



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

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

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**List of issues and questions with regard to the consideration of periodic
reports: United Kingdom of Great Britain and Northern Ireland**

Addendum

**Replies of United Kingdom of Great Britain and Northern
Ireland to the list of issues to be taken up in connection with
the consideration of its seventh periodic report***

* In accordance with the information transmitted to State parties regarding the processing of their reports, the present document was not edited.

Issues and Questions on the seventh periodic report United Kingdom of Great Britain and Northern Ireland

Introduction

1. This document provides the UK Government's response to the list of issues and questions set out in Document: CEDAW/C/GBR/Q/7, dated 25 October 2012. Unless otherwise indicated, references to paragraph numbers refer to the UK's seventh periodic report (CEDAW/C/GBR/7).

2. Entries marked as referring to one of the devolved nations is a direct submission from that nation's respective executive (the Northern Ireland Executive, the Welsh Government or the Scottish Government)

3. The UK Government is committed to tearing down the barriers to social mobility and ensuring equal opportunities for women in Britain, to build a fairer society. In these difficult economic times it is essential that we make sure we benefit from the talents of everyone in the UK. Maximising women's potential is fundamental to creating a strong economy. As we take the difficult decisions necessary to tackle the UK's record deficit we are determined to do so fairly whilst protecting the most vulnerable.

4. We have some of the strongest equality legislation in Europe. Britain today is a far more diverse and tolerant society than it was a generation ago and women's equality has progressed significantly. We have historically high numbers of women in employment; more women are setting up enterprises; and we have the lowest gender pay gap ever. That is something to be proud of. But legislation will only get us so far. Equality underpins this government's guiding principles of freedom, fairness and responsibility, moving beyond simply introducing more legislation, to promoting women's equality through transparency and behaviour change. In the end, it will take all of us working together to advance gender equality and eliminate discrimination against women. But doing so will help build the strong, modern and fair Britain that we all want to see.

Constitutional, legislative and institutional framework

Response to paragraph 1

5. The UK has gone further than many countries in placing a proactive equality duty on public bodies. The public sector Equality Duty¹ came into force across Great Britain on 5 April 2011. It requires all public bodies, when making policies and delivering services, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- advance equality of opportunity, and;
- foster good relations between people who share a relevant protected characteristic and those who do not.

¹ The public sector Equality Duty (Section 149 of the Equality Act 2010) is described in paragraphs 11 and 12 of the seventh report.

6. Public bodies must do this for all protected characteristics², including gender. It is important to note that these substantive requirements of the Equality Duty are identical, regardless of whether the public body is in England, Scotland or Wales.

7. Section 153 of the Equality Act allowed Ministers to impose ‘specific duties’ on certain public bodies through secondary legislation. These ‘specific duties’ simply enable public bodies to meet the substantive requirements of the Equality Duty more effectively. This is where England, Scotland and Wales have taken different approaches.

8. **In England**, regulations came into force on 10 September 2011 that require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set specific, measurable equality objectives. These regulations drive better performance by increasing transparency and democratic accountability. This transparency ensures that any member of the public can assess a public body’s performance in ensuring equality between women and men.

9. **In Wales**, regulations came into force on 6 April 2011 that require Welsh public bodies, including the Welsh Government to publish equality objectives (decided following engagement with people with protected characteristics); develop a Strategic Equality Plan as soon as possible thereafter; carry out Equality Impact Assessments on all policies, processes and practices; consult with stakeholders; and explain why an action needs to be taken, the desired outcome, what is going to be delivered, by when and how.

10. **In Scotland**, regulations came into force on 27 May 2012. These set a supporting framework for the duty in the Act, based on data collection and evaluation, transparency and accountability. Scottish public bodies are required to publish ‘equality outcomes’; report how they are integrating the duty into their business; undertake equality impact assessment of their policies and practices; gather and use employment information on equality and diversity; and consider equality within public procurement.

11. **In Northern Ireland** the *Gender Equality Strategy (GES) 2006-2016* was designed to be compliant with the Convention. This provides an overarching policy framework through which departments, their agencies and other, relevant statutory authorities work to promote gender equality across the main policy areas. The GES is currently being revised and updated.

