



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

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

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Seventh periodic reports of States parties**

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

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.



## Contents

	<i>Page</i>
I. Introduction . . . . .	3
II. Articles 1-4 of the Convention: United Kingdom approach to tackling discrimination and advancing gender equality . . . . .	5
III. Article 5: Sex roles and stereotyping . . . . .	14
IV. Article 6: Exploitation of women . . . . .	17
V. Article 7: Political and public life . . . . .	21
VI. Article 8: Women as international representatives . . . . .	25
VII. Article 9: Nationality . . . . .	26
VIII. Article 10: Education . . . . .	29
IX. Article 11: Employment . . . . .	33
X. Article 12: Women’s health . . . . .	36
XI. Article 13: Social and economic benefits . . . . .	41
XII. Article 14: Rural women . . . . .	43
XIII. Article 15: Equality before the law and civil matters . . . . .	44
XIV. Article 16: Equality in marriage and family law . . . . .	45
XV. Violence against women and girls . . . . .	49
<b>Annexes</b>	
1. The Devolved Administrations . . . . .	59
2. The relationship of the United Kingdom with the Crown Dependencies . . . . .	60
3. The relationship of the United Kingdom with the Overseas Territories . . . . .	60
4. Glossary of Acronyms . . . . .	62
5. United Kingdom reservations and declarations . . . . .	64
Endnotes: Recommendations made to the United Kingdom . . . . .	67

## I. Introduction

In recent generations, women's lives in the United Kingdom have changed dramatically. Women are playing an increasingly active role in economic, political and public life. In the United Kingdom, they make up nearly half (46.4 per cent) of those in employment,<sup>1</sup> making a crucial contribution to our economy.<sup>2</sup> Twenty-eight (28) per cent of women with young children under five are now combining paid work with their family responsibilities.<sup>3</sup> Women are increasingly represented in all areas of political and public life — as heads of companies, chairs of public bodies, councillors, Members of Parliament (MPs) and leaders and active volunteers in their local communities, although there is clearly more progress to be made.

Women's experiences reflect these demographic and societal changes. One in ten women in the United Kingdom today are from Black, Asian and Minority Ethnic (BAME) backgrounds.<sup>4</sup> Over 17,000 women have entered into a civil partnership since their introduction in 2005 and by 2025<sup>5</sup> there will be 13.9 million people over 65, of whom 7.5 million, or 54 per cent, will be women.<sup>6</sup>

The British Government believes that every one of these women is an individual, with her own ambitions and aspirations and facing her own particular challenges. Despite all the change and progress we have seen over past decades we must not be complacent. That is why we are taking action in key areas where there are persistent inequalities compared to the experiences of men. In particular, we believe that no level of violence against women and girls is acceptable in the United Kingdom (or anywhere else in the world) and our ambition is to end it. We realise that this is not a short-term task but a long-term goal. Prevention is at the heart of our approach and we detail the progress that we have made in a separate section within this report.

We are pleased to submit the United Kingdom's seventh periodic report on the legislative and administrative measures it has taken during the period ending on 31 May 2011 in order to give effect to the Convention on the Elimination of All Forms of Discrimination against Women (the Convention).

This report sets out the British Government's overarching approach to advancing gender equality and our determination to eliminate discrimination. It explains the changes introduced by the Equality Act 2010 (the Equality Act) in Great Britain and outlines the main elements of the Government's Equality Strategy, "Building a Fairer Britain", published in December 2010: the United Kingdom's first ever cross-Government equality strategy. Delivery of the strategy is supported by a new Inter-Ministerial Group on Equalities, comprising 12 Ministers representing major departments and chaired by the Right Honourable Theresa May MP, Home Secretary and Minister for Women and Equalities. She is supported by Lynne

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<sup>1</sup> Source: Labour Market Statistics, United Kingdom, April 2011.

<sup>2</sup> Office for National Statistics, Statistical Bulletin: 2010 Annual Survey of Hours and Earnings, December 2010.

<sup>3</sup> Source: Labour Force Survey Q3 2010 — non-seasonally adjusted.

<sup>4</sup> Source: Annual Population Survey, United Kingdom, April-June 2010.

<sup>5</sup> Source: National Statistics, Civil Partnerships Formation Data (provisional), 2005-2009. 17,481 females in civil partnerships.

<sup>6</sup> Source: 2008 Based National Population projections, United Kingdom.

Featherstone MP, the Parliamentary Under Secretary of State for Equalities and Ministerial Champion for Combating Violence Against Women Overseas.

It also addresses the recommendations made by the Committee in response to the fifth and sixth Periodic Reports, submitted in 2007. Where text, throughout the report, is relevant to a recommendation, it has been indicated with an endnote.

### **Institutional mechanisms**

The Government Equalities Office (GEO) is responsible for equalities legislation and policy in Great Britain.<sup>7</sup> GEO is responsible for the Government's overall strategy and priorities on equality issues and aims to reduce discrimination and disadvantage for all. It leads on gender issues and is responsible for the integration of gender equality policy in all Government policy. It leads on the Government's international obligations on gender equality and is the "National Machinery for Women", the institutional mechanism responsible for overseeing and promoting the delivery of British commitments under the Convention. GEO also leads across Government on sexual orientation and transgender equality policy. Other Government Departments lead on other aspects, for example the Department for Communities and Local Government is responsible for faith and religious equality and aspects of race policy. The Department for International Development (DFID) is responsible for ensuring that gender equality is given the highest priority in the United Kingdom's international work and recently launched a "Strategic Vision for Girls and Women" to build on its commitments to put girls and women at the heart of development assistance.

As part of the Government's programme of activities to mark the centenary of International Women's Day, the Minister for Women and Equalities launched a review of how the British Government consults with women and published a consultation on "Strengthening Women's Voices in Government".

On 1 April 2011, GEO became part of the Home Office (HO), retaining its existing functions, in particular cross-cutting responsibility across Government for equality strategy and legislation and for helping Government Departments and others to mainstream equality into all their work. The most senior civil servant in HO is Dame Helen Ghosh.

The status of the Devolved Administrations in Northern Ireland, Scotland and Wales (DAs) and the relationship of the United Kingdom with the Crown Dependencies (CDs) and Overseas Territories (OTs) is explained in annexes 1 to 3.

### **Reservations to the Convention**

Since ratifying the Convention with a number of reservations in 1986, the British Government has not sought any new reservations and has in fact withdrawn a number of reservations. The British Government has reviewed the current reservations (annexed) and concluded that they should not be withdrawn.<sup>1</sup>

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<sup>7</sup> <http://www.equalities.gov.uk/>.

## II. Articles 1-4 of the Convention: United Kingdom approach to tackling discrimination and advancing gender equality

### Article 1: Elimination of discrimination

### Article 2: Obligations to eliminate discrimination

### Article 3: Development and advancement of women

### Article 4: Special measures to accelerate equality

1. The British Government and the DAs are united in their determination to tear down the barriers to equal opportunities, to tackle all forms of discrimination against women and to build a fairer society. No one should be held back because of their background including their, gender, race etc. This report sets out the overarching approach to advancing gender equality and our determination to eliminate discrimination.

### Overarching approach

2. In December 2010, the British Government published “The Equality Strategy — Building a Fairer Britain”, setting out its proposals for tackling the barriers to equal opportunities and social mobility. Specific, targeted measures to promote equal opportunities and tackle discrimination will be taken forward by central Government and separately by the DAs.

3. Due to the nature of devolution and the breadth of the Convention (covering a wide range of policy areas but relating specifically to gender equality), this report details how the British Government and the DAs are implementing the recommendations of the Convention both through overarching equality strategies<sup>8</sup> (not restricted to but including gender equality) and targeted policy frameworks, for example the “Call to End Violence Against Women and Girls”, the public health White Paper “Healthy Lives, Healthy People” and regional strategies, such as the Northern Ireland Gender Equality Strategy 2006-2016, which provides a strategic framework to mainstream gender equality and promote gender-specific measures across Government.<sup>2,3</sup>

4. To ensure that “priority attention” is given to gender equality, the Government has appointed the Right Honourable Theresa May MP as Minister for Women and Equalities and Lynne Featherstone MP as Parliamentary Under Secretary of State for Equalities. GEO has a dedicated division which is responsible for coordinating both domestic and international gender equality issues.<sup>4</sup> It fulfils the function of the United Kingdom’s National Women’s Machinery. On 1 April 2011, GEO became part of the HO, retaining its existing functions, in particular its cross-cutting responsibility across Government for equality strategy and legislation and for helping Government Departments and others to mainstream equality into all their work.

5. Furthermore, to ensure that gender equality is given the highest priority in the international work of the United Kingdom, DFID launched its “Strategic Vision for Girls and Women” on 8 March 2011 to build on its commitments to put girls and

<sup>8</sup> Northern Ireland’s statutory equality schemes and Section 75 approach provide an overarching strategic approach — which is distinct from and separate to *Building a Fairer Britain*.

women at the heart of its development assistance. The vision sets out four pillars for greater and more effective action to improve girls' and women's lives through (i) delaying first pregnancy and supporting safe childbirth, (ii) getting economic assets directly to girls and women, (iii) getting girls through secondary school and (iv) preventing violence against girls and women. It also addresses issues concerning a positive enabling environment to improve women's status, combating discrimination, promoting political participation and building more effective legal frameworks to protect women's rights.

6. The British Government recognizes the importance of effective coordination and monitoring of the implementation of the Convention and the Committee's concluding observations, including its recommendations, across the United Kingdom and in its CDs and OTs. This work is led by GEO. It has established a network of officials across central Government Departments and in the DAs. Following the submission of the sixth Periodic Report of the United Kingdom, the 2008 concluding observations and recommendations were sent to Ministers across the United Kingdom. Later in 2008, GEO hosted a round-table meeting with officials from other Government Departments to discuss follow-up actions.<sup>5</sup> A high-level Gender Directors' Network has been established, chaired by the GEO Head of the Gender Equality, Participation and Inclusion Division and comprising the senior officials responsible for gender policy in the DAs.<sup>6</sup>

7. The United Kingdom Government and the DAs have embedded various strategies to disseminate information on and raise awareness of the Convention, the concluding observations and the Optional Protocol (OP) during the reporting period,<sup>7,8,9,10</sup> including:

- placing information about the Convention and the OP on the GEO website;
- funding and hosting five regional meetings for key partners with the Women's National Commission (WNC) from January to May 2009 to increase awareness of the Convention and the OP (as well as the Beijing Declaration and Platform for Action<sup>11</sup>);
- participating in and supporting related public events on the Convention (e.g. the Equality and Human Rights Commission (EHRC) provided funding to the Women's Resource Centre, a civil society organisation, to hold nine training events around the United Kingdom for Non-Governmental Organisations (NGOs) on the application of the Convention) and the EHRC produced a guide to the use of the OP; and
- coordinating regular cross-Departmental engagement on the Convention and the concluding observations.

8. The British Government has funded a programme to "build human rights capacity" in the OTs.<sup>12</sup> This includes raising awareness and capacity of governments, national institutions and civil society to address human rights issues; and strengthened human rights reporting and monitoring arrangements in accordance with relevant international treaties, including the Convention. A strand of this project is to encourage those OTs which have yet to extend to the Convention to do so. GEO supported a workshop in Anguilla in November 2010 aimed at those OTs. The workshop examined any perceived technical obstacles to extension, how they could be resolved, and considered what further resources were needed. The British Virgin Islands and Turks and Caicos Islands, to which the Convention has already

been extended, also attended to share good practice. As a consequence, Bermuda has very recently requested extension of the Convention.

9. The provisions of the Convention are reflected in educational frameworks across the United Kingdom (see Articles 7 and 10)<sup>13</sup> and legal training (see Article 15).<sup>14</sup>

### **Legislative approach**

10. The British Government implemented the majority of the provisions of the Equality Act on 1 October 2010. The Equality Act consolidates and brings together previous anti-discrimination law in Great Britain, including the Sex Discrimination Act 1975 (as subsequently amended) and the Equal Pay Act 1970 (as subsequently amended), into one piece of legislation. The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and other specified conduct, with certain exceptions permitted as lawful where appropriate. It protects people from discrimination because of “protected characteristics”, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The British Government does not agree that the Equality Act should incorporate all the provisions of the Convention.<sup>15</sup> This would make the Equality Act disproportionate in terms of gender, giving women more rights than others, for example disabled people or people from different BAME groups. This would undermine the rationale for legislation which provides protection because of a range of protected characteristics equitably and without creating a hierarchy of equality. The British Government’s approach, therefore, is to implement equality through a mix of legislative and administrative measures.

11. The Equality Act also includes a new integrated Public Sector Equality Duty (the Equality Duty) which brings together the previous Gender Equality Duty (GED), as well as the previous Race and Disability Duties, and for the first time extends to cover age, religion or belief, sexual orientation, and pregnancy and maternity and gender reassignment in full. The Equality Duty came into force on 5 April 2011.<sup>16</sup> The Equality Act also contains provisions to prevent pay secrecy clauses being enforced, so that employees can now discuss their own pay freely to discover whether their pay is discriminatory. The British Government is now consulting on further measures to require employers who have been found by a tribunal to have breached equal pay law to conduct a pay audit (see also paragraphs 162-166).

12. The Equality Duty requires public bodies to have due regard when exercising their functions to the need to eliminate unlawful discrimination and harassment because of gender, as well as other conduct unlawful under the Equality Act; to advance equality of opportunity between men and women and to foster good relations between men and women. The Equality Duty is enforced by the EHRC,<sup>17</sup> which is the independent statutory body with responsibility to eliminate discrimination, promote and monitor human rights and promote equality. The EHRC is sponsored by GEO.<sup>18</sup>

13. The Equality Act gave powers to the British Government and the DAs to make regulations to introduce specific duties for the purpose of enabling the better performance of the Equality Duty. The Welsh Government is the first in Great Britain to have introduced specific duties, which came into force on 6 April 2011.

**Measures to eliminate discrimination targeting specific groups****Disabled women**

14. The British Government made a commitment to introduce extra support for disabled women as part of a wider initiative aimed at all disabled people who want to become MPs, councillors or other elected officials (see Article 7 for further information) and is working closely with disability and other relevant organisations to develop how this support might best be offered. A consultation exercise which ended on 11 May 2011 sought views on how to introduce this extra support. The British Government is currently considering the responses.

15. The Equality Act now applies the prohibition against direct disability discrimination more widely to areas beyond the field of work to include areas such as access to goods, facilities and services; introduces the principle of indirect discrimination to disability; and provides a new form of protection from discrimination that occurs because of something arising in consequence of a person's disability. It also provides explicit protection from direct disability discrimination and harassment that occurs because of a person's association with a disabled person, which would apply to relatives and carers of disabled people, and explicit protection from direct disability discrimination and harassment that occurs because the victim is wrongly perceived to be disabled. In addition, the Equality Act harmonises a range of disability provisions to make them easier for people with rights and responsibilities to understand and apply. For example, there is now a single threshold at which the duty to make reasonable adjustments arises.

16. In 2009, the United Kingdom ratified the United Nations Convention on the Rights of Disabled People. It is committed to the vision of equality in the Convention and to implementation of its obligations. The first national periodic report to the United Nations about implementation of this Convention in the United Kingdom will be made in 2011.<sup>19</sup>

**Lesbian, Gay, Bisexual and Transgender (LGB&T) equality**

17. The British Government is committed to promoting and protecting LGB&T rights in the United Kingdom. The strategic action plan "Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward", was launched on 14 March 2011<sup>9</sup> and sets out the specific actions the British Government will take across all areas of public policy and service delivery and in public services in Great Britain, and in its international work, to progress LGB&T equality. This action plan builds on the commitments included in the LGB&T workplan, which the Prime Minister launched on 16 June 2010 and in "The Equality Strategy".<sup>10</sup> The Northern Ireland Executive is in the process of publishing a sexual orientation strategy.

18. "Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward" included a commitment to publish the first ever transgender equality action plan by the end of this year. This action plan will include firm cross-Government commitments which will be delivered across the lifetime of the Parliament. The British Government is actively engaging with the transgender community throughout the development of the action plan.

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<sup>9</sup> <http://www.equalities.gov.uk/pdf/action%20plan.pdf>.

<sup>10</sup> <http://www.equalities.gov.uk/pdf/Equality%20Strategy%20tagged%20version.pdf>.



19. The Scottish Government's approach to LGB&T equality is considered progressive in a European context, due to its use of an inclusive definition of "gender identity" in its hate crime legislation and because it is the first Government to fund a post in a transgender organisation. It is regarded as the most advanced European country on transgender equality. The Scottish Government's close relationship with the three national LGB&T organisations has helped progress the recommendations of the LGB&T Hearts and Minds Agenda Group's report "Challenging Prejudice: Changing Attitudes Towards Lesbian, Gay, Bisexual and Transgender People in Scotland".<sup>11</sup> In its response to the report,<sup>12</sup> the Scottish Government responded positively to the vast majority of recommendations made.

20. The new Equality Duty places a requirement on public bodies when exercising their functions to have due regard to the need to eliminate unlawful discrimination and harassment because of sexual orientation and gender reassignment, as well as the other conduct unlawful under the Equality Act; to advance equality of opportunity between people who share those characteristics and those who do not; and to foster good relations between people who share those characteristics and those who do not. This means that public bodies such as hospitals and local councils need to actively consider the impact of their policies and practices on LGB&T communities when planning their work and priorities and this will help them tackle barriers and promote participation. It will also ensure that schools have a duty to consider how to tackle homophobic and transphobic bullying. Section 75 of the Northern Ireland Act 1998 requires public authorities to promote equality of opportunity between men and women generally, and between persons of differing sexual orientation. The Equality Commission for Northern Ireland has a statutory role in monitoring the implementation of these duties.

21. As part of its commitment to progress LGB&T equality, the Government intends to implement section 202 of the Equality Act which will remove the ban in England and Wales on civil partnership registrations being held on religious premises. The implementation of this provision will allow those religious organisations who wish to do so to host civil partnership registrations on their premises. Because section 202 is a permissive provision, religious organisations which do not wish to host civil partnership registrations will not be required to do so as a result of this change. On 31 March 2011, a consultation was launched on how this provision should work.<sup>13</sup> The Government's work on civil partnerships has also identified a desire from many to move towards equal civil marriage and partnerships, and it will be consulting separately on this question, working with all those who have an interest in this area.

### **Women offenders**

22. The British Government is committed to diverting women away from crime and to tackling women's offending effectively. It broadly accepted the conclusions in Baroness Corston's March 2007 report on "A Review of Women with Particular Vulnerabilities in the Criminal Justice System"<sup>14</sup> and is supportive of reducing the number of vulnerable women in prison.<sup>20</sup> In order to divert vulnerable women who

<sup>11</sup> [www.scotland.gov.uk/Publications/2008/02/19133153/5](http://www.scotland.gov.uk/Publications/2008/02/19133153/5).

<sup>12</sup> [www.scotland.gov.uk/Publications/2008/11/04154235/6](http://www.scotland.gov.uk/Publications/2008/11/04154235/6).

<sup>13</sup> <http://www.equalities.gov.uk/pdf/425156%20Civil%20partnerships%20tagged.pdf>.

<sup>14</sup> <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>.

do not pose a risk to the public away from custody, there is a continuing programme of work under way to provide effective community options for the courts, including:

- Over £10 million of grant funding provided by the Ministry of Justice (MoJ) for voluntary sector organisations to deliver a network of over 40 community-based interventions for women to tackle the underlying causes of their offending;
- Funding an enhanced women’s bail service to provide intensive personalized support for up to 500 women in 2010/11;
- Working with a Coalition of Independent Funders to strategically fund high level initiatives to support women’s organisations which work to change the behaviour of women at risk or who have offended;
- Working with the voluntary sector, the criminal justice system and other partners in promoting the new community options to the courts;
- Changing the use of a women’s prison so that the target to reduce the women’s prison estate by 300 places by March 2011 has been met and further supporting the target to reduce the number of female prison places by 400 by March 2012;
- Supporting a project to explore the benefits of early intervention for women with multiple needs in order to divert them at their first point of contact with the criminal justice system; and
- Funding 25 local authorities to deliver women-specific family intervention services in 2010/12 as part of a wider approach to supporting families with multiple problems.

