention of Multi-Agency Risk Assessment Conferences (MARACs). These have become the cornerstone of our approach to identified high risk victims of domestic violence as indicated through the use of risk assessment tools. By sharing information, agencies get a better picture of victims' situations and so develop responses that are tailored to the needs and goals of individual victims and their children.

83. More recently government departments have been working together to identify ways in which the housing needs of this particular group of women can be accommodated. Recently, the Government announced a new scheme whereby victims of domestic violence whose applications for Indefinite Leave to Remain are successful, may qualify for a contribution towards their housing and living costs. The proposals under the new scheme will strengthen the way in which domestic violence cases are considered enabling those victims who are vulnerable to access additional support.

84. No specific assessment has been carried out on the impact of the No Recourse to Public Funds rule with regard to the capacity of immigrant women to escape domestic violence. However, we are aware that domestic violence victims account for under 10% of all of those who fall within the ‘no recourse to public fund’ category.

### **Paragraph 11**

85. The UK Government is making every effort to address human trafficking and end human rights abuse associated with it. Statistics on victims of trafficking recovered during Operation Pentameter 2 (a still-ongoing UK-wide police operation against human trafficking) are being collected on a UK-wide basis by the Home Office.

86. The UK Action Plan on Tackling Human Trafficking was published in March 2007. The Plan sets out a strategy to combat trafficking, focusing on prevention, law enforcement and prosecutions, protection and assistance for adult victims and child trafficking.

87. Overseas domestic workers in private households, most of whom are women are covered in a Government Action Plan. Individuals whom the authorities believe to be victims of trafficking – whether for sexual exploitation or as domestic workers – will be entitled to support under the Council of Europe Convention, once it is implemented.

88. The Government is considering research and analysis to help inform a targeted approach to identifying victims of trafficking at the pre-entry stage and better understand any particular risks associated with those entering the UK as domestic workers or in related categories. We currently do not hold figures relating to domestic workers.

89. The Welsh Assembly Government takes the issue of people trafficking very seriously and is undertaking work to raise awareness of child trafficking and to support trafficked women fleeing prostitution. To drive this agenda forward the Welsh Assembly Government has recently consulted on a guidance document for professionals with responsibility for the care and protection of children and is in the process of considering the consultation responses. The guidance is aimed at making professionals more aware of the people trafficking trade and how to safeguard children who may have been trafficked. The final guidance will be issued in due course.

**Paragraph 12**

90. The coordinated Prostitution Strategy aims to reduce street prostitution and all forms of sexual exploitation. It sets out a renewed focus on tackling demand for prostitution and real progress has been made in terms of challenging those using street sex workers. A formal evaluation of the strategy has not yet been undertaken.

91. Challenging the behaviour of kerb crawlers, by making them aware of police activity and the potential consequences of their actions has been actively pursued during 2007. The Home Office announced, in January 2008, a short-term review of what more can be done to strengthen this element of the strategy. It involves consideration of the legislative and non-legislative options available to reduce the numbers of people paying for sex. The Minister for Women has also been very active in highlighting the purchase of sexual services and recently published a short report.

92. In March 2007, the Home Office and the Association of Chief Police Officers (ACPO) launched a network of police force Tactical (TAC) advisors on prostitution and vice. We now have at least one officer in each force as a focal point for the issues associated with prostitution and vice. In partnership with ACPO and the National Policing Improvement Agency (NPIA) we have also developed a dedicated training package for the police. The first courses for TAC advisors was run in February and March 2008.

93. A number of initiatives are ongoing to improve the safety of those involved in prostitution, including the launch of the Crimestoppers Ugly Mugs campaign to encourage individuals to report both sexual and violent crimes committed against them and the provision of tailored personal safety training and advice to those working with women involved in prostitution, through the charity, the Suzy Lamplugh Trust.

94. Under the Strategy, the UK Government also intends to amend the offence of loitering or soliciting for the purposes of prostitution and introduce a new penalty. These changes will include measures to remove the stigmatising and outdated term 'common prostitute' from the statute, while retaining the need to prove persistence. A person will have to be seen loitering or soliciting persistently before they can be arrested. The Government will introduce a new penalty, available upon conviction, as an alternative to a fine. The new order will require individuals to attend three sessions with a supervisor to begin to address the reasons behind their involvement in prostitution. The Government will bring forward these measures as soon as parliamentary time allows.

**Participation in Political and Public Life****Paragraph 13**

95. The number of women holding political office at all levels in the UK has increased markedly over the last 25 years. The proportion of women in Parliament more than doubled from 9.2% in 1992 to 20% in 2005.



96. To further increase women's representation in government, the Sex Discrimination (Election Candidates) Act 2002 was introduced. The key objective for this Act was to enable a political party, should it wish to do so, to adopt measures which regulate the selection of candidates for certain elections in order to reduce inequality in the numbers of men and women elected as candidates for that party. On 6<sup>th</sup> March 2008, the Minister for Women and Equality, announced the intention to extend the time available to political parties to utilise these measures until 2030.

97. The Act provided an exemption for positive measures (designed to reduce inequality in the numbers of men and women elected to certain bodies) from the general prohibition against discrimination on the grounds of sex contained in the 1975 Sex Discrimination Act and equivalent Northern Ireland Order.

98. The legislation covers elections to the House of Commons, the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, the European Parliament and local government elections (excluding directly elected mayors and community councils in Scotland). The legislation is permissive not prescriptive, and allows political parties to decide whether and in what way they wish to reduce inequality.

99. Strategies employed by political parties to encourage more women into politics fall into three distinct approaches: firstly, through making positive public statements about the benefits of having more women in political office; secondly, through promoting positive action such as training and mentoring for prospective women candidates; and lastly, through adopting positive discrimination measures.

100. Listed below are some examples of 'positive measures' that political parties can use to try to reduce inequalities between the numbers of men and women that they select as candidates for public office. Examples include:

- making positive public statements about the benefits of having more women in political office;
- positive Action including training and mentoring for prospective women candidates;
- positive Discrimination Quotas, e.g. 'All-Women Shortlists' for single member constituencies;
- Twinning – two local parties select their candidates jointly, with a requirement that one man and one woman be selected;
- Clustering – Similar to twinning. Several constituencies 'cluster' together with a requirement to select a certain number of women between them;
- Zipping – Used in proportional list systems. When selecting candidates to the party list, members are required to alternate men and women on the list.