12. Section 75 of the Northern Ireland Act 1998 places statutory duties on public authorities to take a proactive approach to the promotion of equality of opportunity between men and women, and to take action to mitigate negative impacts. These duties are implemented through Equality Schemes approved by the Equality Commission and Equality Impact Assessments carried out on policy proposals.

13. Government departments and their arms length bodies also conduct Audits of Inequality to identify the key inequalities relating to their functions.

Guidance, enforcement, monitoring, assessing compliance and review

14. To help ensure that public bodies understand the legal requirements for both the substantive Equality Duty and ‘specific duties’ the UK Government produced a series of sector specific ‘quick start’ guides. Separate guidance was also published by the Welsh and Scottish Governments. The Equality and Human Rights Commission (EHRC) has also published a range of more detailed sector specific guidance. The Government Equalities Office (GEO) also works closely with government departments to provide advice and

² The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

guidance on how to comply with the duty when developing policy and delivering public services.

15. Enforcement, monitoring and assessing compliance with the Equality Duty and specific duties is carried out by the EHRC. This independent statutory body has powers to issue compliance notices to public bodies which have failed to comply and can also bring judicial reviews and intervene in court proceedings. EHRC recently assessed public authorities' implementation of the English specific duty to publish equality information and is following up with public bodies accordingly³.

16. The UK Government is currently undertaking a review of the Equality Duty, overseen by an independent steering group, to establish whether the Duty is operating as intended. The review is expected to conclude in Summer 2013.

Response to paragraph 2

17. In Northern Ireland, the Office of the First Minister and deputy First Minister (OFMDFM) are undertaking a scoping of equality legislation to identify gaps in provision and how existing legislation could be harmonised, simplified and streamlined, without any loss of the protections in law already available. It will consider legislation relating to discrimination on grounds of gender including: the Equal Pay Act (NI) 1970 (as amended); the Sex Discrimination (NI) Order 1976 (as amended); the Employment Equality (Sex Discrimination) Regulations (NI) 2005; the Maternity and Parental Leave (Amendment) Regulations 2002; and the Sex Discrimination Order 1976 (Amendment) Regulations (NI) 2008.

Response to paragraph 3

18. The UK is ultimately responsible to the United Nations for compliance with the Convention in all the territories for whose international relations it is responsible and to which the Convention has been extended, but the Governments of those territories are each responsible for enacting their own legislation and establishing their own policies to implement the provisions of the Convention.

19. **For the Isle of Man**, its contributions to the UK's periodic reports to the Committee are the most important mechanism for monitoring its implementation of the Convention. In the Isle of Man responsibility for the areas set out in particular articles of the Convention (e.g. education, employment and health) rests with the relevant Isle of Man Government Departments. However, the Chief Secretary's Office (which reports directly to the Island's Chief Minister and Council of Ministers) acts as a central coordinating body for the preparation of the Island's submissions for inclusion in the UK's periodic reports; for addressing any issues that might arise in respect of implementation of the Convention; and for providing any additional information and responses to any questions or concluding observations that the Committee may have that specifically concern the Isle of Man.

20. At the present time, the UK's ratification of CEDAW does not extend to Jersey or Guernsey and any decision to request such extension of the Convention is a domestic matter for them. (Please see Annex 2 of the Seventh Periodic Report for a more detailed explanation of the UK's relationship with the Crown Dependencies.)

21. The UK Government is encouraging Jersey and Guernsey to request that the Convention be extended to them. The authorities of Guernsey and Jersey are actively pursuing extension of the Convention. They are currently undertaking work on domestic

³ Publishing equality information: Commitment, engagement and transparency, EHRC 2012

legislation relating to improving compliance with certain aspects of the Convention before formally seeking extension. The authorities welcome the support of the UK Government and intend to work with it, and other jurisdictions, to learn from their experiences of implementation.

22. CEDAW has been extended to three Overseas Territories: British Virgin Islands (BVI), Turks and Caicos Islands (TCI) and the Falkland Islands (FI). The UK Government funded reviews in BVI and TCI in 2011/12 of their compliance with the provisions of the CEDAW. This work identified some gaps, especially in TCI, and a plan of action has been developed with human rights officials.