23. The British Government has recently set out its vision of more effective punishment and rehabilitation of offenders in the Green Paper “Breaking the Cycle, Effective Punishment, Rehabilitation and Sentencing of Offenders”.<sup>15</sup> Through the proposals set out in the Green Paper, the British Government will ensure that women who offend are successfully rehabilitated, whether they serve sentences in custody or in the community.<sup>21</sup> The British Government is also developing a strategy that will ensure that the women’s sentence delivery, in both custodial and community environments, is fit for purpose and meets the complex needs of women offenders.<sup>22</sup>

24. The National Offender Management Service has committed to provide funding to sustain the majority of women’s community-based services in the financial year 2011/12. It has also made a commitment from 2012/13 onwards to commission services that demonstrate their effectiveness in diverting women from custody.

25. It is not British Government policy to accommodate female offenders under the age of 18 in adult prisons.<sup>23</sup> Those aged 17 are accommodated in dedicated units commissioned by the Youth Justice Board and run by the prison service. Those under the age of 17 are held in either secure training centres or secure children’s homes. There has been approximately a 14 per cent fall in the number of young people (under 18) in custody over the past five years. In Northern Ireland, female offenders under the age of 18 are accommodated in the Juvenile Justice Centre.

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<sup>15</sup> <http://www.justice.gov.uk/docs/breaking-the-cycle.pdf>.

26. The British Government believe that all offenders with learning needs should have a personalised learning offer, based on a proper assessment of needs and set out clearly in an Individual Learning Plan tailored to them.<sup>24</sup> Through the new Offender Learning and Skills Service Contracts in 2009 it has enhanced existing services, including by providing:

- Individual screening followed by appropriate assessment to identify the individual’s learning and skills needs;
- A broad-based curriculum in custody, but with a strong “core” to facilitate progression on transfer, in order to meet learning needs;
- Properly managed transition into the community on release, including signposting female offenders to places where they can get the advice and support they need e.g. relevant Women’s Centres and organisations; and
- Information, Advice and Guidance services to support offenders with learning needs. These services are integrated into the universal adult careers service. This ensures support and guidance is provided for all women, including all offenders.

27. The Northern Ireland Executive published a three-year strategy on 29 October 2010, entitled “A Strategy to Manage Women Offenders and those Vulnerable to Offending Behaviour”.<sup>16</sup> A key aim of the strategy is to reduce the number of women entering the criminal justice system in Northern Ireland. To achieve this, it focuses on four key areas:

- Providing alternatives to prosecution and custody;
- Reducing women’s offending;
- Gender-specific community supervision and interventions; and
- Developing a gender-specific approach to custody.

28. Northern Ireland has reviewed the current location of women prisoners and, in keeping with the development of its overall strategy, the Northern Ireland Prison Service has been examining the options for providing more appropriate purpose-built accommodation and facilities for women prisoners. In the interim, the Northern Ireland Prison Service has an ongoing programme of improvement and refurbishment of women’s prison facilities.

29. The Scottish Government has:

- Opened two Community Integration Units. These enable low-supervision female prisoners coming to the end of their sentence to prepare for reintegration into the community by providing them with a structured programme of opportunities, such as college or family visits;
- Continued funding of £1.7 million per annum for the 218 Centre in Glasgow, a specialist multi-disciplinary facility for women offenders who may have co-existing addiction issues. The 218 Centre has both residential and day programmes and provides a unique opportunity to deliver responsive and innovative social care and health services from a single site;

<sup>16</sup> [http://www.dojni.gov.uk/index/publications/final\\_draft\\_for\\_print-\\_a\\_strategy\\_to\\_manage\\_women\\_offenders\\_and\\_those\\_vulnerable\\_to\\_offending\\_behaviour.pdf](http://www.dojni.gov.uk/index/publications/final_draft_for_print-_a_strategy_to_manage_women_offenders_and_those_vulnerable_to_offending_behaviour.pdf).

- Introduced the Community Payback Order which provides the opportunity for the order to be tailored to the needs of women offenders, with guidance underlining the importance of ensuring access to appropriate unpaid work, taking account of childcare or other caring requirements; and
- Given community justice authorities an additional £800,000 funding per year for 2010/11 and 2011/12 to strengthen efforts to prevent women reoffending. These fund programmes such as a mentoring project for women on community disposals or on release from prison.

### **Non-Departmental Public Bodies (NDPBs)**

30. The British Government has undertaken a review of NDPBs. The key objectives of the review were to increase accountability and reduce the cost of Government-funded bodies. As a result, a decision was made to close the WNC at the end of 2010 and to develop a new approach which will bring engagement with women and the women's organisations that speak on their behalf closer to Ministers and will ensure that methods of engagement and communications more suited to the 21st century are used. At the time of submitting this report, the British Government is consulting on its proposals for a new approach and actively listening to what women and women's organisations have to say. Implementation will commence in October 2011 (subject to the consultation responses) and will comprise a mix of communication to enable engagement with women and women's organisation across the United Kingdom and utilise the most up-to-date social networking methods. Collated information will be brought to the attention of the Inter-Ministerial Group on Equalities, which oversees the strategy to deliver the Government's equality commitments. This improved communication is designed to offer a broader and more inclusive approach to engaging and listening to women in the United Kingdom than previously by enabling individual women to feed their views directly into Government.

31. The EHRC remains the independent statutory body with responsibility to eliminate discrimination, promote and monitor human rights and promote equality. It is sponsored by GEO.<sup>25</sup> The Government has published detailed plans for major changes to the way the EHRC operates.<sup>17</sup> The reforms will correct mistakes of the past and increase transparency, accountability and value for money. They will make the EHRC a stronger, more focused and more efficient organisation.

### **Non-Governmental Organisations (NGOs)**

32. The United Kingdom Government finds the assertions that the former GED impacted negatively on the provision of "women-only services" to be factually incorrect. Independent research commissioned by GEO<sup>18</sup> found no evidence that the GED affected the stability or sustainability of the women's voluntary sector. An evaluation of the 2009/10 Special Fund found that, while some recipients had been encouraged to provide services to male victims of sexual violence, there had been a range of responses to this by individual organisations from providing separate

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<sup>17</sup> <http://www.equalities.gov.uk/pdf/EHRC%20Reform%20Condoc%20Accessible.pdf>.

<sup>18</sup> 13.5, p137 in Heady, L., Kail, A. and Yeowart, C. (2011) *Understanding the Stability and Sustainability of the Violence Against Women Voluntary Sector*, GEO (London).

services for men to retaining exclusively women-only services.<sup>19</sup> Nor was evidence provided to the Committee during the 2008 examination to substantiate these assertions.<sup>26</sup>

33. GEO published a GED factsheet in July 2009, which explained how it applied to and could be used by all public authorities. It was disseminated widely, including to local authorities in England. GEO updated and recirculated the factsheet in light of the commencement of the Equality Act and the introduction of the Equality Duty.

34. In Northern Ireland, a review of Government funding to women's groups and organisations will inform the midterm review of the Gender Equality Strategy. The Scottish Government continues to provide £1 million funding annually to gender equality projects.

35. In Wales, the Welsh Government's Advancing Equality Fund provided funding to three gender organisations during 2010/11 to promote gender equality. The funding provided represented a quarter of the Advancing Equality Fund's total budget. In addition, the Welsh Government is currently reviewing the representation of gender groups in order for their views and needs to be best addressed in respect of policy and decision-making.

#### **Special measures to accelerate equality**

36. The United Kingdom Government has introduced a number of special measures to improve equality between women and men and to facilitate gender mainstreaming during the reporting period through legislative and other measures.<sup>27</sup>

#### **Legislation**

37. The Equality Act is intended to streamline and strengthen the discrimination legislation that it has replaced. Specifically, the Equality Act permits employers, service providers and others to use positive action measures to alleviate disadvantage experienced by underrepresented groups including women, reduce their underrepresentation in relation to particular activities and meet their particular needs. It allows measures to be targeted at women, for example to enable them to gain employment or access health services. Such measures can only be taken if they are a proportionate means of achieving a legitimate aim. This is not positive discrimination, which would be favouring someone or a group solely because they have a protected characteristic regardless of other relevant factors.

38. The Equality Act has also extended the period during which women-only shortlists are allowed in order to help increase the representation of women in Parliament and elected bodies. This will now be permissible up to 2030. This provision applies across the whole of the United Kingdom.

#### **Inter-Ministerial Group on Equalities**

39. The British Government has established a new Inter-Ministerial Group on Equalities to develop and oversee implementation of a strategy to deliver the Government's equality commitments. It also champions fairness and equality across

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<sup>19</sup> 3.69 p. 66 in Shared Intelligences & Jane Ellis Consulting (2011) *Evaluation of the Special Funds for the Sexual Violence Voluntary and Community Sector*, GEO (London).

Government business and drives the implementation of equality-related commitments within Departments.

40. The Group is chaired by the Minister for Women and Equalities and attended by Ministers from 12 other Departments. They meet quarterly to consider issues relating to equality, including gender.

### **III. Article 5: Sex roles and stereotyping**

41. The British Government takes a multi-faceted approach to combating sex roles and stereotyping.

42. The British Government supports schools and other partners to tackle gender stereotyping and segregation in education and training through guidance in relation to subject choices and careers. This has included statutory guidance for schools on delivering impartial careers education and lesson plans for teachers on equal opportunities and stereotyping. The new Education Bill will require schools to secure access to independent, impartial careers guidance for their pupils and the Careers Profession Alliance is working to raise the profile of the careers professional, ensuring they are well equipped to deal with equality issues. There is a non-statutory programme for Personal, Social and Health Education (PSHE) in schools in England, which promotes equality, understanding and non-discriminatory attitudes (see Article 10).

43. In apprenticeships in England there is gender segregation apparent across some sectors, with women underrepresented in some higher paid and/or traditionally male dominated sectors such as construction and engineering. This mirrors wider employment patterns. The National Apprenticeship Service is funding 16 "Apprenticeship diversity" pilots through to March 2012, providing around 5,000 apprenticeship opportunities. These projects are designed to test out different ways to improve access to apprenticeships for underrepresented sections of society.

44. In Northern Ireland, the revised curriculum and educational entitlement framework offers young people a wider range of subjects and gives them as wide a range of opportunities as possible, not limited by gender, to go into the world of work. In addition, the Youth Service aims to help young people to overcome barriers to learning and develop to their full potential through a range of non-formal education and activities designed to improve their personal and social development.

45. In Scotland, the Curriculum for Excellence Experiences and Outcomes enables children and young people to understand their rights and the rights of others and recognize the unique blend of abilities and needs of everyone as individuals. The multi-disciplinary approach to learning enables children and young people to learn about gender across a range of subject areas and through a number of different learning experiences.

#### **Women in Science, Technology, Engineering and Maths (STEM) education and work**

46. The British Government is committed to increasing the number of girls studying science in both academic and vocational education, thus helping to address the skills shortage in the science and engineering sector and to achieve an improved gender balance.

47. The United Kingdom's STEM Ambassadors Programme arranges for working scientists and engineers to go into schools to support teachers and to engage and enthuse pupils to continue studying science by acting as role models. There are currently over 28,000 Ambassadors, of whom 41 per cent are women.

48. The draft Strategy "Success through STEM" outlines how in Northern Ireland, the relevant Government Departments intend to take forward the recommendations in the 2009 "Report of the STEM Review" — including addressing gender bias. The Scottish Government continues to distribute awareness-raising material from its "Do something creative. Do science" campaign at relevant events through its partners (careers events in schools and science festivals). It is also supporting the Royal Society of Edinburgh to develop a practical strategy to increase both the proportion of women in the STEM workforce and the number who progress to senior positions. The Welsh Government encourages women into science, engineering and construction by providing funding for specific projects, such as "Discover" — a science club for young girls in South Wales, which provides opportunities to take part in activities and industrial visits supported by female role models in technical careers.

### **Portrayal of women in the media**

49. The role of the media in the portrayal of women is widely recognized by the British Government, media regulators, broadcasters and the press. However, the British Government believes that media free from State intervention are fundamental to our democracy. It does not, therefore, seek to interfere in broadcast programme matters or in what a newspaper or magazine chooses to publish. Ultimately it is the responsibility of the individual advertisers, broadcasters and publishers, working within the law and the guidelines set out by their regulators, to promote and distribute material responsibly. While respecting the independence of the media, the British Government welcomes media challenge to stereotypes and portrayal of women in a positive manner. A recent example of this is through a series of programmes broadcast by one of the main terrestrial channels, the BBC, to celebrate International Women's Day. These programmes focused on women's rights and women's lives. Programming of this nature not only addresses women's lives throughout the world but also offers positive portrayals of women.

50. There are a wide range of regulatory controls on the media and advertising which set out rules on discriminatory treatment and in relation to the portrayal of women. Under the Communications Act 2003 (the Communications Act), Parliament has placed a duty on the broadcasting regulator, the Office of Communications (Ofcom), to draw up a Broadcasting Standards Code which prohibits discriminatory treatment or language on the grounds of (among other things) gender. The Code reflects the requirements placed on Member States which are set out in the Audio Visual Media Services Directive. While the British Government does not intervene in what the print media choose to publish, the media must abide by the law, including laws on discrimination. The print media chose to sign up to a Code of Practice overseen by the Press Complaints Commission. This includes clauses on discrimination. The Communications Act also places a duty on Ofcom to review and revise the standards for the content of broadcast programmes so as to meet the standards set out in the Communications Act.<sup>28</sup>

51. There are strict rules in place to cover broadcast and non-broadcast advertising. Non-broadcast advertising in the United Kingdom is controlled through industry self-regulation, under the Committee of Advertising Practice (CAP) code administered by the Advertising Standards Authority (ASA). The CAP code sets out that marketing communications should contain nothing that is likely to cause serious or widespread offence. Particular care should be taken to avoid causing offence on the grounds of race, religion, sex, sexual orientation or disability. Marketers are urged to consider public sensitivities before using potentially offensive material.

52. The British Government recognizes the important role that education and media literacy initiatives play in helping young people to understand, critically assess and challenge the media environment in which we live. To this end a representative from the Department for Culture, Media and Sport sits on the advisory board of Media Smart, a not-for-profit organisation that produces media literacy materials that are currently used in around 10,000 primary schools in England. GEO is working with Media Smart to produce additional materials focusing on the accurate representation of body images in the media (see also paragraphs 58-60).

53. The British Government has made a commitment to take action on irresponsible advertising and marketing, especially aimed at children, and to take steps to tackle the commercialisation and sexualisation of childhood. In December 2010, the Government announced that it had set up an independent review led by Reg Bailey, the Chief Executive of the Mothers' Union, to report on the issue and make recommendation for actions. His report and the Government's response were published on 6 June 2011.<sup>20</sup>

54. The regulation of broadcast advertising is controlled under the Broadcast Committee of Advertising Practice (BCAP) code through a co-regulatory partnership between Ofcom and the ASA.

55. On 1 September 2010, the BCAP announced its decision to extend the digital remit of the ASA. The new remit, which came into force on 1 March 2011, ensures the same standards as in other media and covers advertisers' own marketing communications on their own websites and marketing communications in other non-paid-for space under their control, for example social networking sites such as Facebook and Twitter. All the rules in the code will apply to advertisements and other marketing communications falling within the extended digital remit.

56. The ASA is also responsible for overseeing the regulation of advertising included in TV on-demand programme services. Rules for TV on-demand advertising provide that it must not prejudice respect for human dignity, or include or promote discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation.

57. In March 2010 CAP announced the introduction of overarching Social Responsibility Rules into both Advertising Codes. This will afford greater protection to consumers.

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<sup>20</sup> <http://www.education.gov.uk/inthenews/inthenews/a0077692/the-governments-response-to-the-independent-review-of-the-commercialisation-and-sexualisation-of-childhood>.



### **Action on the “size zero” debate and body confidence**

58. The British Government is encouraging all those working in the fashion industry to continue to take a strong lead on the promotion of a healthy body image, particularly to young people.

59. Following the close of the Model Health Inquiry Action Plan at the end of 2008, the British Fashion Council (BFC) set up the Model Programme in association with the Association of Model Agents, the Greater London Authority, Equity and the London Development Agency. As a result of this work, the BFC implemented a number of changes, including a ban on models under the age of 16 at London Fashion Week, and backstage model health audits at London Fashion Week. The BFC continues to work closely with Government on matters relating to model health and well-being.

60. GEO is leading work to combat the singularity of body image presented in the media. GEO has convened a group of experts to work with to identify non-legislative solutions to this issue and will be taking their views into account when developing policy. GEO is working across Government and the private and voluntary sectors to tackle this issue in a sensitive and proportionate way.

## **IV. Article 6: Exploitation of women**

### **Combating human trafficking**

61. The British Government considers the trafficking of women a serious crime and is committed to tackling it. It is determined to build on the United Kingdom’s strong track record in supporting victims and combating traffickers and has a number of measures in place including legislative, media-related and international.

62. The latest estimate from the Association of Chief Police Officers (ACPO) is that there are at least 2,600 victims of trafficking for sexual exploitation in England and Wales. The British Government’s strategy to combat human trafficking will be published before summer Parliamentary recess in 2011.

63. The United Kingdom ratified the Council of Europe Convention on Action against Trafficking in Human Beings (CoE Convention) on 17 December 2008. It entered into force on 1 April 2009. The United Kingdom is applying to the European Commission (EC) to opt into the European Union (EU) Directive on human trafficking, subject to the views of Parliament.

64. The United Kingdom Human Trafficking Centre has become part of the Serious Organised Crime Agency. This merger has strengthened the United Kingdom’s approach to tackling human trafficking as an organised crime. The Centre continues to act as a central point of coordination for intelligence, analysis and operational activities around human trafficking.

65. The British Government considers that the media is a key influencer and partner in taking forward strategies to combat trafficking. The Government reached a voluntary agreement with the Newspaper Society to try to curb the level of advertising of sexual services in newspapers. Through this joint working, the United Kingdom has seen a dramatic reduction in advertisements for sexual services from non-British women in regional newspapers, by 80 per cent since 2007 (see Article 5 for further details).

66. By the end of January 2011, there had been 153 convictions for trafficking under the Sexual Offences Act 2003 (in effect since May 2004) and 13 convictions for labour trafficking under the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (in effect since December 2004).

#### **Support for victims of trafficking**

67. The British Government introduced a 45-day minimum reflection period for identified victims, going beyond the minimum requirement in the CoE Convention.<sup>29</sup> It has also made it possible for victims of trafficking to be eligible for one-year residence in line with the provisions of the CoE Convention, or to claim asylum or humanitarian protection. Each case is considered on its own merits.<sup>30</sup>

68. Although victims of trafficking in the United Kingdom have legal protection, the Government recognizes that in many cases more specialist support is needed. The Government has introduced a new model for funding specialist support for adult victims of trafficking, commencing on 1 July 2011. A prime contractor will coordinate and contract support services for all adult victims of human trafficking, ensuring that each identified victim receives support tailored to their individual needs and in line with the standards set out in the CoE Convention. Following an open and consultative procurement process, the Salvation Army, a leading charitable organisation in the United Kingdom, was selected as the preferred bidder to deliver the prime contractor service and will receive £2 million a year funding to provide support services for identified victims of trafficking in the United Kingdom.<sup>31</sup>

69. In February 2011, the Northern Ireland Executive opened a new delivery contract with Migrant Helpline, in conjunction with their delivery partner, the Women's Aid Federation of Northern Ireland. The new contract provides a tailored package of support to adult victims of human trafficking recovered in Northern Ireland. The contract is for a period of 12 months with the option to extend by two further periods of 12 months each. During 2009/10, 25 potential victims of human trafficking were recovered in Northern Ireland. The Blue Blindfold campaign was relaunched in Northern Ireland in January 2011 to raise public awareness of human trafficking and two awareness-raising events on human trafficking have also been supported by the Department of Justice in early 2011.