101. Political parties who have made use of these measures e.g. all-women shortlists in 1997 and 2005, have seen significant increases in the proportion of women MPs. 27% of Labour MPs are currently women.

102. As acknowledged by the Committee, Black, Asian and minority ethnic (BAME) women are underrepresented in political and public life. There are only two Black women MPs and around 168 BAME women councillors in England. The Government has taken action to address this imbalance. If they were proportionate to the percentage in the population there would be approximately 29 BAME women MPs and around 1,000 BAME women councillors.

103. In July 2007, the Minister for Women, Harriet Harman announced her priorities on women. One of these was: 'Empowering black and minority ethnic women to build cohesion within their communities and as a bridge between communities'.

104. The Department for Communities and Local Government, established the independent Councillors Commission in 2007, which looked at incentives for and barriers to standing as a councillor with a view to increasing the diverse talent pool. The Commission published their report and recommendations in December. The Secretary of State for Communities and Local Government is due to respond to the report in late Spring.

105. The devolved assembly/parliament have made significant progress in the representation of women. Women make up 46.7% of Welsh Assembly Members and 33.3% of Members of Scottish Parliament.

106. In Wales the number of women taking up public appointments is set out in the table at **Annex B**, which illustrates the trend in the take up of appointments by women in recent years.

107. The Welsh Assembly Government is undertaking a campaign to raise awareness of public appointments amongst under represented groups including women. As part of the campaign, which began in January 2008, the Assembly Government has used both publicity and the networks of voluntary organisations that represent under represented groups to get its message across. A key feature is the use of role models who hold a public appointment to encourage people to find out more.

108. While progress has been made it is recognised that women still tend to be under represented in politics and public life in Northern Ireland, where <sup>2</sup>32% of public appointments are held by women and 21% of councillors in local government districts are women. Northern Ireland has 3 elected women MPs, 1 woman MEP and 18 women MLAs. Further details will be provided on current initiatives in Northern Ireland, in support of briefing for the hearing.

#### **Paragraph 14**

109. The Judicial Appointments Commission (JAC) has a statutory role in encouraging a wider range of applicants for judicial office, while maintaining the principle that selection for appointment is on merit alone. The JAC published its Single Equality Scheme in early 2008 bringing together its statutory duties with regard to race, gender and disability into one integrated document. This is available on the JAC website ([www.judicialappointments.gov.uk](http://www.judicialappointments.gov.uk)).

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<sup>2</sup> *Women in Northern Ireland*, DETI, September 2007.

110. The Judicial Appointments Commission processes focus on assessing merit alone and these are supported by robust equality proofing procedures. Equality proofing ensures that all stages of recruitment are free of bias and do not indirectly discriminate against or disadvantage any group. Published statistics on diversity of those recommended for appointment are available on the JAC website.

111. The Judicial Appointments Commission undertakes a comprehensive outreach programme to a wide range of groups including those who are under-represented at a judicial and professional level. The Women Solicitors Group and the UK Association of Women Judges are two of the organisations the Commission engages with to encourage more women to enter the judiciary.

112. The aim of the JSB's fair treatment training is to assist and guide judges and magistrates to ensure that nobody - litigants, victims, witnesses, or legal representatives - should feel that they have been disadvantaged and to enable all judges and magistrates to deal sensitively and fairly with all those who appear before them.

113. Fair treatment issues are routinely incorporated into all judicial training courses – through presentations, DVD's, discussions, practical exercises and case studies. The Equal Treatment Bench Book, which includes a specific section on Gender inequality, is a practical guide which is available to all judges and magistrates and can be found on the JSB website: [www.jsboard.co.uk](http://www.jsboard.co.uk).

114. JSB fair treatment training is regularly evaluated, reviewed and updated. The JSB's Equal Treatment Advisory Committee (ETAC) ensures the integration of fair treatment and diversity issues into JSB training, which includes equipping judges to recognise the many ways in which social, cultural and other differences may have a bearing on the conduct of cases and the wider judicial role.

115. The Northern Ireland Judicial Appointments Commission (the Commission) was established on 15 June 2005. The Commission recommends candidates on the basis of merit using transparent procedures that will enhance public confidence in the appointment process and to secure, so far as is reasonably practicable, a judiciary that is reflective of the community.

116. Outreach and advertising is tailored for each appointment scheme aiming to reach the widest possible pool of potential candidates. A public consultation exercise was undertaken in December 2007 on the Commission's Appointments Policies and Practices. The responses (including some gender specific issues) are being taken into account in a review of the Commission's policies. The Commission has commissioned research to explore the barriers, particularly for women, to pursuing a judicial appointment.

117. Policy research has been commissioned to explore the barriers, particularly for women, to pursuing a judicial appointment. This research will inform the Commission's medium to long term diversity and outreach strategies. In particular the Commission hopes that the results will assist in its endeavours to reduce and eliminate the barriers women may perceive to appointment to judicial or tribunal appointments, thereby encouraging more women to compete for judicial roles. Between the

Commission's establishment in June 200 and October 2007, 42% of those recommended for appointment were women.

118. The Judicial Studies Board for Northern Ireland (JSB) provides a copy of the Equal Treatment Bench Book (produced by the JSB in England & Wales and accessible on its website) to all judiciary upon taking up appointment. The book, with which the judiciary are required to be familiar with, deals in great detail with gender equality before the courts, including reference to relevant legislative provisions. As for other UK regions, the issue of gender equality is also mainstreamed in Northern Ireland judicial training.

### **Paragraph 15**

119. The remaining reservation regarding the Armed Forces is consistent with the current position in UK law (the Sex Discrimination Act), which means that women are only excluded from a few roles in the Armed Forces, where there are valid and justifiable combat effectiveness grounds for this.

120. Whilst initiatives continue to be developed to ensure that there is more female representation at senior levels in the Armed Forces, retention rates for women are lower than those for men. Efforts are being made to introduce more "family-friendly" policies and consideration is being given to offering part-time working to members of the Armed Forces to help women, in particular, to reconcile family commitments with a career in the Armed Forces.