23. **The British Virgin Islands** have reviewed legislation to ensure that gender discrimination is eliminated. In July 2010 a new Labour Code was introduced stipulating that women should not be discriminated against based on their sexual and reproductive health. The BVI Government have developed a number of projects to eliminate gender inequalities, including commissioning a National Domestic Violence Protocol. This was implemented by Law Enforcement, the Judiciary, Medical Services and Social Services in November 2010. The BVI Government also keeps social data such as the number of female representatives at regional and international conferences and the number of female recipients of educational scholarships.

24. **The Turks and Caicos Island Government** has a Gender Affairs Unit, under the Ministry of Health and Education, which is responsible for policies in relation to women and for ensuring compliance to CEDAW. The Unit tackles discrimination brought to its attention on a largely case-by-case basis, and also engages on wider government policy where women's issues arise.

25. TCI's independent Human Rights Commission monitors compliance with CEDAW. In 2012 the Commission, in partnership with the UK's Commonwealth Foundation, completed a comprehensive review of all of TCI's legislation with respect to clarifying compliance with CEDAW. The subsequent report identified deficiencies and made recommendations for the legal changes needed. The Human Rights Commission and TCI Government will discuss the report and next steps in early 2013. TCI's 2011 Constitution, and the 2012 Equality Ordinance, both make discrimination on the basis of gender illegal.

26. **The Falkland Islands'** small population size (under 3,000) and limited resources mean there are no formal mechanisms to monitor the implementation of CEDAW other than the preparation of the periodic report. However, the FI Government are required to identify and address any human rights issues during policy development and implementation. This includes the promotion of gender equality and the protection of women and girls. An ongoing process of legislative review addresses laws which discriminate against either gender. The FI Government, with assistance from the Commonwealth Foundation, has promoted numerous human rights training events in recent years, and in 2011 supported the establishment of an independent Falkland Islands Human Rights Group which monitors human rights issues, including gender equality.

27. Most of the Overseas Territories are small islands or island groups. Resource and capacity constraints affect their ability to consider or implement treaties. Of the Territories that have not yet had CEDAW extended to them, some have a population of less than 5,000 people. The UK Government's long-standing policy is to encourage territories to agree to the extension of UN human rights conventions ratified by the UK, but to extend these to the Territories only when they are ready to apply them. The UK Government continues to work with the remaining territories to help them prepare for the extension to them of CEDAW in 2013.

28. The UK Government funded project work in 2011/12 in most of the remaining territories, which resulted in Plans of Action detailing necessary changes in existing

legislation as well as establishing policies for compliance with CEDAW, based on the priorities for each Territory. In addition, the project identified necessary reservations for the Territories (consistent with those of the UK) that should be applied for on extension, currently being considered by Attorney Generals. The Territory Governments are currently reviewing the recommendations. We continue to monitor progress and keep Territory Governments focussed on CEDAW.

Legal and complaint mechanisms

Response to paragraph 4

29. In developing the proposals for reforming legal aid, the UK Government took into account its legal obligations and decided to replace the existing exceptional funding scheme with a new reformed scheme. This provides funding for exceptional cases where, in the particular circumstances of a case, the failure to do so would result in a breach of the individual's rights to legal aid under the Human Rights Act 1998 or European Union law.

30. Legal aid will continue to be available in relation to:

- contraventions of the Equality Act 2010;
- private family law cases (and immigration cases) where there is evidence of domestic violence;
- domestic violence injunction cases;
- forced marriage protection order cases; and
- mediation to resolve family law disputes.

31. **In Scotland**, the position with regards to the scope and eligibility for Legal Aid is unchanged.

32. In respect of employment tribunal fees, the UK Government's aim is to transfer some of the cost of administering the tribunals from the taxpayer to the users of the service. It is certainly not designed to deter claims from those with genuine disputes and we recognise that access to justice is vitally important. For this reason, a fees exemption and remission scheme will operate for those who cannot afford fees and as women are more likely to fall into the lower income brackets they are more likely to qualify for partial or full fee remissions.