70. The Scottish Government also funds two organisations, the Trafficking Awareness Raising Alliance (TARA) and the Migrant Helpline, to provide support to suspected victims of trafficking from initial referral to the conclusive grounds decision. In 2009/10, the most recent full year for which information is available, it provided over £236,000 in grant funding, enabling both organisations to support over 100 suspected victims of trafficking between them. Although final figures are not available for 2010/11, expenditure on supporting victims is expected to be roughly three times that incurred in 2009/10.

71. In September 2010, the Welsh Government announced the creation of Wales' first anti-human trafficking coordinator, who raises awareness of the problem and organises practical training for professionals on how to identify and intervene in cases of human trafficking. "The Right to be Safe" strategy, launched in March 2010, outlines the Welsh Government's commitment to supporting victims of human trafficking.

72. The Welsh Government is also funding the development of an online training resource (which is already available in both England and Scotland) to assist practitioners in safeguarding children in Wales who might have been trafficked. In 2008 it published supporting guidance for practitioners and volunteers working in this area.

### **Combating human trafficking internationally**

73. DFID supports projects which aim to tackle human trafficking in developing countries. For example, in Malawi it supports the Salvation Army's "Anti-Child Trafficking Project", which aims to reduce trafficking of children by:

- Introducing specific anti-trafficking legislation;
- Raising awareness of the problem within communities at risk, training police and immigration officers and working with children in schools; and
- Protecting vulnerable children and previously trafficked children and their families with income-generation activities.

74. In Bangladesh, DFID supports the Police Reform Programme which has recently established a Human Trafficking Investigations Unit. Key activities of the Unit include:

- Strengthened investigative capacity of the police through specialist training to police investigators in known "hotspots";
- Development of a Human Trafficking Act;
- Development of partnerships between police and key local stakeholders for enhanced victim identification and support; and
- Roll-out of six Victim Support Centres in Bangladesh's 6 divisions to assist victims of trafficking, staffed by specially trained female police officers.<sup>32</sup>

75. The Scottish Government brought forward legislative provisions in the Criminal Justice and Licensing (Scotland) Act 2010 to amend and extend the current offences provisions relating to trafficking of human beings in the Criminal Justice (Scotland) Act 2003 and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. These provisions came into force in March 2011. The Criminal Justice and Licensing (Scotland) Act 2010 introduces a range of measures, including extending the extraterritorial effect of trafficking offences to ensure that the offence of trafficking applies to both in and outside the United Kingdom and the creation of new offences of trafficking persons into, within or out of a country other than the United Kingdom. Other jurisdictions in the United Kingdom will introduce similar provisions in the event that the European Commission accepts the Government's application to opt into the European Union Directive on human trafficking.

76. The Scottish Government, through its international development fund, provides support to vulnerable children in developing countries at risk of abuse and exploitation. An example is the funding that has been made available to Tearfund Scotland, a relief and development agency working to help eradicate global poverty, which is working with communities in the north of Malawi to raise awareness of harmful practices such as early marriage and child labour. Tearfund Scotland have been awarded funding of £396,200 from 2010/11 to 2012/13 and will conduct

sensitisation training on children's rights and gender practices, including the importance of sending girls to school.

### **Prostitution**

77. In August 2010, the British Government launched a review to look at the approaches taken to prostitution in local areas throughout England and Wales. The review aims to identify effective practice in terms of policing, minimising harm, multi-agency working and enabling people involved in prostitution to exit this lifestyle. The Government will publish Effective Practice Guidance for local areas in 2011.

78. The Policing and Crime Act 2009 (the Policing and Crime Act) came into force on 1 April 2010, providing the police with greater powers. The legislation allows police officers to apply to the courts for a Closure Order to close for a period of up to three months premises associated with particular prostitution or pornography-related offences.

79. Section 17 of the Policing and Crime Act creates a new Order, the "Engagement and Support Order," which can be given to a person convicted of loitering or soliciting on two or more occasions within a three-month period as an alternative to a fine. The Order requires them to attend a series of meetings with a court-appointed supervisor to help them to address the issues which led to them becoming involved in prostitution, for example by providing access to health or housing services.

80. Section 14 of the Policing and Crime Act introduced a new offence of paying for the sexual services of a prostitute subjected to exploitative conduct. Strict liability provisions mean that the burden is on the sex buyer to prove that the prostitute was not subject to exploitative conduct and ignorance is not a defence. The penalty for a person convicted of this offence is a fine of up to £1,000.

81. Section 45 of the Criminal Justice and Licensing (Scotland) Act 2010 increases the maximum penalties available for the offences of brothel keeping and living on the earnings of prostitution. These provisions came into force on 13 December 2010.

82. The Welsh Government funded the "Safer Wales Street Life" project which worked in partnership with local authorities, the National Health Service (NHS) and other agencies to protect children, young people and adults from prostitution, abuse and sexual exploitation and to help change the lives of those involved and affected by sex work, through mentoring, advocacy and access to services. In addition, the Welsh Government issued draft guidance in August 2010 for consultation as a supplementary guide to "Working Together" to safeguard children and young people from sexual exploitation.

### **Legislating against extreme pornography**

83. The Criminal Justice and Immigration Act 2008 created a new offence of possession of extreme pornographic material punishable by up to either three years' or two years' imprisonment, according to the nature of the image. This legislation was introduced because existing legislation did not cover access via the internet to material hosted on servers outside the territory of the United Kingdom. The new offence, which came into effect on 26 January 2009, makes the possession of such material illegal, both online and offline. The Criminal Justice and Immigration Act

2008 also increased the maximum sentence for publication and distribution offences under the Obscene Publications Act 1959 from a maximum of three years' imprisonment to a maximum of five years' imprisonment.

84. Similar legislation providing for an offence of possession of extreme pornography in Scotland is set out in section 42 of the Criminal Justice and Licensing (Scotland) Act 2010 and came into force on 28 March 2011.

## **V. Article 7: Political and public life**

85. The vision of the United Kingdom to promote greater participation in public life by women in particular is focused on three areas: political life, public life and communities.

86. The British Government is working to promote greater participation in British communities through its "Big Society" initiative. The objective of this initiative is to significantly transfer power from central Government to local communities. In particular, this includes:

- Community empowerment: giving local councils and neighbourhoods more power to take decisions and shape their area;
- Reforming and opening up public services: enabling charities, social enterprises, private companies and employee-owned co-operatives to compete to offer people high quality services;
- Social action: encouraging and enabling people to play a more active part in society; and
- Bringing people together to solve problems and improve life for themselves and their communities.

87. Women and organisations play a crucial role across the United Kingdom in bringing women's voices to Government, advocating on behalf of women, campaigning for change and delivering services. The Government will continue to seek their views as further participation policies are developed.

### **Increasing the numbers of women in political life**

88. At the last British General Election, 144 women MPs were elected out of a total of 650 MPs; as a result women now comprise 22.2 per cent of the House of Commons. The United Kingdom now has more women MPs than ever before. The United Kingdom is 11th of EU Member States in terms of female representation and 50th worldwide. The representation of women in the House of Lords is also over 20 per cent (an increase of over 2 per cent since 2005). Over a third of BAME MPs are women. 32 per cent of the United Kingdom's Members of the European Parliament (MEPs) are women.

89. The Equality Act includes various positive action provisions to enable political parties to take a range of steps to encourage involvement of underrepresented groups. Some of these steps are specific to the work of political parties, such as extending the period that political parties can use women-only electoral shortlists until the end of 2030.<sup>33</sup> Other positive action provisions in the Equality Act that are available to all organisations, including political parties, allow for the adoption of a

wide range of voluntary measures to increase the diversity of their membership more generally. These provisions came into force in October 2010 during the main wave of implementation of the Equality Act.<sup>34</sup>

90. The Northern Ireland Assembly has 108 Members of the Legislative Assembly (MLAs): six for each of the 18 constituencies, elected by the single transferable vote system. Twenty (20) women (19 per cent) were returned in the 2011 elections, two more than in 2007, and there are four women Ministers in the Executive Committee. Two of the three MEPs are women, and in Local Government, 23 per cent of the 582 councillors are women.

91. In the Scottish Parliament, women comprise 34.9 per cent of the Members of the Scottish Parliament (MSPs) (an increase of 2 per cent from May 2007). There are currently six female Cabinet Ministers, including the Deputy First Minister. At a local level, in 2007, women made up 22 per cent of those elected as councillors (similar to the percentage of those who stood as candidates).

92. Following elections to the Welsh Government in 2008, over 46 per cent of the Members are female. At local level, in 2004 22 per cent of councillors were women; by 2008 this had risen to 25 per cent. In addition, the Welsh Government and the Welsh Local Government Association have worked in partnership to develop “Step Up Cymru”, a mentoring scheme for underrepresented groups. Participants are mentored by local councillors and Assembly Members. The scheme aims to increase involvement in democratic society.

#### **Increasing the number of BAME women in political and public life**

93. BAME women represent 5.8 per cent<sup>21</sup> of the United Kingdom population but their underrepresentation in British political and public life remains a challenge, with BAME women comprising less than 1 per cent of councillors. In May 2008, a cross-party Taskforce was launched, comprising 16 former and current BAME women councillors, to take practical action to increase the numbers of BAME women local councillors<sup>35</sup> and to address the Committee’s recommendations in its 2008 Concluding Observations.<sup>36</sup> The Taskforce was established for a year with a remit to:

- Consider practical ways and take action to increase awareness through outreach activities;
- Build confidence and skills;
- Encourage more BAME women to step forward to become local councillors;
- Improve the culture of political parties; and
- Reduce disadvantage and stereotyping from within and outside the BAME communities.

94. The Taskforce oversaw the establishment of a mentoring scheme for 60 women and a Community Leadership course for 60 women. It reported in October 2009 and concluded in March 2010.

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<sup>21</sup> ONS experimental Population Estimates by Ethnic Group in England for 2007, published in 2008.

### **Speaker's Conference**

95. In response to concerns about the underrepresentation of women, BAME and disabled people in Parliament, including concerns in the Committee's 2008 Concluding Observations, the Speaker of the House of Commons established a cross-party "Speaker's Conference". This was an inquiry to consider and make recommendations on how to improve representation of those groups in the House of Commons, so that the membership is more representative of wider society. The Speaker's Conference collected evidence and reported on 11 January 2010. It made recommendations to Parliament, political parties and Government.

96. The British Government has already taken forward a number of the Speaker's Conference recommendations and will continue to use the Speaker's Conference' findings to inform development of new policies to tackle underrepresentation, for example:

- Mental Health Act 1983 — The Government has recently announced its intention to repeal section 141 of the Mental Health Act, which automatically disqualifies MPs from office if they are sectioned for more than six months. We will repeal section 141 in its entirety as soon as a suitable Bill is available, and will include clauses in the Bill to expressly remove any common law provisions in this area;
- Access to elected office — Following the Speaker's Conference recommendation to establish a Democracy Diversity Fund, the Government has committed to providing extra support for disabled people who aspire to elected office. A public consultation on a range of proposals closed on 11 May 2011 and the Government intends to announce its strategy for taking this commitment forward by September 2011.

### **Increasing the number of women in public life**

97. Educational programmes have been promoted (including through citizenship lessons in British schools) to equip women and girls with the necessary knowledge to enable them to participate equally in decision-making processes in all spheres of life and at all levels. Opportunities for young people to engage in democratic activities include membership of school councils and participation in the UK Youth Parliament. Currently, 49 per cent of the United Kingdom Youth Parliament members are female.

98. The British Government has set itself the aspiration that by the end of the current Parliament (2015), 50 per cent of all new appointments being made to boards of public bodies will be women. Women held just over a third of public appointments as at 31 March 2009. A strategy and action plan which sets out the approach to achieve this aspiration will be published shortly.

99. The Scottish Government is also working to encourage more women to apply for positions on public bodies in Scotland and the numbers are improving. As at 31 March 2010, women comprised approximately 40 per cent of members of public bodies and approximately 17 per cent of chairs of public bodies.

100. The Welsh Government is working with organisations representing minority communities to encourage applications for public appointments. The partnership

initiative is assisting interested candidates to better understand the application process. It has been supplemented with an awareness-raising advertising campaign.

#### **Increasing the number of women in corporate life**

101. The British Government has also made a commitment to promote gender equality on the boards of listed companies and appointed Lord Davies of Abersoch, former Chair of Standard Chartered Bank, to lead a review into how obstacles can be removed to allow more women to be appointed to company boards. He presented his business strategy on 24 February 2011. The Government has welcomed Lord Davies' report, is engaging with business in considering his recommendations and encourages regulators, investors and executive search firms to take forward those recommendations that fall to them.

#### **Supporting disabled women to be represented as elected officials (Access to Public Life Fund)**

102. The British Government made an early commitment to introduce extra support for disabled people (including disabled women) who want to become MPs, councillors or other elected officials. The Government is working closely with disability and other partner organisations to develop how this support might best be offered.<sup>37</sup> The British Government wants to encourage input from a wide range of people and therefore launched a public consultation on proposals for delivering this commitment on 16 February 2011. The British Government is considering the responses to the consultation, which closed on 11 May 2011.

#### **International Women's Day**

103. The Prime Minister, Home Secretary and Minister for Women and Equalities, Secretary of State for International Development, Foreign Secretary and a large number of other Government Ministers and Departments led and participated in a wide range of high profile events to celebrate the centenary of International Women's Day. Debates were held on this subject in both Houses of Parliament.

104. In Northern Ireland, the Office of the First Minister and the Deputy First Minister and the Northern Ireland Assembly supported a number of events which had been organised by women's groups and organisations across the country in March 2011 to celebrate the centenary of International Women's Day and the achievements and potential of women.

105. In Scotland, the theme of the annual International Women's Day event held in the Scottish Parliament in March 2011 was to celebrate 100 years of achievements, advancements and aspirations and the centenary of International Women's Day. The event was attended by approximately 400 women. It was hosted by the Scottish Women's Commission, funded and arranged by the Scottish Government, with cross-party women speakers, including the Deputy First Minister.

106. The Welsh Government has continued to provide annual funding to local organisations across Wales to celebrate International Women's Day. The theme in Wales for 2010 was "Promoting Women into Public and Political Life" and the theme for 2011 was "Celebrating a 100 years of Women's Equality".



**Political representation overseas**

107. In addition to promoting diverse representation in political and public life, the British Government is taking steps to encourage diverse political representation overseas. Recognising the role of women in development and promoting gender equality is one of the six priorities under DFID's Business Plan and has been highlighted in the new Strategic Vision for Women and Girls. Women's participation in political and public life is an important component of DFID's growing focus on empowerment and accountability and its work on women and girls.

108. DFID provided £3 million per year to the United Nations Development Fund for Women (commonly known as UNIFEM) enabling it to provide global technical assistance in gender equality to elections management bodies. DFID has already provided US\$ 1 million to UN Women to ensure this work continues during the transition from UNIFEM to UN Women. DFID also provides support to "One World Action" to support women's movements for women's empowerment, political participation and inclusion in the south (£3.1 million 2008 to 2011).

109. The Scottish Government is separately enhancing women's role in their own communities by providing funding of £400,000 over three years from its International Development Fund for schools-based teacher training for women in isolated and rural areas of Malawi through the Teacher Education in Sub-Saharan Africa programme. This will enable 1,000 scholarships. The first scholarship holder started training in April 2011.

**VI. Article 8: Women as international representatives****Women in the Foreign and Commonwealth Office (FCO)**

110. The British Government aspires to achieve diplomatic excellence through attracting the most diverse talent to work in the FCO's toughest and most challenging posts. To this end, it encourages and supports women to work for the FCO and progress to senior management positions. Its aim is to see at least 28 per cent of the Department's senior jobs filled by women by April 2013 and, to help to meet this objective, it has appointed a member of its Executive Board to act as a champion for women's issues within the FCO. The FCO also supports a number of initiatives, for example mentoring and support mechanisms for female diplomats.

111. In January 2006, only 15 per cent of senior management at the FCO were women. This compares to 25 per cent of senior roles being filled by women as at 1 April 2011. The number of women appointed to the role of Head of Post has increased from 6.5 per cent in January 2006 to 13 per cent in November 2010. Both the Head and Deputy Head of the British Delegation to the CoE are women.

**Women in DFID**

112. DFID was assessed by "Now", one of the leading benchmarking companies for gender equality, diversity and inclusion in the workplace in the United Kingdom, and achieved Gold standard in these areas. In particular, the Department scored highly on cultural awareness, leadership and workplace improvement. The Department runs a targeted development programme for women. Sixty-six (66) per cent of the women on the programme have been promoted during this reporting

period. In September 2010, 36 per cent of the Department's senior civil servants were women. The target over the next three years is to achieve 39 per cent.

#### **Women in the Armed Forces**

113. The British Government considers that women are fundamental to the operational effectiveness of the Armed Forces, bringing talent and skills across the board. Policies are continually reviewed to ensure that they attract an increasing proportion of the best female candidates and remain competitive with other employers. There has been a conscious effort to target women through advertising and marketing materials and to raise awareness of opportunities for women. Women are also encouraged to consider applying to work in branches and trades (particularly technical specialisations) where they are traditionally underrepresented.

114. During the reporting period, roles previously considered appropriate for men only have been opened up for women. This includes women serving as Clearance Divers in the Royal Navy, which was opened to women in 2010; and the first woman to train as a Royal Navy Mine Warfare and Clearance Diving Officer has since graduated from the Defence Diving School. The specialist Royal Air Force Aerobatic Team (the British Red Arrows) recruited its first ever female pilot to fly as part of the 2010 display team. Over the reporting period the overall percentage of women in the Armed Forces showed a slight increase from 9.3 per cent in 2007 to 9.6 per cent in 2010. The percentage of female officers rose from 11.6 per cent in 2007 to 12.2 per cent in 2010 and the percentage of women in other ranks rose slightly from 8.9 per cent to 9.0 per cent.

115. The Armed Forces works with the EHRC to improve its recruitment and retention of women. It entered into an Agreement to look at ways of preventing and dealing effectively with sexual harassment in the Armed Forces. The initial Agreement concluded in July 2008 and the EHRC confirmed that it was satisfied with the progress that the Armed Forces were making in tackling sexual harassment, while noting that there was still work to be done to effect a real change in attitudes and culture. In February 2009, the Ministry of Defence (MoD) (the Armed Forces' parent Department) entered into a 12-month Partnership Agreement with the EHRC to take this work forward. The Armed Forces continue to work on implementing measures identified by the project. This engagement with the EHRC, assisted by a panel of external diversity experts who helped to benchmark the MoD's progress, resulted in a greater capability to identify areas that needed addressing. This included, in particular, building confidence in the MoD's complaints procedures and proposals for women's career structures.

## **VII. Article 9: Nationality**

116. As part of the British Government's efforts to ensure that women asylum seekers are not discriminated against when they make asylum claims,<sup>38</sup> each United Kingdom Border Agency (UKBA) regional office has individual arrangements in place to enable women asylum seekers with dependent children and no alternative childcare arrangements to attend asylum interviews without having to bring their children with them. This is also for the protection of the children, to ensure that they do not have to listen to distressing information about the ill-treatment of a parent. Arrangements can include rescheduling asylum interview dates to accommodate

childcare arrangements, or the provision of childcare provision at or near the UKBA premises, where this is safe and sensible.