### **Paragraph 16**

121. Northern Ireland Ministers are aware of the interest shown by the women's sector in UNSCR 1325 and will provide fuller information on their position, for the hearing.

### **Paragraph 17**

122. Foreign and Commonwealth Office Diversity Statistics for senior posts is set out at **Annex C**. The Foreign and Commonwealth Office has a Senior Appointments Unit which focuses on the top appointments across the international system (apart from the EU) and policy is merit based, for open and transparent appointment processes in order that the greatest number of potential applicants can be reached. The FCO does not keep statistics on the number of women's names put forward.

## **Education and Stereotypes**

### **Question 18**

123. The secondary curriculum, for pupils aged 11-16 has been revised and will begin in September 2008. The primary curriculum is being revised and a report will be made to Ministers in March 2009. Human rights education is part of Citizenship.

124. The statutory Programme of Study for 11-14 year olds focuses on the political and social dimensions of living together in the UK and recognises the influence of the historical context. Citizenship also helps pupils make sense of the world today and equips them for the challenges and changes facing communities in the future. The Programme of Study points out that study of citizenship should include political legal and human rights, and responsibilities of citizens.

125. Within the Programme of Study, the ‘importance statement’ makes clear that *‘Education for citizenship equips young people with the knowledge, skills and understanding to play an effective role in public life’*. Citizenship encourages respect for different national, religious and ethnic identities. It equips pupils to engage critically with and explore diverse ideas, beliefs, cultures and identities and the values we share as citizens in the UK. Pupils begin to understand how society has changed and is changing in the UK, Europe and the wider world.

126. In Scotland - Curriculum for Excellence sets out the ambition that all young people should be enabled to become Successful Learners, Confident Individuals, Responsible Citizens and Effective Contributors. As responsible citizens, they should have respect for others, and a commitment to participate responsibly in political, economic and social life, with an understanding of different beliefs and cultures. As confident individuals, they should have secure beliefs and values, with ability to relate to others and manage themselves. The values on which this is based include an expectation that the curriculum should emphasise the rights and responsibilities of individuals and nations; it should help them to understand diverse cultures and beliefs and support them in developing concern, tolerance, care and respect for themselves and others.

127. Detailed experiences and outcomes are being drafted in a range of curriculum areas at the moment. Learning in all curriculum areas, but especially, for example, social studies, religious and moral education, language or health and wellbeing will offer opportunities for learning about rights and responsibilities and for challenging stereotypes and preconceptions. Draft outcomes in social studies, as an example, specifically provide for the study of groups who experience inequality.

128. The Equal Opportunities Commission (EOC) have produced detailed guidance for the pre-16 Scottish education sector, which can be found at: [http://www.eoc.org.uk/PDF/GED\\_SCottish\\_Pre-16\\_Education\\_Guidance.pdf](http://www.eoc.org.uk/PDF/GED_SCottish_Pre-16_Education_Guidance.pdf).

129. In addition to the guidance the then Scottish Executive commissioned EOC to produce a self-evaluation tool for teachers in relation to gender equality. The Toolkit has been designed to advise schools of their duties under the UK Equality Act 2006 to promote gender equality and eliminate discrimination. The framework is based on How Good Is Our School 3, and provides ideas on how schools might meet the Quality Indicators in relation to gender equality. The Toolkit has been designed to advise schools of their duties under the Act, to promote gender equality and eliminate discrimination.

130. Work to tackle stereotypes and new and revised curricular approaches in Northern Ireland, particularly as regards “Personal Development & Mutual Understanding” and “Learning for Life and Work” are directly relevant and fuller details can be provided at the Committee hearing.

**Paragraph 19**

131. Through the Research Councils Research Careers and Diversity Unit, the Department for Innovation, Universities and Skills (DIUS) is encouraging diversity within the scientific research workforce, particularly increasing the involvement of women and ethnic minority groups in science and its governance. The Unit is working with the sector on the EU Charter for researchers and the Code of Conduct for the Recruitment of researchers and the revision to the Concordat to support the Career Development of Researchers. They are also working with the Equality Challenge Unit and UK Resource Centre for Women (UKRC) for women in science, engineering and technology disciplines (SET).

132. Also supported by DIUS, the UK Resource Centre of Women in SET is working with employers and women returners to improve the position of women in SET employment and to have an increased number of women on public bodies. UKRC have made links with over 70 major employers.

133. The Scottish Government is committed to working with others to ensure that Scotland is a country where girls and boys in Scotland no longer face barriers to subject and career choice at school and women and men no longer face barriers to subject choice in colleges, universities and other training providers as well as to employment and earnings' opportunities.

134. Since 2001, the commitment to tackle occupational segregation, a major contributor to the gender pay gap, has been embedded in the Scottish Government's funding of – and participation in the *Close the Gap* partnership project to raise awareness about the gender pay gap and encourage action to close it. In Phase 2 (which extends to end June 2008), the project has been targeting the Finance Industry and the Higher and Further Education Sectors where the pay gap is particularly large.

135. Towards the end of 2006, the Scottish Government set up a Cross-Directorate Working Group as the main vehicle for taking forward work to tackle gender stereotyping and occupational segregation – and to implement the recommendations of the UK Women and Work Commission's report of February 2006 to close the gender pay and opportunity gap within a generation.

136. The group has been looking at the key issues in Scotland which contribute to gender stereotyping and occupational segregation in the early years and throughout the various stages of formal education, in vocational training and in employment, i.e. throughout a person's life-course. It has been considering current policies and what strategic interventions might be made to make a difference. The group is due to report its key findings and make recommendations to Ministers in summer 2008.

137. Tackling equal pay and occupational segregation (both horizontal and vertical) are both high level objectives in the Scottish Government's Gender Equality Scheme (published March 2007 with an annual report published in March 2008).

138. In England and Wales, the latest information available from March 2006 is that 61% of head teachers are female. On Professional Qualification for Headship which was addressed in our report

last time, of all the candidates starting the National Professional Qualification for Headship (NPQH) in 2007, 65.6% were women.

139. In Northern Ireland, a woman candidate was appointed to the headship of a higher education institution in April 2007 (the other three Northern Ireland higher education institutions are headed by men.). At school level, the proportion of women/men in the teaching profession as a whole is 75/25 %. This is reflected in terms of Principal/Vice Principal posts where 75.29% are women and 24.71% men.