National machinery for the advancement of women

Response to paragraph 5

33. The Minister for Women and Equalities is both the UK Minister responsible for CEDAW and the Minister responsible the Government Equalities Office (which acts as the national machinery for the advancement of women). Also, in that same Ministerial role, she chairs the Inter-Ministerial Group on Equalities. Therefore, regarding mandates and co-ordination, the Minister instructs the Department to undertake activities to advance gender equality in the UK, many of which have been set out in the government's Equality Strategy⁴.

⁴ The Equality Strategy – Building a Fairer Britain. December 2010

Response to paragraph 6

34. The Gender Directors' network, organised by GEO was established in response to the call from the Committee for a greater joined-up approach to implementing the Convention. All four nations recognised that activity and reporting on work to implement CEDAW should take better account of devolution and that improved mechanisms for input and engagement of both Governments and NGOs should be found. The four nations participate in meetings with agreed actions approximately four times a year.

35. The purpose of the Gender Directors' Network is to develop shared understanding around the activities to advance gender equality across four jurisdictions. The Network helps identify areas of work around gender equality where opportunities exist for greater co-ordination across jurisdictions; helps promote a greater awareness about CEDAW across Governments and amongst NGOs and stakeholders; helps improve planning and input to international obligations such as CEDAW and considers how best to engage NGOs in CEDAW.

36. **In Northern Ireland**, the Office of the First and deputy First Minister (OFMDFM) oversees implementation of the cross departmental Gender Equality Strategy (GES) in partnership with the Gender Advisory Panel. The Panel is made up of representatives of women's and men's organisations. A review of the GES is currently underway, managed by OFMDFM and the Gender Advisory Panel.

Response to paragraph 7

37. Following the abolition of the Women's National Commission in 2010, the UK Government undertook a national consultation exercise and modernised its approach to engaging with women in a way that is direct, inclusive and transparent. The engagement programme includes:

- All three Ministers for Women and Equalities undertaking their own programmes of roundtables and separate meetings with individual women, experts, academics, practitioners and women's organisations. Recent topics include the effect of sport, media, law, violence, persistent disadvantage, parenting and age on women.
- Regular bilateral meetings between the Deputy Director of GEO's Gender Team and key NGOs to share information and consult on priority policy areas, including CSW.
- Online newsletters sent to around 300 organisations that represent the views of women⁵
- Special meetings in areas of policy priority – for example, on the Women's Business Council and the UN Commission on the Status of Women.

38. In 2013 we will increase our reach to women who are under-represented through the current channels, through a programme of social and digital engagement.

39. The EHRC is also funded to deliver a remit that includes public engagement across all protected characteristics, including gender.

40. **The Welsh Government** awarded funds in November 2011 to establish Women's Equality Network Wales (WENWales) to ensure that the issues, challenges and priorities of women in Wales are heard by Government and used to shape the policy agenda. Its membership comprises of representatives of women's organisations, groups and communities from across Wales. Recent work includes development of a shadow CEDAW

⁵ Combined potential reach of 1 million women.

Report, working with women who have children to understand the barriers in returning to work, and the barriers to public life.

41. **The Scottish Government** funds the Scottish Women's Convention⁶ (£540k for 2012-15) to develop ways to ensure women in Scotland can influence the strategies and policies which affect them and to ensure women's voices reach policy makers.

42. They also fund Engender⁷ (£360k for 2012-15) to raise awareness of the cause and consequence of gender inequality in Scotland and its impact on women and girls and Scotland's social and economic development; to work with third and public sector organisations in Scotland to ensure that gender is taken account in their policy and practice; to promote women's participation on public and political life and to promote the use of national and international rights and equalities instruments to effect positive change for women.

Response to paragraph 8

43. The EHRC's role as a national expert and strategic enforcer of the law has not changed. As our designated equality body and 'A'-rated National Human Rights Institution, it has an important role to play in monitoring our progress as a nation, making recommendations about how we can do better, and supporting and engaging with people to ensure the law is working as intended.