117. Education is made available for all children of compulsory school age throughout the United Kingdom, irrespective of a child's immigration status or right of residence. The Scottish Government also makes preschool education and Higher Education (HE) available. All asylum seekers in the United Kingdom are entitled to free NHS primary and secondary medical treatment until their asylum claim has been fully determined. Asylum seekers in receipt of asylum support are exempt from prescription and other charges on the basis of low income. Health entitlements and how to access them are communicated to asylum seekers at the point of claim for asylum. Asylum seekers who appear to be destitute can be temporarily provided with initial accommodation by UKBA pending assessment of eligibility for asylum support (accommodation and/or subsistence). While in initial accommodation, they receive an induction briefing which includes information on how to access educational and health-care facilities in the United Kingdom. In addition, they have the option to receive a health-care check provided on-site by NHS health-care professionals, which includes an assessment of current health status and addresses any immediate medical concerns. If asylum seekers are granted UKBA accommodation, they receive another briefing and assistance in registering with a General Medical Practitioner upon arrival at their dispersal accommodation.

118. UKBA produced a revised gender asylum instruction "Gender issues in the asylum claim" in September 2010. A new asylum instruction "Sexual orientation and gender identity in the asylum claim" was produced in October 2010. Both pieces of guidance highlight the British Government's commitment to making the asylum process as gender-sensitive as possible, including for women who are lesbian, bisexual and/or transgender.

119. During 2011, the United Kingdom Government will update the UKBA information leaflet given to all asylum applicants entitled "Important information about the UK asylum process" to include information about trafficking and domestic violence.

120. The Welsh Government in March 2010 published "Understanding Wales" which contains information relevant to migrants, asylum seekers, refugees and their families entering Wales. The pack aims to ensure that people who live and work in Wales are made aware of their rights and responsibilities and are also provided with information on where they can obtain help and advice if they encounter problems, helping them to settle into their new communities. The Scottish Government's Relocation Advisory Service provides information and advice to all those who wish to relocate to Scotland to live, work, study or remain.

#### **Victims of domestic violence and "No recourse to public funds" policy<sup>39</sup>**

121. It is a general requirement across most categories under which people apply to come to the United Kingdom that there is "no recourse to public funds". This policy is based on the underlying principle that people without a permanent right to remain in the United Kingdom should not have access to benefits on the same basis as those whose citizenship or status in the United Kingdom gives them an entitlement to claim benefits when in need. The "no recourse" provisions therefore uphold the principle that migrants coming to the United Kingdom should be able to sustain themselves without reliance on benefits provided by the state. Migrants granted

indefinite leave to remain in the United Kingdom have full access to benefits and may access those benefits, providing they meet the normal conditions of eligibility.

122. However, the British Government had become aware that some victims of domestic violence face particular difficulties. It has therefore made special provision in the Immigration Rules to assist those victims of domestic violence who have been admitted to the United Kingdom with limited leave as spouses, unmarried partners or civil partners of a British citizen or someone who is settled in the United Kingdom. This rule allows these victims to apply for indefinite leave to remain in their own right, if they have been subject to domestic violence during the first two years of that relationship (the probationary period).

123. A United Kingdom-wide pilot, the “Sojourner Pilot”, commenced on 30 November 2009 for victims of domestic violence who entered the United Kingdom on a spouse or partner visa and subsequently have no recourse to public funds. The Government has announced that from April 2012 migrant spouses who are eligible to apply under the domestic violence provisions and who require a place in a refuge will be granted a short period of leave to enable them to access benefits for a limited period while a claim for indefinite leave to remain is made and considered. Support will continue to be available via Sojourner until this longer-term solution is in place.

#### **Support and accommodation<sup>40</sup>**

124. The British Government has specific legislation in place under regulation 4 of the Asylum Support (Amendment) Regulations 2005, which specifies that UKBA must take into account the special needs of an asylum seeker or their family member who is a vulnerable person, when providing or considering whether to provide support under section 95 or 98 of the Immigration and Asylum Act 1999.

125. Access to initial accommodation is on the basis that an applicant is an asylum seeker (has an application under the 1951 Convention or Article 3 of the European Convention on Human Rights (ECHR) recorded by the Secretary of State and appears to be destitute. However, vulnerable applicants whose asylum applications have not yet been recorded may request access to initial accommodation admission out of hours, if he or she falls within one of the particularly vulnerable applicants, such as families with a dependant child or children aged under 18 years. Accommodation providers are also obliged to assist with accommodating a new baby. A maternity payment of £300 is also available to applicants supported under section 95 and those who have been assessed under section 98 of the Immigration and Asylum Act 1999 to help with the costs arising from the birth of a new baby. The British Government also makes further provision for victims of domestic violence who are in receipt of asylum support, such as emergency cash support.

126. In addition, the British Government has systems, including anti-bullying strategies, in place to ensure the safety and security of all detainees in removal centres. Female detainees are provided with separate sleeping accommodation from males in detention facilities.

#### **Implementation of the Gender Guidelines<sup>40</sup>**

127. The United Kingdom Immigration Rules require consideration of the individual position and personal circumstances of every asylum applicant, including

factors such as background, gender and age. Action such as asking applicants to state their gender preference for the person who conducts their asylum interview is taken and accommodated as far as operationally possible. The implementation of UKBA guidance to staff on the consideration and interviewing of applicants whose claims are gender-related is monitored through consistent independent and impartial examination by the Agency's Quality Audit process, and independently by the United Nations High Commissioner for Refugees (UNHCR), as part of the Quality Initiative Project in partnership with UKBA. Appropriate remedial action is taken where it is found that a decision is below the expected quality standard.

128. The UKBA quality assurance process has been further developed to include specific assessment criteria and standards regarding gender-related persecution. This allows it to monitor the quality of asylum interviews and decisions to ensure consistency and adherence to all relevant guidance and instructions. The British Government is also in the process of conducting a specific thematic review of asylum cases where the claim has aspects of gender-related persecution, in order to provide assurances that guidelines are followed. The review was completed in May 2011 and the findings are being used to inform future policy and training.

129. The Scottish Government continues to support a range of organisations which provide support for asylum seekers and refugees, ensuring that they can access good quality services, advice and information. The Welsh Government supports a range of measures under its "Refugee Inclusion Strategy". The overall aim of the Inclusion Strategy is to support and enable refugees to rebuild their lives in Wales and make a full contribution to society.

#### **International development**

130. The British Government has continued to support efforts in other countries to improve the protection of refugee and internally displaced women and girls (see Article 16 for further information). The British Government is the seventh largest donor to the UNHCR, contributing an average of £30 million annually since 2007. DFID is currently looking at future levels of funding to humanitarian agencies in light of both the Multilateral Aid Review and the Humanitarian Emergency Response Review.

### **VIII. Article 10: Education**

131. The British Government published a radical reform programme for England on 24 November 2010 which puts teachers at the heart of school improvement and frees schools from central Government direction. The Schools White Paper, "The Importance of Teaching", drawing on evidence from the world's best education systems, aims to facilitate head teachers and teachers to drive school improvement.

132. The White Paper plans aim to:

- Free schools in England from centralised bureaucracy in return for greater accountability to parents and local communities;
- Set out how the National Curriculum will be slimmed down so that teachers and head teachers are freed up to do what they do best — teach;

- Underline how teachers will raise the prestige of their profession by strengthening the quality of new teachers;
- Transform the quality of initial training and continuing professional development; and
- Commit Government to cut away unnecessary duties, processes, guidance and requirements.

133. The White Paper and new Education Bill do not specifically legislate to implement gender equality policies. However, the provisions in the Bill relating to behaviour and discipline in particular are likely to impact on children and young people who experience all forms of bullying — in particular prejudice-based bullying including that related to gender. In addition, through the Equality Duty, public bodies when exercising their functions must have due regard to the need to eliminate discrimination and harassment because of gender, sexual orientation and gender reassignment. It will ensure in particular that schools consider how to prevent discrimination against LGB&T pupils and tackle homophobic and transphobic bullying.

134. The Education Bill will require schools to secure access to independent and impartial careers guidance for all their pupils. There will be a new published destination measure for young people, which will encourage schools to ensure that all their pupils are helped to make successful progressions after the age of 16. The Careers Profession Alliance is working to strengthen the quality and professionalism of those providing careers guidance, in order that young people are provided with support which meets their individual needs, aspirations and ambitions, and that advisers are well equipped to deal with equality issues. There is a non-statutory programme for PSHE in schools in England, which promotes equality, understanding and non-discriminatory attitudes.

135. In Northern Ireland, the Department of Education is putting in place a range of policies aimed at raising standards in literacy and numeracy and tackling underachievement, including by addressing any barriers to learning pupils may face. These include “Every School a Good School — a policy for school improvement”; the revised curriculum and entitlement framework; reforming Post-Primary Transfer, with a move away from the previous system of academic selection and rejection; work to promote STEM; and work to tackle underachievement on a north/south basis.

136. The Scottish Government’s “Curriculum for Excellence” aims to transform education in Scotland by providing a coherent, more flexible and enriched curriculum for children aged from 3 to 18 years. It places greater emphasis on enabling all pupils to be successful learners, confident individuals, responsible citizens and effective contributors — to achieve their full potential, whatever their gender, background, interests and abilities. “Career Box” continues to be a resource used in schools by teachers and career advisers, which aims to get 3 to 18 year olds thinking about and questioning gendered assumptions around the jobs that women and men commonly do.

137. The Welsh Government is making provision for early education in Wales. “Flying Start” is targeted at 0 to 3 year olds in the most disadvantaged communities in Wales. It brings together education, childcare, health and social services and combines the voluntary, private and statutory sectors to improve the prospects of

children from these communities. For children aged between 3 and 7 years, Wales has a “Foundation Phase”, which enables children to develop the ability to challenge stereotypes, prejudice and discrimination related to culture, gender or disability.

### **Equality in primary and secondary education**

138. In England, PSHE education is provided on a non-statutory basis. PSHE is a planned programme of learning opportunities and experiences that deal with the real life issues that children and young people face as they grow up. Pupils learn about the similarities, differences and diversity among people of different races, cultures, ability, disability, gender, age and sexual orientation and the impact of prejudice, discrimination and racism on individuals and communities. Pupils are taught to recognize and challenge prejudice and to understand that prejudice, racism and discrimination must be challenged at every level in our lives.

139. In Northern Ireland, the Pupils Emotional Health and Wellbeing Programme is a Ministerial priority and will be a vehicle to integrate individual policies and services (including all non-academic and curriculum activities affecting pupils such as counselling, pastoral care systems, suicide prevention, anti-bullying, discipline process and the healthy schools initiative) in a consistent and coherent way. A Taskforce on Traveller education was established by the Minister of Education in November 2008 to assist the Department in drawing up an action plan to bring about better educational outcomes for the Traveller community. It is hoped that a report outlining the Taskforce’s recommendations will be published during 2011/12.

140. In Wales, personal and social development, well-being and cultural diversity are a core element of the “Foundation Phase”. Children learn about themselves and their relationships within and beyond their family. Children are taught about Welsh and other cultures within Welsh society, as well as concepts of fairness and justice, and are encouraged to think about respect and the feelings of others. The revised Personal and Social Education framework for 7 to 19 year olds in Wales provides teaching on health and emotional well-being.

141. Throughout the United Kingdom, statistics reflect that girls are more likely to take arts, languages and humanities subjects and boys to take geography, physical education and information technology.

142. Girls continue to outperform boys at GCSE (age 16). In England, the gap between boys’ and girls’ attainment of five or more GCSEs at grades A\* to C including English and Mathematics has remained more or less stable since 2006, albeit with some narrowing at the margins. In 2010, the gap was 7.5 per cent down from 8.3 per cent in 2006.

143. In Northern Ireland, while many girls experience difficulties with literacy and numeracy, the proportion of girls leaving school with at least 5 GCSEs (A\*-C) including Mathematics and English remains higher than the proportion of boys: 63.7 per cent of girls leaving school in 2009 achieved at least 5 GCSEs (A\*-C) including Mathematics and English or equivalent, compared to 53.1 per cent of boys.

144. In Wales during 2009/10, girls outperformed boys in achieving level 1 and 2 at Key Stage 4 (GCSEs). Girls achieved 92.0 per cent compared to 87.3 per cent of

boys at level 1, with girls achieving 68.9 per cent compared to 58.7 per cent of boys at level 2 (a difference of 4.7 per cent and 10.2 per cent).<sup>22</sup>

145. The Scottish Survey of Achievement was a sample survey of pupils' attainment in Scottish primary and secondary schools carried out annually from 2005 until 2009. It monitored how well pupils in Scotland were learning and focused on a different aspect of the school curriculum each year (Reading and Writing in 2009, Mathematics and Core Skills in 2008, and Science, Science Literacy and Core Skills in 2007). The survey in 2009 showed that girls generally had better reading attainment than boys across all stages assessed. In 2008, there was some limited evidence of boys performing better than girls in Mathematics. In 2007, results showed that boys were out-performing girls in some areas of Science in the latter stages of primary and early secondary.

### **Equality in vocational education and Further Education (FE)**

146. In England, during 2007 to 2010, the number of entries by pupils at the end of Key Stage 4 (15 to 16 year olds) for vocational qualifications rose by 299 per cent. The number entered by boys increased by 297 per cent and number entered by girls increased by 302 per cent.

147. In the 2009/10 academic year, 54.9 per cent of all learners across all age groups participating on Government-funded FE or Skills training in England were female.

148. In Northern Ireland during 2009/10, 53 per cent of all further education enrolments were women. In particular, 64 per cent of all non-professional and technical enrolments were women; likewise 51 per cent of all professional and technical enrolments were women. Women continue to make up the vast majority of older age enrolments. 65 per cent of all enrolments in the 25 and over age range were female in 2009/10.

149. In Scotland in academic year 2009/10, 55 per cent of all college students were female. A similar (50+) percentage applied across all age groups and the majority of stated ethnic groups.

150. In Wales during 2008/09, women accounted for 51.5 per cent of full-time learners compared to 48.5 per cent male. Women accounted for 59.4 per cent of part-time learners compared to 40.6 per cent male.

### **Equality in HE**

151. Throughout the United Kingdom, women's representation is higher than men's in most HE subjects, including in Medicine and Law, and this is reflected in the proportion of women to male graduates. Women are now more highly represented in some science subjects, e.g. Biological Sciences, Veterinary Sciences and Medicine but men still have higher participation in Engineering and the Physical Sciences.

152. The Government is looking at ways to provide all young people with access to qualified careers professionals and to ensure they are not discouraged from attending the more selective HE institutions because of their background.

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<sup>22</sup> Taken from Stats Wales, <http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx?ReportId=11293>.



153. In addition to the student support package available to other students in HE, training bursaries of £9,000 are paid to Postgraduate Certificate in Education students undertaking courses in Mathematics, Engineering, Chemistry, Physics and Combined/General Science and Modern Foreign Languages.

154. The Northern Ireland Executive has a “Learner Access and Engagement” pilot programme in place, which is designed to encourage the most marginalised adults back into learning. In 2009/10, 72 per cent of all enrolments were women.

155. In England a comprehensive package of student finance is available to full-time students in HE, offering loans for tuition fees, grants and loans for living costs and additional support for disabled students and students with children. A package of student finance is also available to students studying a part-time course of HE. Students who are in financial hardship can apply for extra discretionary help from their university or college.

156. In Scotland, full and part-time HE students studying at college and university who find themselves in financial difficulties can apply for assistance from the HE discretionary funds. These funds are administered directly by the HE institutions in order to help students continue their course of education. Priority groups for these funds include mature and student parents.

157. In Wales, extra help is also available for disadvantaged students in the form of targeted grants, which are also available to part-time students and some postgraduate students.

## **IX. Article 11: Employment**

158. The Equality Act promotes equal pay. Measures in the Work and Families Act 2006 were also implemented during the reporting period to promote more family-friendly employment policies. More recently, the Government has launched a public consultation entitled “Modern Workplaces” which invites views on modernising Britain’s workplace laws. Proposals include extending the right to request flexible working to all and introducing a new system of flexible parental leave, both of which will contribute to closing up the gender pay gap.

### **Encouraging women’s participation in the labour market**

159. Women who wish to work make a critical contribution to the economy, both in their role as workers and as primary carers. The British Government has introduced reforms to remove barriers to work. There has been strong growth in the United Kingdom in the level of female participation in the labour market over the last few decades, where women now make up 46 per cent of the workforce, up from 37 per cent in 1971.

### **Lone parents**

160. The British Government considers work as the best route out of poverty for most people. Compared to a child of a lone parent who is not working, a child of a lone parent that works part-time is over 2.5 times less likely to be living in poverty and a child of a lone parent that works full-time is over four times less likely to be

living in poverty.<sup>23</sup> This is why, from October 2010, lone parents whose youngest child is aged seven or over are eligible to claim Jobseeker's Allowance if they are able to work, rather than Income Support. Those with a health condition or disability which limits their capability for work are able to claim Employment and Support Allowance.

161. The British Government also announced in June 2010 that it expects lone parents to look for work when their youngest child goes to school. The age threshold will therefore be lowered to five from January 2012, subject to the passing of the Welfare Reform Bill. It is estimated that the change will result in 20-25,000 extra lone parents in work, which in turn could impact on child poverty.<sup>24</sup>

### **Working to reduce the gender pay gap**

162. The British Government continues to address the ongoing challenge of the gender pay gap,<sup>41</sup> which in 2010 stood at 10.2 per cent (median full-time hourly pay). The Annual Survey of Hours and Earnings (ASHE) uses the median as its headline pay gap statistic. ASHE shows a Scottish pay gap of 7.2 per cent in 2010, down from 8.5 per cent in 2009 (comparing the hourly earnings of full-time male and female workers, excluding overtime). The Scottish Government, and its partners, have historically used the average (or mean) figure. This gives a full-time pay gap of 11.9 per cent in 2010.

163. From October 2010, the British Government has stopped pay secrecy clauses in employment contracts from being enforceable to hide unfair behaviour in paying men and women differently. Employees can now discuss their own pay freely to discover whether their pay is discriminatory. The British Government is consulting on other measures to contribute to a reduction of the gender pay gap, e.g. extending the right to request flexible working and introducing flexible parental leave, and requiring employers who have been found by a tribunal to have breached equal pay law to conduct a pay audit.

164. In addition, business and the voluntary sectors have been asked to help tackle the gender pay gap by reporting equality data about their workforce on a voluntary basis. The proposal will increase transparency and help employers to identify problems enabling them to take appropriate action. The approach is aimed at those with 150 or more employees.

165. The implementation of the Gender Equality Strategy has been the major measure to work towards the Northern Ireland Executive's Programme for Government target to implement measures to work to eliminate the gender pay gap. Cross-Departmental gender equality action plans were approved by the Northern Ireland Executive in 2010.

166. The Scottish Government and its partners continue to implement the recommendations of the UK Women and Work Commission's report<sup>25</sup> on addressing

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<sup>23</sup> Households below average income 2008/09. Comparisons based on 60% of median income before housing costs.

<sup>24</sup> For further detail please refer to the Impact Assessment entitled, "Conditionality Measures in the 2011 Welfare Reform Bill". <http://www.dwp.gov.uk/docs/lone-parent-conditionality-wr2011-ia.pdf>.

<sup>25</sup> <http://www.scotland.gov.uk/Topics/People/Equality/18500/UKWWC>.

occupational segregation. Scottish Ministers published reports<sup>26</sup> on 1 July 2010 giving an overview of progress made by listed public bodies in tackling occupational segregation.