140. In 2007 women held 49% of principal posts in post primary schools and 71% of vice-principal posts in primary schools, compared with 40% and 68%, respectively, in 1999. In Northern Ireland 64% of teachers currently in the Professional Qualification for Headship (PQH NI) programme are women and 58% of those who have graduated from the programme are women. The number of women candidates for headship that have successfully obtained headship appointments in Scotland is not available, as the information is not held centrally.

## **Employment and Reconciliation of Work and Family Life.**

### **Paragraph 20**

141. Since April 2003, employees with disabled children, or children under the age of six, have had the right to ask for flexible working arrangements. As of April 2007, carers of adults have also been given the right to ask for flexible working arrangements. Presently 40% of men and 78% of women with children under the age of 6 have requested to work flexibly (this includes part time work).

142. On 6 November 2007, the Prime Minister announced that the Government has decided to extend the right to request flexible working to parents of older children. At the same time he announced that he had asked Imelda Walsh, Human Resources Director of J Sainsbury plc, to conduct a review of the question of where the age cut-off for older children should be set. Ms Walsh will make recommendations to the Secretary of State in the spring of 2008.

143. As part of her work, Imelda Walsh held a series of consultation meetings with interested parties, including employers, trades unions parents groups and other representative bodies, in order to seek their views. Figures on flexible working are set out at **Annex D**.

144. In particular, in the UK:

- Working parents have benefited more from changes in maternity and paternity leave and pay. The Work and Families Act 2006 will also help employers to plan and manage maternity and paternity rights.
- The Act increased working mothers' Statutory Maternity Pay, Statutory Adoption Pay and Maternity Allowance from 26 weeks to 39 weeks, with the ambition to increase these to a year's paid leave by the end of the current Parliament.

- It gave working fathers a new right to up to 26 weeks additional paternity leave, introducing this alongside the extension of Statutory Maternity Pay, Adoption Pay and Maternity Allowance to 12 months. This will give them leave and statutory pay if the mother returns to work after six months but before the end of her maternity leave period.
- The Act's benefits for businesses include 'Keeping in Touch' days, so that where employees and employers agree, a women on maternity leave can go into work for a few days, without losing her right to maternity leave or a week's statutory pay.
- The legislation included measures to help employers manage the administration of Statutory Maternity, Paternity and Adoption Pay.
- There is now a two month notice period for women changing their return to work dates from maternity leave. The Act also allows employers to contact employees on maternity leave to help plan the mother's return to work.
- Maternity provisions came into force on 1 October 2006 and apply to employees whose expected date of childbirth was on or after 1 April 2007, in order to allow employers and women to plan maternity leave and pay and to cover any premature births.
- For carers the Act came into force 6 April 2007. For adopters, changes apply to adoptions where the child was placed for adoption on or after 1 April 2007.

145. The Armed Forces are exempt from the flexible working provisions of UK employment legislation because of the requirement to maintain operational effectiveness and the unique nature of military life. At the same time, it is recognised that from time to time and for particular reasons, some Armed Forces Employees may need to adjust the pattern of their working day. In recognition of this, service personnel may request to vary their working day, such as starting or finishing the working day at different times from those considered to be the norm within a particular Service working environment. In addition, consideration is being given to offering part-time working to members of the Armed Forces.

146. Northern Ireland's own statutory provisions and protections for part-time workers, women returning from maternity leave, and flexible working, correspond to those in Great Britain, and flexible working policy will be kept under review.

## **Paragraph 21**

147. The UK Minister for Women has made tackling the gender pay gap one of her key policy priorities.

148. On equal pay reviews, every government department and agency produced an equal pay action plan in 2003 as part of the Government's commitment to address the gender pay gap. All implemented specific measures to rectify identified problems—and these are lowering the gender pay gap further in Departments. The findings from the reviews were generally encouraging and there is no evidence of



any deliberate gender discrimination. Departments and agencies are taking prompt action to address gender pay gaps and are aiming to resolve any unjustifiable gaps in the shortest possible time.

149. Action to address equal pay anomalies continues to be taken by departments and agencies and these are supported by the Treasury and Cabinet Office where there is a robust business case for doing so. Such actions include (amongst others) steps to shorten pay range lengths and improvement in pay progression of staff and addressing 'leap-frogging' on promotion - organisations are moving towards the elimination of overlapping pay ranges.

150. The Cabinet Office has regular dialogue with departments and agencies to press the significance of carrying out equal pay reviews following implementation of pay awards and to carry out full equality proofing of their reward policies and practices every three years, the latter of which is a requirement of delegation. This helps inform departmental reward proposals and ensures appropriate targeting of resources.

151. The Cabinet Office also continues to offer advice and guidance and spread good practice. Key to this is encouraging the use of the 'Guidance on Equal Pay for Government Departments and Agencies' (issued in January 2002) – which provides practical guidelines for undertaking an equal pay review and an ongoing checklist for monitoring reward systems against all forms of discrimination.

152. The Cabinet Office undertook an equal pay review for the Senior Civil Service (SCS) in 2002, which has been re-examined each year since then as part of the Government's evidence to the Senior Salaries Review Body.

153. There is no legal requirement for public authorities to carry out an equal pay audit. The Order setting out the specific duties referred to in the Equality Act 2006 says that named authorities, in formulating their overall gender equality objectives, should consider the need to have objectives to address the causes of any gender pay gap. The Equality Act 2006 also says that public authorities are required to have due regard to the need to eliminate unlawful discrimination. They must also comply with the Equal Pay Act. Full details of the Gender Equality Duty, and the obligations for equality proofing measures as part of that process, as set out in the earlier paragraphs.

154. There are currently 499,090 civil servants, of which just over half (53%) are women (QPSES Q3, 2007). At Senior Civil Service levels the proportion of women was 32.1% (in 2006). This was up from 26.4% in 2003, and 15% in 1997. In 2006 women held 27.5 per cent of the top management jobs in the senior civil service, compared with only 10 per cent of directorships in FTSE 100 companies.