44. However, the EHRC struggled after its establishment in 2007, in part because of errors made in the process of setting it up. Its first three sets of accounts (up to and including 2009/10) were qualified, and it was criticised by the Joint Committee on Human Rights on its failure to integrate human rights into its work. Since then however the EHRC has published the Human Rights Review and undertaken other major pieces of work on human rights

45. In May 2012 we embarked on a programme of reform following a 3 month long public consultation and significant progress has been made. The EHRC's first two clean sets of accounts have been published. We have appointed a new Chair, Baroness O'Neill, who is a renowned Human Rights expert, and a smaller Board that reflects the diversity of modern Britain. The Board is made up of individuals who have knowledge and experience of equality and human rights issues, as well as strong corporate governance skills to provide the Commission with strategic direction.

46. We have also completed a review of the EHRC's budget⁸ in partnership with it, which has been agreed by the new Chair. This will ensure the EHRC has the money it needs to perform its role effectively. The EHRC is no longer running its helpline and instead Government has commissioned a new service. Also the EHRC is ceasing to run its grants programmes and instead we are targeting Government funding in new ways. Taking account of the fact that the helpline and grants funding has been transferred to Government and that there are other savings from back-office efficiencies (for example EHRC will be saving £3 million per year just by reducing the number of buildings it occupies) in the future therefore, EHRC could be spending almost as much on equalities and human rights as it did in 2010/11 despite having a much smaller budget.

47. Although we need to take difficult decisions to reduce the record deficit, we are determined to do so fairly. We have taken measures to protect the most vulnerable in our society including lifting two million of the lowest paid workers out of income tax

⁶ <http://www.scottishwomensconvention.org/>

⁷ <http://www.engender.org.uk/>

⁸ http://www.culture.gov.uk/images/publications/Comprehensive_Budget_Review_of_the_EHRC_.pdf

altogether, a clear majority of whom (58%) are women, and increasing child tax credits for low to middle income families. We are also protecting key support for pensioners, including Winter Fuel Payments, free NHS prescriptions, bus passes and TV licences. We have also set out a “triple lock” guarantee that the State Pension will increase by the highest of the growth in average earnings, prices or 2.5%.

48. **The Welsh Government** is committed to taking steps to mitigate against public spending cuts, choosing the priorities which have been tested to sustain and progress equality of opportunity for women in Wales. They are assessing and monitoring the cumulative impact of all welfare reforms to help ensure a joined-up, cross-government response and will use the results of this assessment to target efforts to help mitigate any negative effects.

49. **In Northern Ireland**, Section 75 of the Northern Ireland Act (1998) ensures that the promotion of equality between men and women is central to the policy making process across all departments and their agencies. On account of Section 75, all budget proposals are subject to equality screening and also to high level impact assessments which consider the equality of opportunity between men and women.

Temporary Special Measures

Response to paragraph 9

50. The Equality Act 2010 permits positive action measures (see para 37 of the report). It also provides very specific exceptions which enable services to be provided separately to women or to women only. These entirely voluntary provisions came into force on 1 October 2010 and the UK Government has not undertaken any research into the extent of their use. However, without the provisions it could be difficult, if not impossible, to operate, for example, cervical screening services or a domestic violence support unit without possibly contravening anti-discrimination law.

51. The type of special measures taken to improve equality between women and men and to facilitate gender mainstreaming (para 36 of the report) are non-legislative. Examples and further information can be found in our response to Paragraphs 15 and 16 of the Committee’s list of issues and questions below.

52. **In Northern Ireland**, when women are found to be under-represented in a particular Civil Service post, a welcome statement is included in all recruitment advertising for vacancies arising. This ceases once the identified imbalance has been rectified. Northern Ireland’s Department of Agriculture and Rural Development (DARD) has set targets to increase female representation on its Non-Departmental Public Bodies and targets to ensure fair representation of women on its internal decision-making teams. DARD has also set a target to increase the proportion of women taking part in people development programmes run by the College of Agriculture, Food and Rural Enterprise from 25% to 33% by 2013.

53. Between 2001 and 2012, female membership of the Police Service of Northern Ireland (PSNI) increased from 12.5% to 26.7%. This was due in part to the PSNI Gender Action Plans of 2004 and 2008.