### **Introducing more family-friendly employment policies**

167. The Government is committed to helping mothers and fathers balance work and family life and a series of family-friendly employment policies<sup>42</sup> is available through the Work and Families Act 2006 and other legislation. The right to request flexible working, which has been available for many years, is now available to parents of children aged up to and including 16, parents of disabled children aged under 18 years, and carers of certain adults.<sup>27</sup> Statutory Maternity Leave is one year and Statutory Maternity Pay and Maternity Allowance are paid for 39 weeks. Fathers have a new right to two weeks' Ordinary Paternity Leave when their child is first born and up to 26 weeks' Additional Paternity Leave, so that they can play a greater role in bringing up their children, allowing mothers to return to work earlier if they wish to.

### **Childcare**

168. In England, the Government is working with the early education and childcare sector to develop a long-term early years vision. It will be based around a policy statement with a particular emphasis on early intervention and supporting disadvantaged children and families. This will reflect its commitment to ensuring that affordable and quality childcare is available to give children the best possible start in life, including through flagship programmes for free early education and maintaining universal Sure Start provision.

169. Currently 15 hours a week of free early education is available to all three and four year olds, delivered flexibly to meet the needs (including working patterns) of parents. Since September 2009, all local authorities have been funded to deliver free early education to 15 per cent of their most disadvantaged two year olds. The Education Bill includes provision to place a statutory entitlement to free early education for all disadvantaged two year olds from 2013. This is a key part of the Government's new fairness premium which will give the poorest children a better start in life.

170. In developing its childcare strategy, the Northern Ireland Executive will take account of issues arising from the evaluations of the recent economic appraisal on child care provision and of the Rural Child Care Programme. The Northern Ireland Executive has allocated an additional £3 million per annum over the next four years to support the delivery of child care.

171. The Scottish Government's "Early Years Framework" has a long-term aim to ensure access to integrated preschool and childcare services in every community, matched to an assessment of local needs and demand.

172. In February 2011, the Welsh Government launched its Childcare policy statement, "Nurturing Children, Supporting Families", which sets out the priorities

<sup>26</sup> <http://www.scotland.gov.uk/Publications/2010/07/01154459/0>.

<sup>27</sup> This allows employees to continue to work in the same post as their caring role changes, for example after maternity leave, by adjusting their hours to fit their caring roles instead of having to down-skill to a lower paid position.

for childcare in Wales and actions which the Welsh Government intends to undertake to secure improvements in childcare and the reporting procedure for delivering the commitments.

### **Supporting the rights of migrant workers in international development**

173. During 2007 to 2011, DFID supported women to enter and stay within formal employment through skills training, support to advocacy initiatives, as well as developing microfinance programmes and infrastructure projects. The Strategic Vision for Girls and Women sets out DFID's plan to improve access to financial services for over 18 million women, to help 2.3 million women access jobs and to secure access to land for 4.5 million women. Examples of some projects already supported by DFID include:

- Microfinance and other financial services were provided to over 285,000 women in Afghanistan, almost 81,000 women in Tanzania and over 300,000 women in Pakistan;
- In Nepal, around 100,000 jobs were created for women through the Department's funded rural roads programmes and the Livelihoods and Forestry Programme;
- In Bangladesh, over 6,000 women in urban slums have been enabled to earn their own income via small business grants. The Department provided £16.5 million worth of assets (cattle, sheep, goat or poultry) to over 200,000 women through the Chars Livelihoods Programme;
- In Iraq, the Department supported the International Committee of the Red Cross to successfully push the Government to register widows for state pensions. This is a real success for women, who head 1 in 10 households, 80 per cent of whom are widows; and
- DFID also established a new £3 million programme on women and trade with the International Trade Centre to provide capacity-building support for trade-related institutions in developing countries on gender issues.

## **X. Article 12: Women's health**

174. Today, women in England can expect to live to 82 years of age. Life expectancy for women is expected to continue to rise to 85 years of age by 2020.

175. A consultation on exceptions to banning age discrimination in the provision of services including NHS services and social care finished on 25 May 2011. The Government is analysing the responses.

176. The Government plans to extend maternity choice and help make safe, informed choices throughout pregnancy and in childbirth a reality by developing new provider networks. Networks will enable providers to link together to offer expectant mothers broader choice of services and facilitate movement between the different services they may want or need. Pregnancy offers a unique opportunity to engage women from all sections of society, with the right support through pregnancy and at the start of life being vital for improving life chances and tackling cycles of disadvantage. There is a focus on improving both outcomes for women

and babies and women's experience of care, a priority in the NHS Outcomes Framework for 2011/12.

177. This real commitment to women's health can be seen through a comprehensive programme of dedicated health services for women such as sexual health services, maternal services, mental health services and targeted services to deal with violence against women and girls.

### **Meeting the Equality Duty**

178. The Equality Duty (and, subject to commencement, the specific duties) apply to the NHS and Social Care public body providers. Women are specifically protected under the Equality Act under the protected characteristics of "sex" and "pregnancy and maternity" but may also come under the other protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief and sexual orientation.

179. Section 75 of the Northern Ireland Act 1998, which requires that due regard is shown to the need to promote equality of opportunity between men and women generally, applies to the Department of Health, Social Services and Public Safety (DHSSPS) in its work in Northern Ireland. The main vehicle for assessing the impact of policies is the use of equality screenings templates which record and assess the possible impact of policies in terms of equality. During the period 2007/10, the DHSSPS screened some 208 such policies. In addition, in accordance with the recommendation of the Equality Commission for Northern Ireland, DHSSPS and its associated Arms Length Bodies have recently conducted an initial Audit of Inequalities relating to their functions. Public consultations on the associated draft actions plans have now closed and the responses are being reviewed.

### **Tackling health inequalities**

180. The British Government has made clear its intention to create a new approach to improve the health of the public and reduce inequalities. A review of health inequalities, "Fair Society, Healthy Lives," published on 11 February 2010, looked at the impact of the social determinants of health across the life course. It found that social inequalities exist across a wide range of domains, including gender, and that these inequalities interact in complex ways with socioeconomic position in shaping people's health status. The report also noted that there are systematic gender differences in health outcomes.

181. The British Government's Public Health White Paper, "Healthy Lives, Healthy People"<sup>28</sup> published in November 2010, responded to the review and adopted its life course approach.

182. This work is strengthened by the "Inclusion Health" programme led by the Department of Health (DH) that focuses on improving the health outcomes of groups in vulnerable circumstances such as the homeless, Gypsies and Travellers, and sex workers. It seeks to drive improvements through system reform and clinical leadership, to ensure that everyone gets the care they need, regardless of their circumstances.<sup>43</sup> It also strives to ensure that policies and programmes across health

<sup>28</sup> [http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/@ps/documents/digitalasset/dh\\_122347.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/@ps/documents/digitalasset/dh_122347.pdf).

and the wider determinants of health consider the needs of those with multiple problems, and result in their equitable access to quality care.

183. The Scottish Government's strategy to addressing health inequalities is set out in "Equally Well", the report of the Ministerial Task Force on Health Inequalities, which was published in June 2008. The Ministerial Task Force reconvened in 2010 to review progress since the publication of "Equally Well" and published a report of the review. "Equally Well" recognizes that socioeconomic health inequalities inter-relate with other inequalities associated with gender and other diversity groups. "Equally Well", therefore, calls for a more collaborative, person-centred approach across different public services in order to respond to the range of circumstances that contribute to people's health and well-being.

184. The Northern Ireland Executive's main strategic framework for tackling health inequalities is "Investing for Health". The principle focus is on the most disadvantaged and at risk groups in society but it recognizes differences in men's and women's health, particularly at different stages of life. Differences and gender-specific issues have been addressed through targeted actions identified in underpinning strategies: for example the Tobacco Action Plan (through specialist smoking cessation services for pregnant women) and actions to address teenage pregnancy. The outcome of a strategic review of Northern Ireland's public health strategy is currently being considered.

### **Screening**

185. As part of the NHS Cervical Screening Programme in England, women aged 25 to 49 are invited for free cervical screening every three years and those aged 50 to 64 are invited every five years. Women over the age of 65 are invited if their previous three tests were not clear or if they have never been screened.

186. From January 2011, the Northern Ireland Executive increased the age at which cervical screening is first offered to women in Northern Ireland from age 20 to 25. However, the screening interval has been reduced to women aged 25 to 49 being offered screening every three years and those aged 50 to 64 every five years. These changes ensure that resources are better targeted to higher risk groups.

187. The Scottish Cervical Screening Programme invites all eligible women in Scotland between the ages of 20 and 60 for a cervical screening test every three years.

188. Cervical Screening for Wales invites women aged between 20 and 65 years who live in Wales for a free cervical screening every three years.

189. Under the NHS Breast Screening Programme, breast screening is offered every three years for all women in England aged 50 and over. Currently, women aged between 50 to 70 years are invited routinely and women over the age of 70 can request free three-yearly screening. The programme is currently being extended to women aged 47 to 49 and 71 to 73. Scotland, Northern Ireland and Wales offer similar services including mobile screening units. In 2010, Wales commenced a three-year £15 million programme of commissioning advanced equipment used to screen women in Wales for breast cancer.

### **Raising awareness of sexual health among young people**

190. The British Government has also undertaken a wide range of activities to promote and target sex education at adolescent boys and girls.<sup>44</sup> Sex education is provided through PSHE.

191. To improve women's knowledge of, and access to contraception, in a bid to reduce the number of teenage pregnancies and abortions, the Government made a commitment to a three-year funding programme. In 2008/09 the Government provided £26.8 million, in 2009/10, £20.5 million and in 2010/11, the final year of funding, £11.4 million.<sup>45</sup>

192. DH contributed funding to develop a new web-based decision-making tool to help people to choose the best contraception for them. Launched on 14 July 2010, the "My Contraception" tool asks users a range of questions about their health, lifestyle and contraceptive preferences and recommends a contraceptive method based on the results.

193. In Northern Ireland, a five-year Sexual Health Promotion Strategy and Action Plan commenced in 2008 and is due to end in 2013. The Strategy aims to improve, protect and promote sexual health and well-being and identifies young people aged under 25, especially those who are looked after or leaving care, as a priority group.

194. In addition, the Northern Ireland Executive is currently in the process of revising its "Termination of Pregnancy" guidance. It is currently only lawful to perform an abortion in Northern Ireland where:

- It is necessary to preserve the life of the woman; or
- There is a risk of real and serious adverse effect on her physical or mental health, which is either long-term or permanent.

195. In any other circumstance it would be unlawful to perform such a procedure. The time frame for an abortion carried out within the legal framework of Northern Ireland is dictated by clinical need.<sup>46</sup>

196. The Scottish Government is currently developing a new outcomes-based "Sexual Health and Blood Borne Viruses" Framework for 2011/15.

197. The Welsh Government's "Sexual Health and Wellbeing Action Plan for Wales 2010/2015" builds a broad-based and integrated approach covering both the promotion of positive sexual health and wellbeing and the delivery of sexual health services. The Action Plan focuses on four areas:

- Developing a culture to support sexual health and wellbeing;
- Better prevention;
- Delivering modern sexual health services; and
- Strengthening health intelligence and research.

198. The action plan also aims to promote a culture where people feel able to discuss and ask questions about sexual health and relationships openly. It sets out how local health boards, health and social care and wellbeing partnerships, and children and young people partnerships can work together with young people and their families. £450,000 worth of grants is to be targeted at areas with the highest rate of teenage pregnancy.

**Maternity services**

199. The British Government has made extending choice in maternity services a key priority for the NHS in England and Wales in its Operating Framework for 2011/12. Maternity providers working together in networks will be able to offer expectant mothers a broader choice of services and facilitate movement between the different services.

**Women offenders**

200. As at 1 April 2011, there were 4,241 female prisoners in prisons in England and Wales, many with drug-related health problems. A comprehensive drug treatment framework is available for women in United Kingdom prisons comprising:

- Clinical treatment (detoxification and maintenance counselling, assessment, referral, advice and throughcare services) and accredited drug treatment programmes;
- Three different drug rehabilitation programmes; and
- Provision of an open living-learning environment for prisoners and staff, to address the needs of prisoners who have a range of offending behaviour, including emotional and psychological needs.

201. The introduction of methadone detoxification programmes has coincided with a fall in self-inflicted deaths in women's prisons from a total of 36 in the preceding three full years (2002-2004) to 15 in the three years 2005-2007. Crucially, self-inflicted deaths among women with drug dependence problems fell from 23 to 3 within these respective three-year periods, suggesting a strong association between methadone treatment and reduced suicides.<sup>29</sup>

202. The British Government's Mental Health Strategy "No health without mental health", published on 2 February 2011, makes it clear that the Government's ambition is that all offenders should have access to the same mental health services as the rest of the population. A programme has been established to support the transition of prison and offender health services to the new NHS commissioning architecture, which will help the NHS to consider the commissioning and quality of mental health services in prisons to improve health outcomes and life chances for all prisoners, including women.

**Alcohol and drugs misuse**

203. In December 2010, the British Government published a Green Paper, "Breaking the cycle; effective punishment, rehabilitation and sentencing of offenders", alongside the new United Kingdom drug strategy "Reducing Demand, Restricting Supply, Building Recovery: Supporting People to Lead a Drug Free Life". These set out the British Government's ambition for individuals to live drug- and alcohol-free lives and achieve recovery while supporting them to make a contribution to society.

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<sup>29</sup> Marteau D, Palmer J, Stöver H (2010), Introduction of the Integrated Drug Treatment System (IDTS) in English Prisons, *International Journal of Prisoner Health* 6(3):117-124.



204. In Scotland in 2008 the Scottish Government published the national drug strategy, “The Road to Recovery, A New Approach to Tackling Scotland’s Drug Problem,” signalling a new phase in Scotland’s efforts to reduce drug use. The Scottish Government has also reformed delivery of services across Scotland, by forming Alcohol and Drug Partnerships which are now developing local strategies focused on recovery and dealing with local issues and priorities. The Drugs Strategy Delivery Commission was established to assess independently the Executive’s progress in delivering Scotland’s drug strategy; and the Scottish Drugs Recovery Consortium was established to drive and promote recovery for individuals, family members and communities affected by drugs across Scotland. The Scottish Government has also introduced a new framework which outlines a package of over 40 measures to reduce alcohol-related harm by helping to prevent problems arising and by improving support and treatment for those who are already experiencing problems.

205. In Wales during 2008 the Welsh Government published “Working Together to Reduce Harm”, a ten year substance misuse strategy which sets out a clear national agenda for tackling and reducing the harms associated with substance misuse in Wales.

#### **Health issues in international development**

206. The British Government pushed for strong commitments at the United Nations Millennium Development Goals Summit in September 2010 that together will save the lives of 16 million women and children by 2015. This includes a pledge by the United Kingdom to double our efforts on maternal, newborn and child health which will save the lives of at least 50,000 women in pregnancy and childbirth; save 250,000 newborn babies; and enable 10 million couples to access modern methods of family planning, as reflected in the new DFID’s Strategic Vision for Women and Girls in which maternal health is one of the four key pillars.<sup>47</sup>

207. DFID is the largest single contributor (£35 million over five years) to a seven-donor World Bank trust fund which supports the Health Sector Support Programme.

## **XI. Article 13: Social and economic benefits**

208. Women across the United Kingdom enjoy access to bank loans, mortgages, and financial credit on the same basis as men. In addition, women have access to recreational activities, sports and all aspects of cultural life. Across Great Britain, the Equality Act prohibits discrimination, harassment and victimisation against women and others in the provision of goods, facilities and services and in the exercise of public functions. This would include, for instance, facilities by way of banking or insurance, or for grants, loans or finance. The Equality Act also prohibits discrimination against women and others in the disposal and management of premises and by private members’ clubs and other associations, such as golf clubs and working men’s clubs and in sports, games or other activities of a competitive nature (unless the physical strength, stamina or physique of average women would put them at disadvantage when compared to average men). These measures contribute to the elimination of discrimination against women in other areas of economic and social life in order to ensure women have the same rights as men as set out in this Article’s text.

**Changes to the social welfare system and access to family benefits**

209. The British Government announced a number of reforms to the tax credits system in the June Budget 2010 and the Spending Review 2010 to ensure that tax credits are targeted at those who need them most. To help ensure support is targeted at low-income families with children, the Government increased the child element of the Child Tax Credit by £180 above indexation in April 2011 and will increase it by £110 above indexation in April 2012.

210. The current rates of Child Benefit are £20.30 per week for the eldest or only child and £13.40 per week for other children.

211. During the reporting period, the British Government reformed the State Pension system to introduce positive changes for women, including reducing the required number of qualifying years, the introduction of a single contribution condition, and the new carer's credit, to enable people, in particular women, who are often particularly disadvantaged by caring responsibilities, to build up entitlement to a full basic State Pension.

212. The Child Poverty Act 2010 provides a statutory basis to the commitment made by the British Government in 1999 to eradicate child poverty by 2020.

213. During the reporting period, the Northern Ireland Executive introduced parity measures, as well as key developments in its own jurisdiction, which will make a real contribution to the social and economic well-being of women in Northern Ireland, such as:

- The Pensions Act (Northern Ireland) 2008 reformed the State Pension system in Northern Ireland, including a reduction in the required number of qualifying years, the introduction of a single contribution condition, and the new carer's credit, to enable people and, in particular, women to build up entitlement to a full basic State Pension. The Pensions (No. 2) Act (Northern Ireland) 2008 introduces, from 2012, a duty on employers to enrol eligible jobholders into a qualifying workplace pension and to make minimum contributions into it;
- The Child Maintenance Act (Northern Ireland) 2008 introduced new provisions which included simplifying the child maintenance process, encouraging parents to make their own arrangements and improving the collection and enforcement processes. In April 2008 the Child Maintenance and Enforcement Division, within the Executive's Department for Social Development, replaced the Northern Ireland Child Support Agency; and
- The publication on 24 March 2011 of the Executive's child poverty strategy for Northern Ireland.

**Helping carers**

214. The British Government continues to give greater support to all those carers who wish to combine paid work and continue their caring responsibilities or who are looking to re-enter the job market after a period of caring. Policy interventions include funding for replacement care and extension of employment support to every carer who works less than 16 hours.

## **XII. Article 14: Rural women**

215. Based on the Labour Force Survey for England in 2009, the employment rate of women in rural areas is higher than that in urban areas. In rural areas, the employment rate for working age women was 74 per cent, compared to an employment rate of 81 per cent for men. In urban areas in England, the employment rate was 68 per cent for women and 75 per cent for men. In England overall, 69 per cent of working age women are in employment, compared to 76 per cent of working age men. For Scotland in 2009, the employment rate for women in remote rural areas was 75 per cent, for accessible rural it was 76 per cent and in the rest of Scotland it was 71 per cent. This compares to 84 per cent for men in both remote rural and accessible rural areas and 74 per cent in the rest of Scotland.

### **Taking women's needs into account when providing rural transport**

216. The British Government is keen to promote a range of transport solutions in rural communities, not just rural buses. These include "Taxi-Buses", "Dial-a-Ride" services and "Community Transport". The British Government gives local authorities the freedom to make the right decisions for their own communities and to assist local authorities to produce their Local Transport Plans. In 2009 guidance was produced which placed a strong emphasis on better connecting transport and local services, which was alongside a £10 million Supporting Community Transport Fund.

217. The Government is committed to maintaining an England-wide travel concession for older and disabled people who can travel for free at off peak times when using buses locally and when visiting other parts of the country. This supports the Government's wider work to tackle social exclusion. Bus travel remains the most used form of public transport, especially by older people.

218. The Northern Ireland Executive has taken steps to improve access to public transport in rural areas. The "Assisted Rural Travel Scheme" provides older and disabled people with either free or half-price transport on "Rural Community Transport Partnership" vehicles. Since the scheme commenced in December 2009, 147,668 passenger trips up to March 2011 have been funded by the Northern Ireland Executive, of which 75 per cent were made by rural women.