155. The historical preponderance of men in the upper levels of UK civil service meant that in 2007 the gender pay gap in the civil service using mean figures was still 21%, which compared with 17.2% for the UK as a whole. The civil service figure was down from 25% in 2005. However these figures do not take account of the different responsibility levels across the civil service and therefore does not compare equal work. When the gender gap is compared by responsibility level the pay gap is around 5 per cent. In 2006, 50.4 per cent of successful candidates for entry to the Civil service fast stream

were women, an increase from 43.7 per cent in 2005. The Civil Service fast stream is generally considered to be the feeder programme for the senior civil service

156. Negotiations on local government pay take place through the National Joint Council between trade unions and the Local Government Employers. Controlling pay is essential for keeping inflationary pressures in check. The Government expects public sector pay increases to be consistent with the achievement of the Government's inflation target of 2 per cent. The Government has issued £500 million of capitalisation directions to 46 authorities in the current financial year, to enable them to make equal pay back-payments and speed up progress. This enables those authorities to treat equal pay costs as capital expenditure, which they can then borrow against and will enable them to make equal pay back-payments and speed up progress on delivering equal pay.

157. By late 2007, 47% of councils in England had either completed and implemented their equal pay reviews, or were about to implement them. The vast majority of councils expected to have completed the equal pay audit process either in the current financial year (2007/8) or in 2008/9.

158. The Ministry of Defence has been undertaking a Strategic Remuneration Review which is looking at future remuneration options for Service personnel. Equality proofing will underpin any new recommendations (which are likely to be some years away), although the relatively short pay ranges, use of job evaluation for other ranks and clear differential for officers indicate that current structures meet the equality challenges. Indeed, the Cabinet Office has acknowledged that the military pay structure does not present a major problem in terms of equal pay.

159. Implementing measures to eliminate the gender pay gap and tackling occupational segregation are also key issues in the Northern Ireland Executive's Gender Equality Strategy. More detailed briefing on progress in government departments and agencies in Northern Ireland on this issue can be made available for the Committee hearing.

## **Paragraph 22**

160. Men have not, historically, used paternity leave entitlements and the UK Government wants to give fathers a greater opportunity to be involved in the upbringing of their children. This includes a commitment to improving access to good quality childcare, alongside early learning and family support, so all children get the best possible start in life and meeting the goal that by 2010, there will be a Children's Centre for every community (3,500 in all).

161. As the Government increases outreach through Sure Start Children's Centres it will look to engage fathers, offering them support in strengthening their parenting skills. In its Children's Plan, published in December 2007, the Government committed itself to helping every parent do the best for their child by, amongst other measures, allocating £34 million over the next three years to provide two expert parenting advisers in every local authority; by expanding school-based Parent Support Advisers; and by putting parents' views at the heart of government by creating a new Parents Panel to advise them on policies affecting parents.

162. The Government also wants to improve the way services engage fathers. Children benefit enormously from having strong relationships with their fathers. Yet public services often do not reach out to fathers, particularly when the father does not live with the child. The 'Women and Men Working Together to Achieve Gender Equality' initiative in December 2007 specifically looked at men's engagement as fathers and a mapping exercise will explore this area further. At the present time, the Government aims to:

- make sure that people who work with children and young people are trained to engage with both fathers and mothers where appropriate;
- ensure that Sure Start Children's Centres will seek to involve fathers, offering them support to strengthen their parenting skills where necessary;
- ensure that schools to keep contact details of all parents living apart from their children, to involve them where possible and do their very best to keep fathers involved; and,
- take account of ways in which information can be made more easily accessible for fathers. For example, 63 per cent of fathers say that they prefer to get information and support from the internet.

163. As a major employer, the Northern Ireland Civil Service (NICS) encourages men to share childcare responsibilities with women.

## Health

### Paragraph 23

164. Statistics relating to the rates of HIV/AIDS and other sexually transmitted diseases in women as compared to men are set out at **Annex E**.

165. The major factor contributing to the rapid rise in the number of new HIV diagnoses since 1999 has been the diagnosis of infections acquired through heterosexual contact in high prevalence areas, mainly Africa. Preventative action has included increased voluntary and confidential HIV testing in Genitourinary Medicine (GUM) Clinic and heterosexuals uptake has increased from 41% in 2001 to 72% in 2006.

166. Other action on HIV includes:

- publication in 2007 of *Tackling Stigma*, the Department of Health's action plan on responding to HIV related stigma, including the funding of three new projects ;
- sustained and increased (20%) funding for HIV social care over three years from 2008/09; and
- establishing an Independent Advisory Group on Sexual Health and HIV to monitor implementation of the national strategy. Membership includes civil society and people living with HIV (2003).

167. Action to improve sexual health is taken forward by the National Strategy for Sexual Health in England and corresponding action plans and frameworks in Scotland, Wales and Northern Ireland. Overall, the rate of increase in STIs has slowed, this could be a result of the significant action which has been taken made in this area. For example, the Government target is to offer everyone who needs it an appointment at a GUM clinic within 48 hours by March 2008 and we are making excellent progress. In May 2005 just 45% of those attending GUM clinics were offered an appointment to be seen within 48 hours, in December 2007 that figure had increased to 92%.

168. In November 2006, the Department of Health launched a new sexual health campaign, *Condom Essential Wear*, to tackle the five major acute sexually transmitted infections (STIs) – chlamydia, syphilis, gonorrhoea, genital warts and herpes as well as HIV.

169. The Department of Health also funds the FPA (formerly the Family Planning Association) including an information service which includes produces a comprehensive range of leaflets and information resources on contraception and STIs and a dedicated helpline providing confidential advice and information. The Department of Health has commissioned the Health Protection Agency to manage the National Chlamydia Screening Programme in England.

170. In Scotland, the Government, National Health Service (NHS) Boards and their partners, are taking forward a range of work to promote safer sex and drive down rates of STIs and unintended pregnancies. This includes encouraging a culture of respect for yourself and towards others. Government has a role to play, but individuals also have a responsibility to take necessary precautions when deciding to embark on sexual relationships and to recognise the possible consequences of risk taking behaviour. The draft sexual health standards, developed by NHS Quality Improvement Scotland will aim to increase Chlamydia testing for young people in Scotland.

171. Information regarding current rates and trends around HIV/AIDS and other sexually transmitted infections including several gender comparisons in Scotland can be viewed in the HPS publication 'Sexually Transmitted Infections and Other Sexual Health Information for Scotland' (<http://www.hps.scot.nhs.uk/bbvsti/publicationsdetail.aspx?id=36407>).