Gender stereotypes

Response to paragraph 10

54. The UK Government addresses the issue of ‘singularity of body image’ through the work of its Expert Advisory Group on Body Confidence. Its membership is drawn from

academia, youth charities, education, eating disorder services, sport and fitness, retail, advertising, media and fashion. It meets twice a year to advise and guide the Government's Body Confidence Campaign. This aims to raise awareness about the causes and consequences of body image anxiety and develop non-legislative action to deliver more positive and diverse images of women in the media, including black and minority ethnic women, elderly women and women with disabilities. It does this in the following ways:

- ***Encouraging good practice in the media, retail, advertising and fitness industries.*** We have hosted industry roundtables and supported a number of initiatives, such as establishment of the Centre for Diversity to encourage diversity within the fashion industry and an award recognising best practice on diverse body images in the magazine industry.
- ***Ensuring joined-up policy across government.*** We embed understanding of body image and gender stereotyping issues across government policy. Examples include providing input to national strategies on obesity and sexual health, to the government's review of the regulation of cosmetic interventions, and to the Bailey Review on the commercialisation and sexualisation of childhood.
- ***Developing young people's media literacy.*** We have worked with Media Smart to produce educational resources for parents and teachers⁹ to help children think critically about advertising and its impact upon them, specifically on body image. Similar resources on gender stereotyping are planned for 2013.
- ***Raising public awareness and understanding.*** Throughout 2012 we ran a series of body confidence blogs in the Huffington Post, each written by an expert in the field. The Minister frequently comments in the media, sending the clear message that women's contribution to society should not be confined, defined or limited by their bodily appearance.
- ***International work.*** At the Commission on the Status of Women 2012, the UK Government co-hosted a side event on body image with Denmark and Thailand. This event explored the way women and girls are represented in popular culture and how education can be used as a way to challenge gender stereotypes.

55. In 2013, we will publish our review of the research evidence underpinning this work and a report on the work undertaken and progress made in the campaign so far. Key aspirations for 2013 include developing understanding of the impact of body confidence on women's aspirations and self-actualisation, and developing work with targeted communities within the wider population.

56. **In Northern Ireland**, measures to tackle gender stereotypes and prejudice include:

- All Civil Service staff receive equality and diversity training to raise awareness of equal opportunities and diversity issues, including gender stereotyping.
- The Northern Ireland *Careers Education, Information, Advice and Guidance Strategy*, *Preparing for Success*, has been developed to promote social inclusion, challenge stereotypes and promote equality of opportunity by raising the aspirations of all learners and supporting them in accessing career opportunities they may not otherwise have considered.

⁹ <http://www.mediasmart.org.uk/resources/bodyimage>

Violence against women

Response to paragraph 11

57. Domestic Violence Protection Orders (DVPOs) are similar to Germany's and Austria's 'Go Orders' and enable the police and magistrates courts to put in place protection for a victim in the immediate aftermath of a domestic violence incident. Perpetrators are prevented from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim space to consider their options, with the help of a support agency.

58. The one year pilot ended on 30th June 2012. A decision on roll-out across England and Wales will be informed by the evaluation which reports in summer 2013. Currently the three pilot forces are continuing to operate DVPOs without funding from the Home Office.

Sojourner Pilot Programme

59. The Sojourner Project (para 123 of the report) was run by the charity Eaves and funded by the Home Office and the UK Border Agency. It ended on 31 March 2012. Eaves worked in partnership with a range of other voluntary providers to co-ordinate support, accommodation and subsistence for women and their dependents throughout the country. The project helped 1,522 individuals, including 738 women with children, escape from violent and dangerous situations.

60. On 1 April 2012 the Government introduced the Domestic Violence Concession (DVC). This replaced the Sojourner Project and provides a long-term solution by allowing those eligible to be granted three months leave with access to public funds. This enables individuals (and their dependents) to access vital services such as refuges while they apply to the UK Border Agency for settlement. A communications package was produced to announce the DVC, targeted primarily at intermediary support groups. A number of promotional stakeholder events were also held across the UK to ensure that services were aware of the new process.

Prevalence of violence against women

Number of cases

61. Crime prevalence in England and Wales is measured through the Crime Survey for England and Wales (CSEW)¹⁰ (formerly the British Crime Survey). The self-completion module shows that between 2004/05 and 2011/12, overall prevalence of intimate violence in the last year declined from 6% to 5% for men, and from 9% to 7% for women (equivalent to a reduction from around 2.4 million to 2 million victims per year). Over the same period there was no statistically significant change in sexual assault for either men or women, with around 2% of adults aged 16 to 59 being victims in both 2004/05 and 2011/12. The 2011/12 CSEW also estimates that during that period between 41,000 and 107,000 women aged 16 to 59 were victims of rape (including attempts) and between 399,000 and 567,000 women aged 16 to 59 were victims of a sexual assault (including attempts).