219. The Scottish Government is committed to providing concessionary travel through the Scotland-wide Free Bus Travel Scheme for Older and Disabled People. The aim of the scheme is to promote social inclusion through improved access to services, facilities and social networks. The Scottish Government also provides the National Concessionary Travel Scheme for Young People and provides funding to Local Authorities in Scotland for community transport. Buses are particularly important to communities in rural areas.

220. The Welsh Government continues to fund the "Bwcabus Scheme", which enables passengers to book bus rides directly from their homes in rural areas to connect with conventional bus and train services in Wales. In addition, an element of the Welsh Government's transport strategy "One Wales: Connecting the nation" focuses on removing barriers to enable disabled people to access the Welsh transport network. It does this by, for example, providing nearly £4 million to services such as a community transport concessionary fares scheme across Wales, providing free travel to severely disabled people and operating a concessionary fares rail pilot

scheme in certain parts of Wales for people aged 60 or over and disabled people of all ages. In addition, the Welsh Government is working to improve and modernise the Blue Badge Scheme, with changes due to come into force during summer 2011.

#### **Assessing transport needs**

221. The National Travel Survey undertaken by the Department for Transport across Great Britain indicates that the take-up rate of concessionary fare passes among people aged 60 and over has increased from 68 per cent in 2007 to 73 per cent in 2008, and to 76 per cent in 2009 (79 per cent of females and 72 per cent of males). This reflects changes made during the reporting period to the coverage and eligibility of concessionary fare schemes.

222. In 2009, 87 per cent of households in Great Britain were within six minutes' walk of a bus stop while a further 10 per cent lived within 13 minutes'. The equivalent figures for households in rural areas are 71 per cent and 11 per cent respectively. The majority of those surveyed were able to travel within 15 minutes by foot or by public transport to the following key services: a shop selling groceries (92 per cent), a post office (84 per cent), a chemist (83 per cent) and a doctor's surgery (79 per cent).

### **XIII. Article 15: Equality before the law and civil matters**

223. The United Kingdom supported the adoption of resolution 15/23 at the Human Rights Council on 1 October 2010 on the "Elimination of Laws and Practices that Discriminate against Women". The resolution agreed to establish a new expert working group to conduct country visits, make recommendations on best practice, and highlight laws and practices that violate women's rights.

#### **Judicial training on diversity and fair treatment issues**

224. The Lord Chief Justice is responsible for the training of the judiciary in England and Wales. This is exercised through the Judicial College (formerly the Judicial Studies Board (JSB)). The Judicial College came into being in April 2011, with its Board chaired by Lady Justice Hallett. It provides training for the judiciary in courts and tribunals and oversees the training of magistrates. It provides induction and continuation training and training to support major changes in legislation and the administration of justice, and equality and diversity issues are mainstreamed into all judicial training.

225. The Judicial Studies Board for Northern Ireland (JSB(NI)) and the Judicial Studies Committee in Scotland (JSC) are separately responsible for training the professional judiciary and the lay magistracy in those countries. The JSB(NI) and JSC adopt the same broad approach to diversity and equality as the Judicial College, with which they maintain a close working relationship.

226. In December 2010 the British Government provided £127,424 to the JSB so that it could deliver tailored training on the Equality Act (discussed in Articles 1-4). The funding provided four one-day non-residential training seminars for 180 judges who are likely to hear discrimination cases brought under the Equality Act. The Judicial College is planning to run two additional seminars to increase the pool of trained judges available, although there is no formal authorisation linked to this (the

allocation of cases will be controlled through listing which is an independent judicial function and this will seek wherever possible to use those who have been trained). In addition, it will be providing an optional module within their civil law continuation seminars on discrimination law at the earliest opportunity. While recognising judicial independence, the British Government is satisfied that these measures will greatly assist judges, will contribute to the consistency of judgments made in discrimination cases, and will increase public confidence in the judiciary.

227. The Judicial College's Equal Treatment Advisory Committee continues to make the Equal Treatment Bench Book (ETBB) available to support all judicial office holders in the United Kingdom to ensure fair treatment is practiced throughout the judiciary.<sup>30</sup> A booklet summarising the ETBB, "Fairness in Courts and Tribunals", was updated in consultation with the GEO in September 2010 and published to coincide with implementation of the main provisions of the Equality Act in October 2010. It is available on the Judicial College's website.

#### **Increasing the diversity of judicial appointments**

228. The British Government published the latest Judicial Appointments Annual Report in July 2010. It provides an overall breakdown of appointment figures including gender and ethnic origin, as well as details of changes made to procedures. It also includes plans for further initiatives or changes.

229. The Northern Ireland Judicial Appointments Commission is responsible for the selection of applicants for judicial appointment up to and including High Court Judges. There is an upward trend in the percentage of female applications to, and representation in, the Northern Ireland judiciary. There are no women serving in the High Court. However in March 2011 just under half of tribunal legal offices were held by women, and over half of Lay Magistrates were women; and a quarter of Northern Ireland's County Court and District Judges (Magistrates' Court) were women.

230. In Scotland, as at March 2011 there were five (14 per cent) women Senators of the College of Justice (judges) and 30 (22 per cent) women sheriffs.

231. Internationally, DFID's new Strategic Vision for Girls and Women has the prevention of violence as one of its four pillars and sets out DFID's support for interventions to reform and strengthen security services, police, and policy and decision-making bodies to improve women's access to security and justice services. It will help 10 million women to access justice through the courts, police, and legal assistance. This will include supporting survivors of violence to seek legal redress, alongside resolving disputes over issues such as land and inheritance.

## **XIV. Article 16: Equality in marriage and family law**

### **Cohabitation**

232. The British Government is considering proposals set out in the Law Commission's report, "Cohabitation: The Financial Consequences of Relationship Breakdown", which was published in 2007; and MoJ and the Welsh Government are

<sup>30</sup> <http://www.judiciary.gov.uk/publications-and-reports/jsb-publications/equal-treatment-bench-book>.

also considering published research on the impact of the Family Law (Scotland) Act 2006 which contains provisions which are similar in many respects to those which the Law Commission recommends. The British Government intends to announce shortly the outcome of its consideration.

### **Forced marriage**

233. The British Government considers forced marriage to be a form of domestic abuse of which both women and men are victims, and a serious abuse of human rights. The British Government believes that there is no culture in which forced marriage should be acceptable. Victims can suffer physical, psychological, emotional, financial and sexual abuse including being held unlawfully captive, assaulted and repeatedly raped.

234. The British Government places great emphasis on tackling forced and early child marriage and has stepped up its efforts including by strengthening legislation and providing statutory guidance, practice guidelines and online training for law enforcement officers, health, education and social care professionals and housing officers.<sup>48</sup> Measures have also been taken forward to raise awareness and understanding of the issues<sup>49</sup> including among children and young people, and providing effective support to individuals through the Forced Marriage Unit (FMU).

235. The FMU was set up in January 2005 as a one-stop shop for dealing with forced marriage policy, outreach and casework. It operates both inside the United Kingdom, where support is provided to any individual, and overseas, where consular assistance is provided to British nationals, including those people with dual nationality.

236. The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008 and offers civil remedies to protect victims or potential victims of forced marriage and protects those already in such marriages. Forced Marriage Protection Orders can include prohibiting a person from being taken overseas, or ordering that they be returned to the United Kingdom. Since implementation, in the two full calendar years of 2009 and 2010, 250 Forced Marriage Protection Orders have been taken out to protect individuals.<sup>50</sup>

237. The FMU's work is driven through its action plan, which focuses on strengthening safeguards to support victims of forced marriage; and working towards eliminating forced marriage by challenging the practice. It is currently reviewing its progress under its existing action plan and will publish new objectives and activities for 2011/12 shortly.

238. The FMU continues to operate a public helpline to provide advice and support to victims of forced marriage as well as to professionals dealing with cases.<sup>51</sup> Around a third of all assistance cases involve a minor (those under 18 years old). The assistance provided ranges from simple advice, through to aiding a victim to prevent their unwanted spouse moving to the United Kingdom and, in extreme cases, to rescuing victims held against their will overseas. In 2010:

- The FMU received 1735 reports to their helpline relating to possible forced marriage;
- The FMU provided direct support in 469 cases (assistance (both overseas and in the United Kingdom) and immigration cases);

- 35.4 per cent of assistance cases involved minors those under 18 with 13.75 per cent involving under 16 year olds;
- 70 instances (4 per cent) involving those with disabilities (50 with learning disabilities, 17 with physical disabilities and 3 with both) were brought to the FMU’s attention;
- 36 instances (2 per cent) involved victims who identified as LGB&T; and
- The FMU also undertook during the reporting period extensive outreach and training programme of around 100 events a year, targeting both professionals and affected communities.

239. The minimum age at which someone can sponsor a spouse to come to the United Kingdom or be sponsored as a spouse was raised from 18 to 21 on 27 November 2008. The British Government considers that raising the age provides an opportunity for individuals to develop maturity and life skills which may allow them to resist the pressure of being forced into a marriage and provides an opportunity for the individual to complete their education. It also delays sponsorship and allows the victim an opportunity to seek help and advice.

240. The British Government will continue to keep this policy under review as it does with all United Kingdom Immigration Rules. The marriage visa age policy is currently subject to legal challenge in the United Kingdom domestic courts. The policy was successfully defended in the High Court. The British Government is seeking permission to appeal to the Supreme Court following a subsequent Court of Appeal judgment which was issued in December 2010. The Government considers that it would be premature to undertake a full evaluation of the policy as recommended in the Committee’s 2008 concluding observations<sup>52</sup> while the policy is subject to ongoing legal challenge.

241. The DAs have also separately taken steps to tackle forced marriage. In Northern Ireland the Police Service has published updated and service procedures for officers in responding to reports of forced marriage to reflect the recently published FMU guidance “Forced Marriage and Learning Disabilities: Multi-agency Practice Guidelines”, which provides additional guidance for professionals.

242. The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 was passed by the Scottish Parliament on 22 March 2011. The legislation introduces a power to issue forced marriage Protection Orders in Scotland, allowing the judiciary to require those responsible for forcing another person into marriage to stop or change their behaviour. It enables local authorities to act as designated relevant third parties, which would allow them to apply for protection orders on behalf of very vulnerable victims. It will also introduce statutory guidance on forced marriage for organisations working to support those affected; and clarify legislation in relation to Scottish courts’ jurisdiction to grant an annulment of marriage. The legislation is expected to be commenced later this year. In addition, the Scottish Government undertook a comprehensive revision of its child protection guidance and this was formally published in December 2010.

243. The Welsh Government, in response to the Forced Marriage (Civil Protection Act) 2007, launched a three-year plan in 2008 to take forward work to deal with forced marriage and “honour-based” violence (HBV). As part of the plan, a Forced Marriage Sub-Group was set up and is responsible for coordinating the work. In

addition, South Wales Police has been funded to provide “training for trainers” on forced marriage which is to be disseminated across public sector organisations such as the police force, education establishments and social services.

### **Supporting forced marriage initiatives overseas**

244. The FMU also provides funding for support and awareness-raising activities overseas, including in Bangladesh, India and Pakistan.<sup>53</sup>

245. In Pakistan, the FMU provides funding to two particular NGOs. Female victims of violence in Islamabad who have been rescued are accommodated in a women’s refuge run by the organisation Struggle for Change. Other victims, located in Lahore, are supported by the NGO the Centre for Legal Aid, Assistance and Settlement, which, when necessary, collects victims and takes them to the British High Commission (BHC).

246. In addition to those particular funding activities, the BHC undertakes proactive work to raise awareness of forced marriage as a human rights abuse and encourages debate about the issue within communities. Activities include:

- Struggle for Change running a major awareness-raising campaign on behalf of the BHC;
- Awareness-raising signage in airports and leaflets on planes flying to Pakistan, to signpost potential victims to sources of help;
- Awareness-raising and information provision via local radio programmes and via media articles;
- A BBC documentary which raised awareness of the issues screened in the United Kingdom in December 2008; and
- The Consular Section delivering a series of outreach events each year in local communities.

247. Activities carried out in Pakistan during 2010/2011 include workshops in Azad Kashmir and Punjab, for local government Marriage Registrars and Union Council Secretaries, to train the participants to identify, assess and manage issues relating to gender and forced marriages in their communities and to build capacity for this knowledge to be disseminated in the future. In addition, in Punjab, a workshop will take place on women rights in partnership with Human Rights Activists and other interactive awareness-raising events in rural communities.

248. In Bangladesh, FMU provides funding to an NGO which provides accommodation and counselling support to British nationals who have been rescued from forced marriage. In India, FMU funds two similar refuges provided by the organisations “Stop Trafficking and Oppression (STOP) of children and women” and the “Swanchetan Society for Mental Health”.

### **Corporal punishment of children at home**

249. The British Government has no plans to repeal section 58 of the Children Act 2004 in relation to corporal punishment of children at home.<sup>54</sup> Section 58 limits the availability of the “reasonable punishment” defence in cases of alleged assaults by parents against their children. It removes the defence of reasonable punishment for assaults occasioning actual or grievous bodily harm, or which constitute cruelty.



That defence is now only available in cases of common assault. Parents who cause injuries to a child such as grazes, scratches, abrasions, bruising, swellings and superficial cuts risk being charged with actual bodily harm, for which the “reasonable punishment” defence is not available.

## **XV. Violence against women and girls**

250. The British Government and the DAs are committed to working together, across the boundaries of devolved and non-devolved responsibilities, to tackle this important issue.

251. The ambition of the British Government is to end violence against women and girls (VAWG). The Government takes the view that this is not a short-term task, but a long-term goal and that no level of violence against women and girls is acceptable in the United Kingdom or anywhere else in the world.

### **Call to end VAWG**

252. VAWG is a key priority for the British Government and in November 2010, the British Government launched its “Call to End Violence Against Women and Girls”, a strategy to tackle VAWG<sup>55</sup> and to outline its vision and guiding principles in this area for the next spending review period.

253. The British Government’s vision is for a society in which no woman or girl has to live in fear of violence. To achieve this, the British Government is taking steps to help society:

- Prevent such violence from happening by challenging the attitudes and behaviours which foster it and intervening early where possible to prevent it;
- Provide adequate levels of support where violence does occur;
- Work in partnership to obtain the best outcome for victims and their families; and
- Reduce the risk to women and girls who are victims of these crimes and ensure that perpetrators are brought to justice.

254. In March 2011, the Government published a detailed action plan to deliver the strategy, setting out 88 actions to be taken forward across a range of Government Departments over the next reporting period for the Committee on the Elimination of All Forms of Discrimination against Women.

255. The British Government is using the United Nations Declaration on the Elimination of Violence against Women (A/RES/48/104), the definition accepted by the Committee, to guide its work across all Government Departments:

“Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

256. For the first time, the strategy includes the work we are doing internationally to tackle VAWG abroad.

257. In Northern Ireland, the inter-Ministerial group heads up the work developing and building a robust, energetic intersectoral partnership approach to combat domestic and sexual violence, which also brings together professionals to deliver preventive and support measures and services.

258. The British Government is also working to ensure that local areas have the tools that they need to respond to VAWG locally and support communities by gathering and sharing effective practice and innovations from across the country. Between now and 2014, it intends to radically change the way services for VAWG are commissioned and delivered and encourage the involvement of local communities in deciding which local priorities should be funded.

259. GEO published research<sup>31</sup> to support and improve understanding of the stability and sustainability of the violence against women voluntary sector in March 2011. Prior to publication, findings were fed into development of the cross-Government strategy for tackling VAWG.

260. While most of the funding for services needed by women and girls in the United Kingdom will continue to be provided locally, the British Government leads at a national level by continuing to prioritise central funding for core frontline and national services.

261. The British Government will provide over £28 million of stable funding for specialist services over the next four years and make over £20 million of that funding available to local areas to support independent domestic violence adviser (IDVA) posts, independent sexual violence adviser (ISVA) posts and the role of multi-agency risk assessment conference (MARAC) coordinators. The Government will also continue central funding for the quality assurance of MARACs and for training places for IDVAs and MARAC coordinators. This is essential to ensure there is a consistent delivery of service for victims nationally.

262. In December 2010, GEO published communications guidance and a toolkit, "Tackling Violence Against Women and Girls: a guide to good practice communication in order to support and inform government communication in the area of VAWG". The key objectives of the work were to contribute to the long-term attitudinal and cultural change required to effectively tackle VAWG, and to support communications work by helping communicators to identify key audiences and appropriate communications routes to enable them to deliver high impact, insight-based campaign and other communications activity.<sup>56</sup> This was used as a template for a very positive campaign aimed at young people.

### **VAWG projects**

263. A number of reviews and initiatives to combat VAWG have been taken forward by the British Government during the reporting period. Examples include:

- to tackle the commercialisation and premature sexualisation of childhood, Reg Bailey, Chief Executive of the Mother's Union, has conducted an independent review into this issue;

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<sup>31</sup> 13.5, p137 in Heady, L., Kail, A. and Yeowart, C. (2011) *Understanding the Stability and Sustainability of the Violence Against Women Voluntary Sector*, GEO (London).

- establishing an independent VAWG advisory group to advise the Department for Education;
- an independent review by Baroness Stern into the way rape complaints are handled by public authorities in England Wales. The British Government has provided a full response to this review; and
- a health taskforce, looking at what the NHS can do to tackle VAWG.

264. The law on murder has been reformed, which has made a crucial contribution to progress on tackling VAWG.<sup>57</sup> The Coroners and Justice Act 2009 contains measures which narrow the circumstances in which a defendant is able to plead the partial defence of “provocation” — a defence traditionally linked to domestic homicide cases — when someone is provoked to kill. This defence is now only available in extremely limited circumstances.

265. In 2008, the Northern Ireland Executive launched its five year strategy, “Tackling Sexual Violence and Abuse”, which aims to address sexual violence. It is also continuing to implement its domestic violence strategy, “Tackling Violence at Home”, which provides a framework for key VAWG initiatives in Northern Ireland. It extended this strategy to run until June 2013, concurrently with the Sexual Violence Strategy. Separate domestic and sexual violence action plans have been developed up to the end of March 2012; thereafter a joint action plan will be formulated and published.

266. The Scottish Government is continuing to implement “Safer Lives: Changed Lives” and the National Domestic Abuse Delivery Plan for Children and Young People.

267. In Wales in 2010 the Welsh Government published its “The Right to be Safe”, a six year integrated, cross-Government strategy for tackling all forms of VAW. The Strategy is supported by a three-year implementation plan. VAW strategic prevention is one of its core priorities.

#### **Sector-specific policies on VAWG**

268. In addition to cross-Government action, sector-specific policies on VAWG exist in England and separately in the DAs. For example, the CPS has a VAW strategy, and has designated coordinators in all CPS areas to deliver the strategy locally. The CPS introduced a VAWG validation measure which has facilitated the monitoring of successful prosecutions and it published its third report in December 2010.

269. The British Government has also invested in support and protection for victims in the criminal justice system and in bringing more offenders to justice including through:

- The establishment of specialist domestic violence courts;
- The provision of Witness Care staff and Witness Protection arrangements in court;
- The provision of specialist training for prosecutors, police and court staff in dealing with women who have been attacked or abused;

- The establishment of a network of independent domestic violence and sexual violence advisors to provide support for victims of domestic violence and rape cases;
- The development of multi-agency risk assessment conferences to assess and manage the safety of victims at high risk of domestic violence;<sup>32</sup>
- The development of a national strategy group across the criminal justice system to deal with stalking and harassment;
- Training and guidance for specialist prosecutors on forced marriage and HBV, with monitoring from April 2010;
- A revised merits-based approach to rape prosecutions, using specialist rape prosecutors;
- A consultation on Guidance on Perverting the Course of Justice to address specific issues in cases involving rape and/or domestic violence allegations;
- A 12-month pilot of domestic violence protection orders and domestic violence protection notices. These measures will provide victims with immediate protection in the aftermath of domestic violence and provide space and time to the victim to make a decision about their longer-term protection; and
- The development of new proposals to tackle cyberstalking.