172. Respect and Responsibility, the Scottish health and relationships Strategy aims, through a number of actions, to reduce the rising number of sexually transmitted infections in Scotland, including HIV. Recent discussions have taken place with Scottish Government officials, Health Protection Scotland and HIV Scotland to consider how the government can increase its efforts and those of Health Boards across Scotland, to reduce the rates of HIV transmission in Scotland.

173. Preparations have begun for a public awareness campaign and increased public information to improve attitudes to relationships and sexual health. This will include information on HIV and sexually transmitted infections.

174. The Scottish Government also provides funding through the 16B grant scheme for a number of organisations that address HIV including HIV Scotland, Healthy Gay Scotland, Waverley Care, and the Terrence Higgins Trust Scotland. Sex and Relationships Education in schools includes specific

teaching around HIV and how it is transmitted. Information on sexual health and HIV is also available through a wide range of sexual health services who make condoms available free of charge. The use of condoms is essential to reduce the levels of sexually transmitted infections in Scotland.

175. A draft Sexual Health Promotion Strategy and Action Plan for Northern Ireland is in its final stages of preparation. Fuller briefing on the Strategy and related and proposed actions can be provided.

#### **Paragraph 24**

176. The Findings of the Baseline Review of Contraceptive Services was published in April 2007 and provide a national overview of contraceptive service provision in England. The results identified wide variations in the quality of service provision and have been used to obtain additional funds for services in particular £26.8million which has been allocated each year for 2008-2011 to improve access to contraception. The findings have helped drive work on improving the quality of data and access to information technology for services. They have also informed the Best Practice Guidance on Reproductive Healthcare which will now be heavily focused on commissioning services and is due to be published this Summer. In addition the results have been used locally to address local service provision.

177. Contraceptives are available on the NHS without a prescription charge. The cost benefit of contraceptives is well established and has been estimated at £11 for every £1 spent [McGuire and Hughes, 1995]. Approximately 4 million people use contraception services each year. Roughly three-quarters see a General Practitioner (GP) and the remainder attend specialist community contraception services (family planning clinics). Contraception services are available, free of charge, to all those in need - both women and men.

#### **Paragraph 25**

178. Full briefing on the results and status of the Northern Ireland guidance, as requested, will follow.

#### **Women in Vulnerable Situations**

##### **Paragraph 26**

179. Women, including older women, have the same access to health, employment, social services and benefits, and housing as any other member of the population. These services in the UK are provided on the basis of need, this has long been the case, and in more recent years the UK has brought into force, equality legislation that specifically outlaws discrimination on various grounds, including race, ethnicity and gender.

180. Certain services are provided specifically for women – in health, for example, there are breast and cervical screening programmes for the detection of cancer in women. On elder abuse, new provision has been built into legislation in Scotland to protect vulnerable adults, very often older

adults, whether women or men, in the Adult Support and Protection (Scotland) Act 2007. In Wales, The First Minister has appointed the UK's first Commissioner for Older People. The role of the Commissioner is to ensure that the interests of older people in Wales, who are aged 60 or more, are safeguarded and promoted. The Commissioner, as an ambassador and authority on older people's issues, will speak up on behalf of older people, who need a stronger voice in the services they receive.

181. The Commissioner will be a source of information, advocacy and support for older people in Wales and their representatives.

182. In Northern Ireland a variety of established procedures safeguard the needs of older people in areas of housing, social services and benefits. Fuller information on developments to safeguard the interests of older women in Northern Ireland will also be provided.

### **Paragraph 27**

183. The UK's 6th Periodic Report made it clear that its affordable housing policy is not determined on the basis of gender equality. This remains the position. Likewise the report mentioned that two-thirds of those buying an affordable home under the HomeBuy and Key Worker Living schemes were women. We will review and revise this figure as new data become available.

184. We published a national strategy for housing in an ageing society in February 2008. Its purpose is to address the needs and aspirations of older people, both men and women, in housing and related services. We want older people to live safely and securely in their own homes for as long as they wish. However, the Government also wants to ensure that other options, such as sheltered housing and extra care accommodation, are available for those who need it.

185. Priority for social housing is not determined by a person's age, gender, race or ethnicity. Rather the legislation which governs the allocation of social housing by local authorities (Part 6 of the Housing Act 1996) is designed to ensure that priority for social housing is based on housing need.

186. Policy on affordable and social housing in England, is the responsibility of the Department for Communities and Local Government. Work is underway to identify priority issues for stakeholder discussions about the Department's policies and programmes. These include, views on how to, raise awareness about gender issues, gain more evidence about gender impact; contribute towards the reduction of women's relative poverty; enable more full participation by women in the decision-making processes; increase the number of women recruited and retained in regeneration and built environment professions; improve safety and perceptions of safety in public places for women and young men, and ensure gender is addressed in planning and housing policy. This is a work in progress.

187. It is not possible to make a straightforward comparison between homelessness acceptances in England and Scotland as in the former not all homeless people are owed a duty of accommodation (only those in priority need). All homeless people in Scotland have the right to temporary accommodation and those in priority need have the right to permanent accommodation. Within the latter group are included:

- households with children (including obviously single parent households);
- pregnant women;
- a woman who is vulnerable as a result of an abortion or miscarriage;
- a person who runs the risk of domestic abuse (predominantly women);
- a person aged 18 to 20 who by reason of the circumstances in which the person is living, runs the risk of sexual or financial exploitation.

188. With respect to measures the Scottish Government takes to include gender perspectives in policy making, these include:

- a comprehensive statistics collection system which breaks down homelessness applications and acceptances by gender, presence of children, category of priority need, ethnicity etc. This system gives information on the outcomes achieved for people who apply as homeless to their local authorities;
- consultation on exercises with the relevant equalities organisations whenever the government carries out public consultations; and,
- close working relationships with Scottish Women's Aid who are looking at how victims of domestic abuse can be helped to ensure they do not become homeless.

189. Social landlords are expected to collect data on the gender of housing applicants and those who are allocated housing. This data is reported and analysed to provide information on housing need and outcomes.