Relationship between victims and perpetrators

62. The CSEW 2009/10 indicates the victim-offender relationship for incidents of any sexual assault experienced since the age of 16 was primarily stranger (58%). In cases of serious sexual assault on women (mainly consisting of rape), 54% of perpetrators were

¹⁰ <http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales>

partners or ex-partners¹¹. The 2011/12 CSEW indicates that, since the age of 16, 18.5% of the population have been victims of non-sexual abuse by a partner and 8.1% have been victims of non-sexual abuse by a family member¹².

Cases reported to the police

63. The 2010/11 CSEW showed 23% of people reported the most recent incident of partner abuse to the police. 2009/10 CSEW showed 11% of victims of serious sexual assault reported the most recent incident to the police. Police forces have been taking steps to improve the reporting and recording of rape and other sexual offences. Extra guidance for the recording of sexual offences was incorporated into the Home Office Counting Rules from April 2010 and this reflected good practice guidance issued by the police.

Prosecution and punishment of offenders

64. Crown Prosecution Service (CPS) prosecuted 75,000 cases involving violence against women and girls in 2007/08, rising to 91,000 in 2011/12. Convictions also rose during this period from 52,000 to almost 67,000 - proportionally the highest conviction rate on record for these crimes.

65. There has been a 1.5% fall in attrition in domestic violence cases and a 4% fall in attrition in rape cases¹³. In 2011-12 the CPS saw the lowest attrition rates on record, achieving a 73% conviction rate on domestic violence and 62.5% on rape.

66. The CPS recorded data on rape prosecutions includes not only cases initially charged and flagged as rape, but also cases where a conviction was obtained for an alternative offence. The majority (88%) were prosecuted for rape or another sexual offence, with most of the remaining prosecutions being for a violent offence.

67. Ministry of Justice data - which reports on the ratio of those prosecuted of rape and convicted of rape - shows a 6% rise in the conviction rate from 34% in 2010 to 40% in 2011. This ratio does not take account of defendants prosecuted for rape but convicted at the Crown Court of another offence.

68. The Sexual Offences Act 2003 sets out the penalties for the various offences; the maximum penalty for rape is a life sentence. The average sentence length for rape is eight years. Domestic violence is captured under more general violent offences and it is therefore not possible to provide average sentencing for these crimes.

69. **In Scotland**, on 30 October 2012, the Chief Statistician published key statistics on the number of incidents of domestic abuse recorded by police forces in Scotland. The main findings were:

- There were 59,847 incidents of domestic abuse recorded by the police in Scotland in 2011-12 compared to the 55,698 in 2010-11 – an increase of 7%
- In 44% of incidents where the relationship was recorded in 2011-12, the victim and perpetrator were ex-partners or ex-spouses (an increase from 31% in 2002-03).

¹¹ <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0111/hosb0111?view=Binary> (p.77)

¹² Crime statistics: Annual trend and demographic tables 2011-12 - Crime in England and Wales, Quarterly First Release to March 2012; Table D15 Prevalence of intimate violence by category among adults aged 16 to 59, 2011/12.

¹³ Prosecuting Violence against Women and Girls – improving the culture, confidence and convictions. Speech delivered by the Director of Public Prosecutions. (http://www.cps.gov.uk/news/articles/prosecuting_violence_against_women_and_girls_-_improving_culture_confidence_and_convictions/)

'Other' relationships include relationships not fitting into specified categories, and incidents where the relationship is unknown.

- Where an incident of domestic abuse resulted in a crime or offence being recorded, a report was submitted to the procurator fiscal in 77% of incidents in 2011-12, an increase of 18% from 2002-03.

70. The statistical bulletin Criminal Proceedings in Scotland 2011-12 was published on 27 November 2012 and reported that the number of people with a charge proved for rape, and attempted rape, increased by 43 per cent (from 35 in 2010/11 to 50 in 2011/12).