270. With regard to the prevention of VAWG, the British Government has taken forward a number of initiatives to help to educate young people about how to develop mutually respectful personal relationships, and to make clear that VAWG is unacceptable. There is guidance for schools to help them protect and support pupils who are at risk of violence or who are actually experiencing violence.

271. In Scotland, following a comprehensive review of the investigation and prosecution of rape and sexual crimes, the Lord Advocate published Guidelines on the Investigation and Reporting of Sexual Offences in November 2008. In the same month, the ACPO in Scotland and the Crown Office/Procurator Fiscal Service published a joint protocol on domestic abuse.

### **Victim support**

272. The British Government has committed to:

- Allocate over £28 million of stable funding for specialist services over the next four years to provide frontline support for victims of domestic and sexual violence. The British Government will also maintain levels of funding support for specified national functions including making over £900,000 available per year over the next four years to support national helplines, including the National Domestic Violence Helpline;
- Provide up to £10.5 million in grant funding over the next three years for rape support centres. For the first time, grants will be made to centres on a three-

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<sup>32</sup> Between 2005 and 2011, 143 Specialist Domestic Violence Court systems (SDVCs) have been established (building on success of pilot SDVCs in 2004). Victims in each SDVC are supported by Independent Domestic Violence Advisers (IDVAs); over 1000 IDVAs have been trained. In the 12 months to 31 December 2010 there were over 240 Multi-Agency Risk Assessment Conferences (MARACs) dealing with over 46,000 cases of domestic violence.

year basis, providing them with the financial certainty they need to build a sustainable presence;

- Develop new rape support centres in areas where there are gaps in provision. Up to £600,000 will be provided to develop new rape support centres in Hereford, Devon, Trafford and Dorset and further information about new centres will be available in 2011; and
- Support migrant spouses who are victims of domestic violence and do not have access to refuges because of their immigration status.

273. Central Government funding was also provided to victim support initiatives during the earlier part of the reporting period including:

- In March 2009, a £1.6 million Special Fund, administered by GEO, was announced for the sexual violence voluntary sector. The fund, open to members of the Survivors' Trust and Rape Crisis (England & Wales), aimed to keep open services to victims of rape and sexual abuse and distributed grants to 40 charities. This built on the 2008 fund of £1.1 million; and
- In 2009/10, £150,000 core Government funding was provided to umbrella organisations, Rape Crisis England and Wales and the Survivors' Trust, to help build the stability of the sector.

#### **VAW in health and social care**

274. In the United Kingdom, the funding of health services for those suffering the effects of violence is the responsibility of the NHS at a local level. DH promotes a number of national initiatives aimed at strengthening victim support.

275. Between 2002 and 2008, DH provided funding totalling over £1.95 million to 12 mental health voluntary and community sector organisations providing therapeutic services for victims of abuse, including BAME women.<sup>58</sup>

276. DH provided £1.4 million funding during the reporting period to fund a National Support Team on Response to Sexual Violence to support the establishment of a further 12 sexual assault referral centres, with 39 already established. The purpose of these centres is to provide immediate support to victims of sexual violence via an all-in-one service, including medical care, psychological counselling, legal advice and other support.

277. In 2010/11, the joint MoJ and GEO Combined Fund allocated £2.25 million in grant funding to 52 voluntary sector organisations across England and Wales that provide support for victims of sexual violence and abuse. The fund was targeted at those services that were at immediate risk of service reduction or closure.

278. The Northern Ireland Executive is taking forward its five-year VAWG strategy which includes funding a 24-hour domestic violence helpline and building a new regional sexual assault referral centre which will open mid-2012. It will be jointly funded by the DHSSPS and Police Service of Northern Ireland.

279. The Scottish Government has committed £44 million over the period 2008/11 to tackling VAW. This includes funding for domestic abuse and rape crisis helplines, raising awareness and financial support for all rape crisis centres in Scotland.

280. The Welsh Government has taken forward a number of initiatives aimed at tackling domestic violence in Wales. It continues to support the Wales Domestic Abuse 24-hour Helpline and in July 2010, the Welsh Government officially opened a new domestic abuse centre in North Wales. A Wales-wide anti-violence campaign that challenges the attitude of men towards women was launched in June 2010.

### **Rape and sexual offending**

281. The British Government is providing grant funding of up to £3.5 million annually, for the next three years, to support rape crisis centres. It is also working with voluntary organisations to develop new rape support centres where there are gaps in provision, with four being opened in 2011-12. £1.72 million per annum has been committed for the next four years to support the work of 87 independent sexual violence advisors in England and Wales.

282. In March 2011 the British Government responded to an independent review on the way rape complaints are handled by public authorities in England and Wales, agreeing to the majority of the recommendations. The review, which commenced in 2009, examined the end to end process from the initial rape disclosure to the court verdict.

283. The DAs have also separately taken steps to tackle the issue of sexual assault.

284. In Scotland, the Sexual Offences (Scotland) Act 2009 came into force on 1 December 2010. The legislation reforms previous Scottish law on sexual offences and creates a range of new statutory offences which criminalise sexual conduct which takes place without consent.

### **Female genital mutilation (FGM)**

285. The British Government is absolutely committed to the eradication of FGM around the world. It is a clear and extreme form of violence against women and girls and an issue that all nations must tackle, including the United Kingdom. The Government considers that measures to combat the issue must include a focus on prevention.

286. FGM has been specifically against the law in the United Kingdom since 1985 when the Prohibition of Female Circumcision Act 1985 (the 1985 Act) was passed. The Female Genital Mutilation Act 2003 (the 2003 Act) (which covers England, Wales and Northern Ireland) repealed and replaced the 1985 Act and made it an offence for the first time for British nationals or permanent United Kingdom residents to carry out FGM abroad, or to aid, abet, counsel or procure the carrying out of female genital mutilation abroad even in countries where the practice is legal. To reflect the serious harm that FGM causes, the 2003 Act also increased the maximum penalty from five to fourteen years' imprisonment and/or an unlimited fine.<sup>59</sup> While there have been no prosecutions in the United Kingdom to date, research suggests that the existence of the United Kingdom law has been a successful deterrent and has acted as a useful catalyst for raising awareness and outreach into practising communities.<sup>33</sup> The CPS, which is responsible for

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<sup>33</sup> FORWARD and Options Consultancy Service (2009), "FGM is always with us — experiences, perceptions and beliefs of women affected by Female Genital Mutilation in London — results from a PEER study", <http://www.forwarduk.org.uk/download/161>.

prosecuting cases in England and Wales, will also produce Prosecutor Guidance by June 2011.

287. The British Government has agreed a cross-Government action plan to prevent and tackle FGM, which was developed in consultation with civil society partners. It covers;

- Mainstreaming the prevention and tackling of FGM across the work of relevant statutory agencies;
- Ensuring that girls and women at risk of FGM or dealing with its consequences receive the help and support they need;
- Raising broader awareness of FGM, its illegality in the United Kingdom and the support available to victims and potential victims, and
- Working with international partners to share best practice, and ensure that FGM is tackled effectively worldwide.<sup>60</sup>

288. As a key part of the British Government’s work, in February 2011, it launched multi-agency practice guidelines<sup>34</sup> for professionals such as teachers, nurses and General Practitioners. The guidelines set out the issues around FGM, the signs that a girl or woman at risk or affected by FGM may demonstrate, and the steps that they should take to prevent and tackle this.

289. The DAs have also taken steps to tackle FGM. In Scotland, it has been unlawful since the Prohibition of Female Circumcision Act 1985. The FGM (Scotland) Act 2005 extended protection by giving those offences extraterritorial effect in order to protect victims being sent abroad to have FGM carried out. The legislation has been continuously supported by the distribution of relevant publicity material throughout Scotland.

290. In March 2011, the Police Service of Northern Ireland published two policy documents: “Police Response to Honour Based Violence” and “Police Response to Female Genital Mutilation”, based on guidance from ACPO. The Crime Training Branch is currently compiling training packages for awareness-raising for frontline officers as well as more in-depth training for specialists that may be required to undertake appropriate investigations.

291. The Scottish Government held training events in 2007 and 2008 to raise awareness of the wider issues of gender-based violence for BAME women, including FGM. A briefing paper on FGM was developed for use by public authorities. In 2009 the NHS in Scotland also produced a series of guidance for health-care workers about gender-based violence, including FGM. In 2010 the Scottish Government also produced other awareness-raising materials and embarked on prevention work through community engagement.

292. In Wales, the Welsh Government’s Violence Against Women & Domestic Abuse Working Group has a subgroup — “Forced Marriage and HBV Sub-Group” which leads on issues around forced marriage, FGM and HBV. Working with BAME organisations, Welsh Women’s Aid, the National Public Health Service, the Legal Services Commission, New Pathways, the CPS and the Police Service, in 2008 the

<sup>34</sup> Available from <http://www.fco.gov.uk/resources/en/pdf/travel-living-abroad/when-things-go-wrong/multi-agency-fgm-guidelines.pdf>.

subgroup developed a three-year action plan to take forward work in Wales to deal with forced marriage and HBV. This included advice on how to best coordinate the work with four main objectives:

- Coordination of a network of services;
- Improvement of capacity of education, social service and health professionals working in the community;
- Improvement of partnership working between statutory agencies to provide holistic support to victims of forced marriage; and
- An increase in the early identification of and intervention with victims of forced marriage.

293. During this period, awareness of these issues has increased across Wales, and a planning day was held to take forward these issues over the next three years.

294. In 2010, Wales also funded a North Wales human trafficking project and in April 2011 appointed an anti-human trafficking co-ordinator for Wales (the first in the United Kingdom).

#### **United Kingdom work to tackle FGM overseas**

295. The British Government is fully committed to supporting British nationals who may be at risk of FGM when overseas and has continued to be proactive in tackling this issue. In 2010, updated information, guidance and support was provided to British Embassies and High Commissions to help officials to identify girls who may be at risk and take action to prevent FGM.

296. Through embassies abroad and DFID, the British Government also supports and funds projects and organisations committed to tackling FGM with the new United Kingdom Framework for Results for improving reproductive, maternal and newborn health recognising the serious health risks of FGM and supporting locally-driven social change activities that can challenge and change norms including FGM. For example, in the Afar region of Ethiopia, the British Government supported work to raise awareness of the dangers of FGM, provide training for officials to implement the Ethiopian legislation on combating FGM and work with anti-FGM clubs and religious leaders to reach out to communities.

#### **Other international work to address VAWG overseas**

297. In addition to work in the United Kingdom to tackle VAWG, the British Government is committed to helping to address VAWG in other countries. To lead international efforts, the Minister for Equalities, Lynne Featherstone MP, has been appointed as the Ministerial Champion for Tackling VAWG Overseas. Her role will include building cross-Government partnerships and policy coherence and representing the United Kingdom internationally on VAWG issues.

298. FCO, DFID, MOD and GEO all work on aspects of tackling VAWG in the United Kingdom and internationally. This includes work on combating sexual violence in conflict, preventing VAWG in the poorest countries and supporting the development of legislative programmes in other countries. Through bilateral and multilateral engagement, including through the EU, CoE and UN, the British Government's efforts have helped to raise the profile of this very serious issue



overseas. The United Kingdom is working closely with UN Women, the UN agency on gender equality and empowerment of women, through our membership of the UN Women Executive Board, to improve the international community's response to gender equality and women's empowerment.

299. The United Kingdom is one of the main supporters of the key United Nations General Assembly resolution 65/187 on the "Intensification of efforts to eliminate all forms of violence against women", which was adopted by the UN General Assembly on 21 December 2010. Through the United Nations Universal Periodic Review mechanism, the United Kingdom has lobbied other governments on ratification of the Convention and the OP, and raised concerns on implementation of international standards on human rights.

300. The United Kingdom continues to take a leading role in promoting United Nations Security Council resolution 1325 (2000) on Women, Peace and Security (UNSCR 1325) at the Security Council and has been active in securing agreement for global indicators to track progress and related resolutions 1820, 1888, 1889 and 1960. In November 2010, to mark the ten-year anniversary of UNSCR 1325, the Government launched a newly revised National Action Plan for its implementation in our overseas conflict work. The National Action Plan is intended to strengthen our ability to reduce the impact of conflict on women and girls and to promote their inclusion in conflict resolution. As a cross-Government plan, it provides a framework to ensure the provisions of UNSCR 1325 are incorporated into the Government's work on conflict in our defence, diplomatic and development activity. The National Action Plan will be reviewed annually, incorporating feedback from civil society focus groups. Progress will be reported to Parliament and civil society through the Associate Parliamentary Group on Women, Peace and Security. A full evaluation of the plan will be carried out after three years.

301. The United Kingdom National Action Plan applies to the United Kingdom as a whole and addresses how we will adapt our policy, programmes, training and operational procedures to ensure that Women, Peace and Security is incorporated into our overseas work on conflict. As such, there are no plans to integrate provisions relating to the implementation of UNSCR 1325 in Northern Ireland<sup>61</sup> into the United Kingdom National Action Plan. Nevertheless, some aspects of UNSCR 1325, such as women's participation in peace building and political processes, are relevant to all States. Also, the British Government will continue to work towards increasing the representation of women in Northern Ireland in public and political life.

302. The DFID Business Plan for the first time identifies VAWG as a top priority for its development work overseas. Preventing violence against girls and women is one of the four priorities in DFID's new "Strategic Vision for Girls and Women".

303. DFID aims to work in at least 15 countries to address physical and sexual violence against girls and women, increasing the numbers of survivors who have access to treatment and advice, and whose cases are satisfactorily investigated. Innovative approaches to creating safe spaces for girls and women will be explored, along with work to support behaviour change, by challenging social attitudes and perceptions. The Department will work in partnership on building the evidence base on the extent and nature of VAWG as well as effective interventions to address it. It will closely monitor country pilots to identify interventions that can be taken to scale.

304. Some examples of DFID's work overseas include:

- Through its Civil Society Challenge Fund, the Department supports EveryChild, a project in Cambodia that aims to protect children from violence at the hands of people with a duty to care for them (parents, law enforcement, prison officers, community-based children protection networks) and by strengthening legislation that promotes their rights;
- In Malawi, governance work is focused on violence against women, currently done through (i) a programme managed by UNICEF, the children's charity, including implementing new legislation and working with police and others to make Victim Support Units work and (ii) a programme to improve primary justice which includes handling of domestic violence cases by the Chiefs/community;
- In Ghana, initiatives are being supported to tackle school-based violence as part of an extensive package to retain girls in school and improve their performance and life chances by making schools girl-friendly; and
- In the Democratic Republic of Congo, DFID is supporting projects that respond to the needs of victims of sexual violence, predominantly in the east of the country. In 2009 alone, these projects provided over 27,000 women with emergency medical care and almost 3,500 women with psychosocial support.

305. In Uganda, DFID is funding the Centre for Domestic Violence Prevention to tackle VAWG at a community level by engaging men and boys. To achieve this, the Centre increased domestic violence prevention activities such as training workshops, and a learning centre programme. As a result, over 1,000 men were inspired to join together to prevent domestic violence and formed over 30 action groups to promote girls' and women's rights.

306. DFID is involved in a regional initiative with United Nations and civil society partners across South Asia which focuses on men and boys in tackling gender-based violence. The Partners for Prevention is a joint United Nations programme in South Asia, which supports the Men Engage Alliance, a strong network of civil society organisations. The programme works to change attitudes and behaviours of men and boys, through for example outreach measures.

## Annexes

### Annex 1: The Devolved Administrations

In the United Kingdom, devolved government was created following simple majority referendums in Wales and Scotland in September 1997 and in Northern Ireland in May 1998. In 1999, the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly began to exercise their powers. The purpose of devolution is to decentralise power to enable executive decision-making on matters (such as health, education and the environment) that have been transferred to the devolved legislatures and administrations. The British Parliament (“Westminster”) remains sovereign and retains the right to legislate on all matters, devolved or reserved (such as defence, national security and foreign affairs), but it has chosen not to do so in relation to devolved matters without first seeking the consent of the relevant devolved legislature(s).

Under the terms of the Scotland Act 1998, the Scottish Parliament has 73 “first past the post” members representing constituencies and 56 elected under the Additional Member System in eight regions.

Following the Government of Wales Act 1998 (which was succeeded by the Government of Wales Act 2006), the National Assembly for Wales was established with 60 members, with 40 members elected by the “first past the post” system and 20 members elected by the Additional Member System.

The Belfast Agreement opened the way for the devolution of power to Northern Ireland through the Northern Ireland Act 1998. An Assembly of 108 members with a similar range of legislative and executive powers to the Scottish Parliament was established.

As a consequence of devolution, Westminster has recognized that, in devolved matters, it is for the devolved parliament and assemblies to legislate in relation to matters within their own competence, although it retains the right to legislate if it wishes. Westminster has, however, retained control of foreign affairs, defence and national security, macro-economic and fiscal matters, employment and social security.

In Great Britain, equality legislation is generally a reserved matter. Northern Ireland has its own, separate equality legislation, for which the Northern Ireland Executive is responsible. To the extent that equality legislation cuts across matters that are devolved (such as health and education), there is a particular interest for the DAs. In addition, there are some areas of equality legislation (such as the Equality Duty) where powers to make secondary legislation rest with the DAs.

In Northern Ireland, the Gender and Sexual Orientation Equality Unit is based in the Office of the First Minister and Deputy First Minister.<sup>35</sup>

In Scotland, the Gender Equality team is based in the Scottish Government’s Equality Unit which sits within the portfolio of the Deputy First Minister.<sup>36</sup>

<sup>35</sup> <http://www.ofmdfmi.gov.uk/index/equality/gender-equality.htm>.

<sup>36</sup> <http://www.scotland.gov.uk/Topics/People/Equality/18500>.

In Wales, the Equality, Diversity and Inclusion Division is based in the Department for Social Justice and Local Government.<sup>37</sup>

## **Annex 2: The relationship of the United Kingdom with the Crown Dependencies (CDs)**

The United Kingdom is responsible for the defence and international representation of the Crown CDs. The CDs are the Bailiwick of Jersey, the Bailiwick of Guernsey and the Isle of Man. The Bailiwick of Guernsey includes the separate jurisdictions of Alderney and Sark and is responsible for the administration of the islands of Herm, Jethou and Lihou. The island of Brecqhou is part of Sark.

The CDs have never been colonies of the United Kingdom, nor are they OTs, which have a different relationship with the United Kingdom. The CDs are not part of the United Kingdom but are self-governing dependencies of the Crown. This means they have their own directly elected legislative assemblies, administrative, fiscal and legal systems and their own courts of law. Her Majesty the Queen is the Head of State of each Island and the Lieutenant Governor on each Island is Her Majesty's personal representative. The Crown exercises its responsibilities for the Islands through the Privy Council and also makes appointments to the judiciary in each Island.

The CDs have ministerial systems of government with a directly elected legislature. The legislatures are known as: States of Jersey (Jersey), the States of Deliberation (Guernsey), the States of Alderney (Alderney), Chief Pleas (Sark) and the Court of Tynwald (Isle of Man). The Islands' legislatures make their own domestic legislation but Royal Assent is required for all primary legislation. The CDs are not represented in the British Parliament and British legislation does not normally extend to them. However, the CDs may occasionally request that British legislation be extended to them. The United Kingdom respects the CDs' rights to autonomy in their domestic affairs and ordinarily it would be contrary to constitutional convention to exercise the power to legislate in these areas. However, the British Government retains the power to do so in order to protect both its own and the CDs' domestic and international interests.