190. Statistics on the provision of affordable housing to women is also requested. The most obvious form of affordable housing is social housing, where the landlord is the local authority or a registered social landlord (usually a housing association) and this makes up 25% of Scottish housing. The 2005-06 Scottish Household Survey estimated that 51% of households headed by a woman were housed in social housing, compared to 18% of households headed by a man (headed is defined as the person with the highest income in that household). This reflects the large proportion of single parent households, 54%, (the great majority of which are headed by women) and single pensioner households, 38%, (mainly female) in social housing. More analysis of the data would unpack the factors underlying these statistics but, broadly it appears that households led by women are more likely to be in need of social housing and appear to be achieving a high level of access to it.

191. Another form of affordable housing supported by the Scottish Government, albeit on a much smaller scale, is shared equity housing. This is a relatively young product and detailed data is only available on a part of it, the new supply shared ownership scheme. For this scheme, 47% of the first named purchasers are female. Fuller information on gender specific policies and services in Northern Ireland will follow.

**Paragraph 28**

192. Up until 2003 an annual statistical report on Women in the Criminal Justice System under Section 95 of the Criminal Justice Act 1991 was published which provided data on women in the Criminal Justice System (CJS), detailed analysis and identified significant trends. Since 2003 the report has been produced in summary only. However, in the light of the findings in the Corston Report (covered in more detail below), a full report on Statistics on Women in the Criminal Justice System will be reinstated and is due to be published in the Autumn of 2008. Key Statistics are set out at **Annex F-G**.

193. Government investment in prisons in recent years has resulted in a number of improvements in the women's estate, most significantly: the development of services for women who have misused drugs; the development of programmes to address offending behaviour; the introduction of in-reach community mental health teams; and, in partnership with voluntary agencies, the funding of various resettlement projects, such as accommodation advice and mentoring.

194. The majority of female offenders in Scotland are accommodated at Her Majesty's Prison (HMP) and Youth Offenders Institution (YOI) at Cornton Vale. 436 places are available at Cornton Vale. A small number of places for women exist in HMP Inverness (less than 10). Data relating to Scotland is set out in Annex J.

195. Establishment development in recent years included a new block (Wallace) with showers in rooms, to accommodate the increasing populations. Further refurbishment took place (Skye block) after a fire, improving the number of establishment places which had access to toilets on demand, rather than through a central locking (request) system. The most recent inspectorate report (19 – 20 March 2007) continues to highlight that the physical and mental health of most women entering Cornton Vale is very poor.

196. There are no immediate plans to disperse female offenders to local/community establishments, though planned new build prisons particularly in the North East will be likely to consider, as part of the design specification, the possibility of housing some women closer to home.

197. The Government welcomed Baroness Corston's Report, published on 13 March 2007, and has accepted 40 out of the 43 wide ranging recommendations aimed at improving the approaches, services and interventions for women in the criminal justice system and women at risk of offending. The Government Response was published on 6 December 2007 and sets out the commitments that have been made across departments to take forward the recommendations. The Inter-Ministerial Group on Reducing Re-offending will provide governance to drive forward the response to the Corston Report and will ensure cross-departmental commitment at ministerial level to the actions required. A cross-departmental Criminal Justice Women's Unit will also be established within the Ministry of Justice. In particular;



- a Ministerial Champion has been identified who has responsibility for taking forward this work;
- a National Service Framework for women is being developed which will set out the national policy for commissioning services for women offenders and contain specific actions for commissioners to ensure that locally commissioned services address the identified needs of women;
- a short project has been set up to consider the future of the women's custodial estate and explore how Baroness Corston's recommendation on small custodial units could be taken forward. Recommendations relating to meeting the health and well-being needs of women in the criminal justice system and women at risk of offending are being taken forward as part of the newly developing Offender Health Strategy; and,
- the Prison Service Women & Young People's Group are currently piloting a new kind of "Women's Full Search" with the aim of ensuring the safety of women held in the prisons while at the same time meeting their gender specific needs.

198. On the Committee's question regarding females under the age of 18 remanded in custody or serving custodial sentences: 17 year old females are now accommodated in four dedicated girls units at HMP Downview, HMP Eastwood Park, HMP Foston Hall and HMP New Hall. Females under the age of 17 are held in secure training centres or secure children's homes.

199. In Scotland, Baroness Jean Corston visited Cornton Vale during preparation for her report and comments positively on practice. Scottish Prison Service (SPS) staff have also contributed in the past to a Scottish Government working group on female offenders.

200. The Scottish Government recognises that women offenders often face more challenging circumstances than their male counterparts – circumstances which may require access to multiple services and forms of support.

201. A wide range of alternatives to custody are now available in Scotland:

- the innovative 218 Centre for women offenders, designed to address the root causes of offending through programmes of care, support and development which tackle substance misuse and the trauma and poverty that drive it.
- in November 2007, Scotland published the Report of the Review of Community Sentences, which is strongly focused on delivering tough, credible community sentences as an alternative to short prison sentences. As part of the review we will be piloting a mentoring/ link worker scheme for adult female offenders given community penalties to provide them with addiction support throughout the penalty.

202. A full report will be provided in due course on the Northern Ireland position.

## **Paragraph 29**

203. The UK's decision to accede to the Optional Protocol was announced in a written Ministerial Statement on 19 July 2004. The Protocol came into force on 17 March 2005. The matter was raised in the normal course of parliamentary business through answers to Parliamentary Questions and the Joint Committee on Human Rights and in debates.

204. The most recent UK periodic reports can be found on the Government and Equalities Office website. No specific awareness raising campaigns have been undertaken in relation to the Optional Protocol to the Convention. However, the new Government Equalities Office website, which is presently under construction, will have details about the Convention, and the Optional Protocol and information about communication processes will form part of the new site.

## **Annex A**

### **The Sexual Offences Act 2003**

The Sexual Offences Act 2003 – A statistical review of the Act since its implementation shows key statistics relating to cases of sexual assault on women:

Assault by penetration is not counted separately for the purposes of recorded crime data. It is counted as part of sexual assault.

- the number of prosecutions for assault by penetration in 2004/05 was 273 (in which 97% of the victims were female). There were 31 convictions in the same period;
- the number of sexual assaults recorded in 2004 was 30,583. This fell to 28,681 in 2005;
- the number of recorded offences of sexual assaults fell by 6% between 2004 and 2005;
- the detection rate for sexual assaults remained level at 34% between 2004 2005;
- decreases occurred in attrition for prosecutions and convictions between 2004 and 2005;
- trials fell from 17% to 14% (as a percentage of offences);
- convictions fell from 9% to 8%.