## **Annex 3: The relationship of the United Kingdom with the Overseas Territories (OTs)**

The OTs are Anguilla; Bermuda; the British Antarctic Territory; the British Indian Ocean Territory; the Sovereign Base Areas of Akrotiri and Dhekelia; the British Virgin Islands; the Cayman Islands; the Falkland Islands; Gibraltar, Montserrat; Pitcairn Henderson, Ducie and Oeno Islands; St. Helena; Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands; and the Turks and Caicos Islands. They are British for as long as they wish to remain British.

The OTs are constitutionally not part of the United Kingdom. Her Majesty the Queen is Queen of all the OTs. All of them have separate constitutions made by an Order in Council. All have Governors, Commissioners or Administrators. They

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<sup>37</sup> <http://wales.gov.uk/about/civilservice/departments/pslgd/sjlg/?lang=en>.

represent both Her Majesty the Queen in the Territory; and the Territory's interests to Her Majesty's Government in London.

The United Kingdom is generally responsible for the defence, security, international relations and overall good governance of the Territories and the well-being of their citizens. The Overseas Territories Directorate in the FCO takes the overall lead on managing the relationship of the United Kingdom with its OTs.

## **Annex 4: Glossary of Acronyms**

### **A**

ACPO — Association of Chief Police Officers

ASA — Advertising Standards Authority

ASHE — Annual Survey of Hours and Earnings

AVMS — Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services

### **B**

BAME — Black, Asian and Minority Ethnic

BBC — British Broadcasting Corporation

BFC — British Fashion Council

BHC — British High Commission

### **C**

CAP — Committee of Advertising Practice

CD — Crown Dependency

CoE — Council of Europe

CPS — Crown Prosecution Service

### **D**

DAs — Devolved Administrations (Northern Ireland Executive, Scottish Government and Welsh Government)

DFID — Department for International Development

DH — Department of Health

DHSSPS — Department of Health, Social Services and Public Safety in Northern Ireland

### **E**

EC — European Commission

ECHR — European Convention on Human Rights

EHRC — Equality and Human Rights Commission

ETBB — Equal Treatment Bench Book

EU — European Union

### **F**

FCO — Foreign and Commonwealth Office

FE — Further Education

FGM — Female Genital Mutilation

FMU — Forced Marriage Unit

## **G**

GCSE — General Certificate in Secondary Education

GED — Gender Equality Duty

GEO — Government Equalities Office

## **H**

HBV — “Honour-Based” Violence

HE — Higher Education

HO — Home Office

## **I**

IDVAs — Independent Domestic Violence Advisers

ISVA — Independent Sexual Violence Adviser

## **J**

JSB — Judicial Studies Board

JSB(NI) — Judicial Studies Board for Northern Ireland

JSC — Judicial Studies Committee in Scotland

## **L**

LGB&T — Lesbian, Gay, Bisexual & Transgender

## **M**

MARACs — Multi-Agency Risk Assessment Conferences

MLP — Member of the Legislative Assembly of Northern Ireland

MP — Member of Parliament

MEP — Member of the European Parliament

MSP — Member of the Scottish Parliament

MoD — Ministry of Defence

## **N**

NDPB — Non-Departmental Public Body

NGO — Non-Governmental Organisation

NHS — National Health Service

**O**

Ofcom — Office of Communications

OP — Optional Protocol

OT — Overseas Territory

**P**

PSHE — Personal, Social and Health Education

**R**

RIES — Refugee Integration and Employment Service

**S**

SDVCs — Specialist Domestic Violence Court systems

STEM — Science, Technology, Engineering and Mathematics

**U**

UKBA — UK Border Agency

UK — United Kingdom

UN — United Nations

UNHCR — United Nations High Commissioner for Refugees

UNIFEM — UN Development Fund for Women

UNSCR — United Nations Security Council Resolution

**V**

VAWG — Violence Against Women and Girls

VAW — Violence Against Women

**W**

WNC — Women's National Commission

**Annex 5: United Kingdom reservations and declarations****Overarching statement A**

The United Kingdom has gone further than many countries in placing a proactive gender duty on public bodies. This means, among other things, that in planning, policymaking and service delivery, all public bodies subject to British discrimination law must have due regard to the need to promote equality of opportunity between men and women. In addition, British discrimination law allows positive action to be undertaken by employers who wish to provide special training for, or target special recruitment drives at underrepresented groups, including women, in or for their workforce. These provisions have been carried forward and strengthened in the Equality Act. The reason for the reservation is therefore simply



to preserve freedom of action for the United Kingdom to provide for proactive measures as well as anti-discriminatory measures based on gender.

### **Overarching statement C**

This reservation is still required to maintain the combat effectiveness of the Armed Forces because women are excluded from certain roles in the British Armed Forces.

The continuing need for an exemption allowing women to be excluded from those posts where the military judgement is that the employment of women could potentially be detrimental to combat effectiveness was fully considered during the drafting of the Equality Act.

The MoD has also carried out a periodic review of the policy on the exclusion of women from ground close-combat roles. This was done because the United Kingdom is bound by EU law to reassess periodically, but at least every eight years, occupations from which women are excluded to decide whether there is justification in maintaining the exclusion. As the results of the last review of this policy were published in 2002, it was decided that it was appropriate and timely to review the policy in 2009/2010.

The review comprised three strands of work. These were:

- a review of recent literature (i.e. published since 2002) on the effectiveness of mixed gender teams in a combat environment;
- an assessment of women's roles in recent operations; and
- consideration of the experience of other nations in deploying women in close-combat roles.

The conclusions drawn from the three strands of work were mixed and did not provide the basis for a clear recommendation either way as to whether the current policy of the excluding women from ground close-combat roles should be retained or rescinded. In the light of the inconclusive results of the research and the views of the Service Chiefs, Ministers concluded that a cautious approach was necessary.

This means that the policy of excluding women from ground close-combat roles will continue. The types of post from which women are excluded are those where they may be required to close with and kill the enemy face-to-face (e.g. cap-badged posts in the Royal Marines General Service, the Household Cavalry and Royal Armoured Corps, the Infantry and the Royal Air Force Regiment).

The Service Chiefs acknowledged that women are fundamental to the operational effectiveness of the British Armed Forces. They bring talent and skills across the board and their capability in almost all areas is not in doubt. They demonstrate that they are capable of acting independently and with great initiative.

The outcome of the review was announced by the Minister for Defence Personnel, Welfare and Veterans on 29 November 2010.

### **Article 9 Reservation**

The British Nationality Act 1981 (the British Nationality Act) allows for the transmission and acquisition of citizenship by women in the same way as men, since its commencement on 1 January 1983. Since that date, women who are British

citizens have been able to pass on their nationality status in exactly the same way as men. This reversed a long-standing policy of only allowing the transmission of British nationality through the male line to those born outside British territory.

The possibility of making the change retrospective was closely examined at the time of drafting the current legislation. It was felt, however, that to confer British citizenship automatically on all children of British mothers born before 1983 would cause difficulties in some cases, especially if the citizenship were backdated to the time of birth. Some might not have wanted British citizenship; others may have lost the citizenship of their country of birth as a result of acquiring British citizenship. It was also considered to be contrary to the scheme of the British Nationality Act by increasing the number of British citizens overseas who had spent their whole lives abroad. Of those who had come to live in the United Kingdom, a number would in any case have already acquired, or would have the option of acquiring, British citizenship by naturalisation or registration.

From 7 February 1979, the children of British-born mothers were able to acquire citizenship by making an application for registration. This applied to children under the age of 18 and so affected those born after 7 February 1961. This was continued within the British Nationality Act for those children under 18 who had been born before the change in the law.

In April 2003 a new section was then added to the British Nationality Act which provided for the registration of those born after 7 February 1961 and before 1 January 1983, who would have become British, had women been able to pass on their citizenship in the same way as men. The date of 7 February 1961 was chosen as anyone born after that date would have been under 18 when the above concession was introduced.

The Government legislated in 2009 to extend this provision to those born before 1961 so that all children of British mothers can now acquire citizenship by registration had women been able to pass on citizenship in the same way as men at the time of the applicant's birth.

The reservation was initially intended to cover certain transitional provisions within the British Nationality Act. However, of these, sections 9, 21 and 27(2) are no longer relevant as the deadline for applications has passed. The remaining provisions, sections 10 and 22, discriminated in favour of women, as they allowed for resumption of citizenship, following renunciation, on the basis of marriage. These have now been amended to include men in the same way as women. As such, there are no remaining "transitional" provisions.

However, this extension does not remove discrimination entirely as children of male British citizens would have acquired British citizenship automatically before 1 January 1983 but it has further reinforced the Government's commitment to removing discrimination against women in nationality law by operable means. The benefit of the reservation is to ensure that the complexities of auto-acquisition of British citizenship by those children of British mothers affected by former discrimination in nationality law are avoided. If the reservation were removed, this would undermine the ability of the British Government to maintain the position that the current statutory framework is adequate and, conversely, support the campaign by those like Michael Turbeville of CAMPAIGN that all rights should be secured automatically rather than by registration.

### Article 11 Reservation

The reservation is still required because of the difference in treatment between men and women when applying the legislative requirements in relation to State Pensions. Equalisation in treatment will occur in most respects from 6 April 2010 under the package of measures linked to the equalisation of State Pension age.

The reservation in respect of Adult Dependency Increases will remain necessary for a longer period and the difference in treatment between men and women will continue in some cases until April 2020, for State Pensions.

The equalisation in treatment that was due to commence from April 2010 for State Pensions has now been overtaken by changes introduced by the Pensions Act 2007 in which new claims for an adult dependency increase will be excluded from 6 April 2010. Any entitlement to an adult dependency increase established before 6 April 2010 may continue until 5 April 2020 (subject to the conditions of entitlement continuing to be satisfied). Adult dependency increases will cease from 6 April 2020. We therefore need to retain the reservation to article 11 to protect the current position and for the period up to April 2020.

From 6 April 2020, entitlement to an adult dependency increase will cease in State Pensions and the reservation will no longer be required. The British Government will therefore review this reservation closer to that date.

### Article 15 Reservation

The British Government believes that its interpretation of Article 15 is in keeping with the intention behind the Article and therefore, on grounds of contract law policy, wishes to retain the interpretative declaration.

### Article 16 Reservation

The British Government is in the process of reviewing its reservation to Article 16.

## Recommendations made to the United Kingdom

### Notes

- <sup>1</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 11: *That the State party actively consider withdrawing the remaining reservations on the Convention.*
- <sup>2</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. a): *That the State party develop and enact a unified, comprehensive and national strategy and policy for the implementation of the Convention throughout the UK including the Devolved Administrations (DA's), Crown Dependencies (CD's) and Overseas Territories (OT's).*
- <sup>3</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 24. b): *That the State party integrate and mainstream a gender perspective into all policies and programmes on broader equality and non-discrimination issues.*
- <sup>4</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 24. a): *That the State party ensure that national equality machinery gives priority attention to gender equality.*
- <sup>5</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 12: *That the State party submit concluding observations to all relevant ministries, other government structures at all levels, Overseas Territories (OTs) and Crown Dependencies (CDs), parliament and the judiciary.*

- <sup>6</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. b): *To establish an effective coordination and monitoring mechanism on the implementation of this strategy in a consistent and coherent manner across its territory.*
- <sup>7</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. d): *That the State party take concrete measures to make the Convention and its Optional Protocol (OP) widely known among the general public and all branches of Government, and in this respect undertake public awareness and training programmes on the Convention, OP and the Committee's recommendations.*
- <sup>8</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. e): *That the State party raise awareness among women of their rights under the Convention and the communications and inquiry procedure provided by the OP.*
- <sup>9</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 18. a): *That the State party develop and implement education and awareness-raising campaigns to broaden understanding of the provisions of the convention.*
- <sup>10</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 52. a): *That the State party widely disseminate the Concluding Observations.*
- <sup>11</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 52. b): *That the State party continue to strengthen the dissemination of the Convention and its Optional Protocol, the Beijing Declaration and Platform for Action and the outcome of 23rd special session of the General Assembly.*
- <sup>12</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. c): *That the State party provide adequate technical and financial assistance to the OTs and CDs for the implementation of the Convention.*
- <sup>13</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 16. f): *That the State party ensure that the Convention, OP and Committee's recommendations are made an integral part of educational curricula, including for legal education and the training of judicial officers, judges, lawyers and prosecutors.*
- <sup>14</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 34. c): *That the State party expand training activities for parliamentarians, the judiciary and public officials to ensure sensitivity of and the adequate provision of support for victims of violence.*
- <sup>15</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 14: *That the State party utilise the Equality Bill to ensure the incorporation of all provisions of the convention.*
- <sup>16</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 18 b): *That the State party develop and implement a comprehensive coordinated and unified GED throughout its territory, at all levels of government and in its own offices.*
- <sup>17</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 18 c): *That the State party develop appropriate mechanisms and capacity to monitor implementation, to evaluate results achieved, and to ensure accountability of the GED.*
- <sup>18</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 26 a): *That the State party provide increased and sustained funding to women's NGOs.*
- <sup>19</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 21: *That the State party ratify all UN treaties to which it is not yet a party.*
- <sup>20</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 20 a): *That the State party intensify its efforts to reduce the number of women in conflict with the law.*
- <sup>21</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 20 b): *That the State party intensify its efforts to develop alternative sentencing and custodial strategies.*
- <sup>22</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 20 f): *That the State party take further steps to establish small custodial units and community establishments, as well as separate women's facilities, particularly in Northern Ireland.*

- <sup>23</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 20 c): *That the State party ensure that young female offenders are not held in adult prisons.*
- <sup>24</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 20 d): *That the State party take further measures to increase and enhance educational, rehabilitative and resettlement programmes for women in prison.*
- <sup>25</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 26 a): *That the State party provide increased and sustained funding to women's NGOs.*
- <sup>26</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 26 b): *That the State party ensure that the interpretation and application of the Gender Equality Duty (GED) does not negatively impact on the provision of "women-only" services or restrict women's NGOs.*
- <sup>27</sup> CEDAW Committee, 2008 Concluding Observation — recommendation, para. 22: *That the State party give consideration to the further implementation of temporary special measure, including through legislative and administrative measures, outreach and support programmes, the allocation of resources and the creation of incentives, targeted recruitment and the setting of time-bound goals and quotas.*
- <sup>28</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 28. c): *That the State periodically review the measures taken in order to assess their impact, to take appropriate action, and to report thereon to the Committee in its next report.*
- <sup>29</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 36. a): *That the State party address criminal justice measures and prosecutions of traffickers, as well as the rehabilitation of trafficking victims.*
- <sup>30</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 36. c): *That the State party give consideration to granting victims of trafficking indefinite leave to remain.*
- <sup>31</sup> CEDAW Committee, 2008 Concluding Observations — recommendation 36. b): *That the State party ensure the provision of adequate support services to victims of trafficking — including those who do not cooperate with the authorities.*
- <sup>32</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 36. d): *That the State party increase its cooperation with countries of origin, transit and destination in its efforts to prevent trafficking, bring perpetrators to justice and improve reintegration programmes.*
- <sup>33</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 38. a) b): *To introduce temporary special measures to promote women to positions of leadership.*
- <sup>34</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 38. a) a): *That the State party take measures, with benchmarks and concrete timetables, to increase the number of women in public and political life, at all levels in all areas.*
- <sup>35</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 46. b): *That the State party take effective measures to increase the participation of BME women in the labour market, and in political and public life — including through the use of temporary special measures.*
- <sup>36</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 38. c): *That the State party enhance its awareness-raising campaigns on the importance of women's participation in public and political life.*
- <sup>37</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 38. b): *That the State party increase the availability of training and capacity-building programmes for women wishing to enter or already in public office.*
- <sup>38</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 48. c): *that the state party take effective measures to eliminate discrimination against immigrant and refugee women.*

- <sup>39</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 48. b): *That the State party review its “no recourse to public funds” policy.*
- <sup>40</sup> CEDAW Committee, 2008 Concluding Observations — recommendation, para. 48. d): *That the State party pay specific attention to vulnerability of women asylum seekers while their claims are under examination and to ensure full implementation of the Asylum Gender Guidelines.*
- <sup>41</sup> CEDAW Committee 2008 Concluding Observations — recommendation, para. 40. b): *That the State party continue to close the pay gap with the introduction of mandatory pay audits.*
- <sup>42</sup> CEDAW Committee 2008 Concluding Observations — recommendation, para. 40. a): *That the State party ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures.*
- <sup>43</sup> CEDAW Committee, Concluding Observations 2008 — recommendation, para. 46 c): *That the State party take concrete measures to address the high maternal mortality rate in Traveller communities, including the allocation of adequate resources to increase access to affordable health services, particularly prenatal, postnatal and obstetric services, as well as other medical and emergency assistance.*
- <sup>44</sup> CEDAW Committee, Concluding Observations 2008 — recommendation, para. 42. c): *That the State party widely promote and target sex education at adolescent boys and girls.*
- <sup>45</sup> CEDAW Committee, Concluding Observations 2008 — Recommendation, para. 42. a): *That the State party continue to address teenage pregnancies and to improve the availability and affordability of sexual and reproductive health services.*
- <sup>46</sup> CEDAW Committee, concluding observations 2008 — recommendation, para. 42. d): *That the State party in Northern Ireland initiate a process of public consultation on abortion law and to give consideration to removing punitive provisions imposed on women who undergo abortion.*
- <sup>47</sup> CEDAW Committee, concluding observations 2008 — recommendation, para. 50: *That the State party, in all its efforts aimed at the achievement of the Millennium Development Goals, integrate a gender perspective and explicit reflection of the provisions of the Convention.*
- <sup>48</sup> The CEDAW Committee’s 2008 concluding observations, recommendation, para. 32. b): *That the State party urge the full implementation of and disseminate widely the guidelines on forced marriage.*
- <sup>49</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 30. c): *That the State party expand public awareness campaigns on forced marriage, particularly targeting communities most at risk.*
- <sup>50</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 30. a): *That the State party ensure the full implementation of the Forced Marriage (Civil Protection) Act (2007) and to utilize existing criminal measures to address this phenomenon.*
- <sup>51</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 30. d): *That the State party establish additional counselling and other support services for victims of forced marriage and enhance its support to NGOs working in the field.*
- <sup>52</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 30. e): *That the State party assess the impact of the minimum age limit for overseas spouses on the prevention of forced marriage and to review its policy in this regard.*
- <sup>53</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 30. d): *That the State party establish additional counselling and other support services for victims of forced marriage and enhance its support to NGOs working in the field.*
- <sup>54</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 34. f): *That the State party prohibit the corporal punishment of children in the home.*

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- <sup>55</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 34. b) *That the State party adopt and implement a unified and multifaceted National Strategy to eliminate violence against women and girls, including legal, educational, financial and social components.*
- <sup>56</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 34. d): *That the State party expands public awareness-raising campaigns on all forms of violence against women and girls.*
- <sup>57</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 34. a): *That the State party ensure the full implementation of legislation on violence against women, as well as the prosecution and conviction of perpetrators.*
- <sup>58</sup> CEDAW Committee, 2008 concluding observation — recommendation, para. 46. d): *That the State party adopt targeted and culturally appropriate strategies to address mental health issues faced by women of different minority and ethnic communities.*
- <sup>59</sup> The CEDAW Committee's 2008 concluding observations, recommendation, para. 32. a): *That the State party ensure the full implementation of the legislation to prohibit Female Genital Mutilation (FGM), including prosecution of perpetrators.*
- <sup>60</sup> The CEDAW Committee's 2008 concluding observations, recommendation, para. 32. c): *That the State party design and implement targeted prevention strategies, including those that involve religious and community leaders, to tackle FGM.*
- <sup>61</sup> CEDAW Committee 2008 concluding observations, recommendation, para. 38. d): *That Northern Ireland fully implement UN Security Council Resolution 1325 (2000) on Women, Peace and Security.*
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