## Annex B

### Appointments of Women to Assembly Sponsored Public Bodies and National Health Service Bodies in Wales

Year	Number of Appointments and re-appointments	Female	
		Number	Percentage
2004-05	180 (113 + 67)	67	37
2005-06	154 (86 + 68)	69	45
2006-07	180 (135 + 45)	86	48
2007-08	143 (59 + 84)	66	46

## Annex C

### Appointments of Heads of Missions and to Senior Management within the Foreign and Commonwealth Office

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
% Female Heads of Mission (1)	10	12	17	16	20	No data	8.30%	8.30%	9.40%	10.50%
% Female SMS Senior Management	6.20%	8.10%	9.20%	10.80%	12.50%	No data	15%	16.40%	17.30%	18.70%
% Female secondees in SMS positions	No data	No data	No data	No data	No data	No data	1.0%	2.10%	1.90%	1.80%

- (1) Before 2005, the total number of Head of Missions is not available. The numbers for these years are the actual numbers, not percentages.

## **Annex D**

### **Flexible Working**

*The Third Work Life Balance Employer Survey in the UK (BERR December 2007)* is a survey of employers and is therefore not broken down by employee gender

- 4% of workplaces had no flexible working practices available. This rises to 10% for those with less than a quarter female employees
- 40% of workplaces received a request to work flexibly over the last 12 months. 9% of these turned down at least one request
- 15% of workplaces have no one working flexibly
- employers that have a female workforce of over 50% consider requests to work flexibly more favourably than those with a male dominated workforce
- 45% of workplaces promote use of leave and flexible work arrangements available to their employees. 51% of workplaces do not (4% don't know)

**Annex E**  
**Statistics on Sexual transmitted diseases in the UK (excluding HIV) in women**  
**compared to men 2000 – 2006**

Year	Women	Men
2000	336194	288988
2001	359774	306618
2002	379382	325522
2003	391894	345824
2004	403299	369133
2005	411727	388069
2006	420327	400814

**Statistics on rates of HIV/AIDS in the UK in women compared to men 2000 -2007<sup>3</sup>**

Year	Women	Men
2000	1393	2491
2001	1980	3120
2002	2652	3614
2003	3245	4090
2004	3171	4383
2005	3132	4530
2006	2834	4259
2007	735	1315

Statistics on HIV/AIDS and other sexually transmitted diseases can be obtained from the Health Protection Scotland (HPS) Website: <http://www.hps.scot.nhs.uk/index.aspx>.

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<sup>3</sup> All infections diagnosed since 2002 were acquired outside of the UK.

## Annex F

### Women Offenders

In England and Wales the most recent data relating to women's offending (and information about offence types) is published below. There has been no recent analysis of trends (see main text for future plans).

#### Key statistics:

- Women make up around 5% of the total prison population.
- Between 1996 and 2006 the women's prison population increased by 94%.
- Over a third of all adult women in prison had no previous convictions – more than double the figure for men.
- The proportion of women prisoners under immediate custodial sentence who are foreign nationals is 15%. 56% of female foreign nationals are serving sentences for drug exportation/importation.
- **Criminal Statistics Annual Report England and Wales 2006** <http://www.justice.gov.uk/docs/crim-stats-2006-tag.pdf>. For female convictions and type of offence, see table 3.7 (page 62); for female convictions by type of offence and age group, see table 3.8 (page 64).

In England and Wales there are currently around 4425 females in prison.

Many of the women who enter prison:

- Have mental health problems
- Have histories of self-injury or suicide ideation
- Have problems linked to substance misuse
- Have experienced domestic violence and/or sexual abuse
- Have a child or children at home, a substantial number being lone parents
- Have been unemployed for a number of years
- Lose their homes while in prison



## Annex G

### Data Relating to Scotland

In Scotland, over the ten year period, 1997/98 – 2006/07, the average daily prison population has increased by 19 per cent. In the same ten year period the female prison population has increased by 90 per cent; over five times the growth experienced in the male prison population (16 per cent). The 2006-07 female prison population was 353, an increase from 334 in 2005-06.

Provisional and unpublished data, which may be subject to change, shows that on 13 February 2008, there were 403 females in prison, 127 of whom were on Remand, 0 were fine defaulters, 202 were sentenced to less than 4 years and 74 were sentenced to 4 years or more (including life and recalls).

Trends in female convictions per head of population by age (see table 5 of “Criminal Proceedings in Scottish Courts, 2005-06” Statistical Bulletin <http://www.scotland.gov.uk/Publications/2007/03/21083652/16>).

Males accounted for 84 per cent of all convictions in 2005/06; more males than females were convicted in almost all crime and offence categories. The main exception to this pattern was "other" crimes of indecency, where females accounted for 74 per cent of what are mainly offences related to prostitution. The other categories where females formed a higher than average proportion of those convicted included fraud (35 per cent), shoplifting (28 per cent), "other theft" (20 per cent), the offence of non-payment of a television licence (71 per cent) (this offence category being included within "other miscellaneous offences"), and "other" non-sexual crimes of violence" (35 per cent).

**Female convictions by main offence and age** (see table 6(b) of “Criminal Proceedings in Scottish Courts, 2005-06” Statistical Bulletin <http://www.scotland.gov.uk/Publications/2007/03/21083652/18>).

**Female convictions by main sentence and age** (see table 12 of “Criminal Proceedings in Scottish Courts, 2005-06” Statistical Bulletin <http://www.scotland.gov.uk/Publications/2007/03/21083652/25>).

The pattern of penalties imposed in 2005-06 varied with the age and gender of the offender. In part this is likely to reflect the different patterns of offending and conviction histories of the different groups of offenders. While males accounted for 84 per cent of all convictions in 2005-06, they represented 92 per cent of custodial convictions. Females accounted for 15 per cent of all convictions (excluding companies) but for 25 per cent of other sentences (mainly admonition).

There is currently no data held centrally on the ethnicity of persons proceeded against in courts. Tables on female convictions by regions (Police Force Areas and individual Court Areas) can be pulled together on request but are not routinely held or published in this level of detail.