71. Further information on the prevalence and rates of domestic abuse and sexual violence; the rates of reporting to the police; information on court proceedings (prosecution and sentencing of offenders); details of people proceeded against; and information on sentencing of offenders can be found in the Statistical Annex.

72. **In Northern Ireland**, the current data series of domestic abuse incidents began in 2004/05 and numbers have tended to increase year on year. In 2011/12 there were 25,196 incidents recorded, 11% higher than in 2010/11 and the highest level yet. For domestic abuse crimes the highest numbers recorded was 10,768 in 2005/06. In 2011/12 there were 10,387 crimes reported - 9% more than in 2010/11.

73. In 2011/12 the number of recorded sexual offences was 5% fewer than the previous year at 1,836, but the trend has been generally increasing from 1,169 in 2000/01.

74. In 2011/12 there were 553 reported rape offences¹⁴ - the highest number since the current series began.

75. Links to further information and statistical tables on the prevalence of domestic and sexual violence in Northern Ireland can be found in the Statistical Annex.

Response to paragraph 12

Current service provision

76. The UK Government has ring-fenced nearly £40 million of stable funding up to 2015 for England and Wales for specialist local domestic and sexual violence support services, rape crisis centres, the national domestic violence helplines and stalking helpline. This has been supplemented by additional funding to support frontline organisations to tackle female genital mutilation, and to support services focusing on male victims of sexual and domestic violence. We also fund the Forced Marriage Unit, and have committed £500,000 over the next three years towards a forced marriage support package, combining comprehensive training for professionals and increased awareness amongst young people and within communities.

77. Local Authorities are responsible for decisions on how best to fund local services for victims of violence against women and girls (VAWG). We expect them to identify any gaps in service provision and put in place appropriate solutions to address them, building services based on the needs of their communities taking account of locally available information.

78. To support local areas in understanding the issues around VAWG, we funded Against Violence & Abuse (AVA) to hold a national conference with local authority commissioners and the voluntary sector in March 2013, followed by a series of local events

¹⁴ 61% of rape offences recorded occurred in that year while 33% occurred more than 12 months earlier.

and other related activities. We also provided funds to Women's Aid to support the "Aya Capacity Building Project" which supports local services and addresses broader capacity building in the independent women's services sector.

Future of commissioning in England and Wales

79. Following public consultation, we are making wide-ranging improvements to the support provided to victims and witnesses. These include moving to a model of commissioning focussed on outcomes; changing the way some services are commissioned; refreshing the Victim's Code; increasing and extending the Victim Surcharge to raise an additional £50m from offenders for victims' services; and looking at ways to improve support at court for victims.

80. By 1 April 2014 we will move to a mixed model of national and local commissioning for victims services. Nationally we will continue to commission homicide service; support for victims of trafficking; rape support centres; the witness service and some national helplines. Some other services for victims of sexual and domestic violence may also be commissioned nationally, (still to be determined), however, the majority of support services will be commissioned locally by Police and Crime Commissioners (PCCs). PCCs were elected across England and Wales on 15 November 2012 and are democratically accountable for cutting crime and ensuring that the policing needs of their communities are met. Given the prevalence of violence against women and girls across the UK, we expect PCCs to have a key role in tackling these crimes by setting the strategic direction, determining local budgets and holding their respective chief constables to account.

81. Currently Sexual Assault Referral Centres (SARC) are commissioned locally on a collaborative basis by police forces and NHS Primary Care Trusts. It is for local areas to determine what level of funding and service provision is required. Local partners are responsible for ensuring that the service provided by their SARC meets the minimum standards set in the joint Home Office and Department of Health guidance published in 2009. We have decided that subject to resolving some further points of detail, responsibility for sexual assault services, including SARCs, at least in the short to medium term, should rest with the NHS Commissioning Board.

82. **In Wales**, apart from that which lies with the Criminal Justice system, responsibility for preventing and supporting victims of violence against women and domestic abuse is devolved to the Welsh Government. In 2012/13 over £4 million funding was provided to deliver violence against women and domestic abuse (VAWDA) services to victims, as well as approximately £10 million for accommodation support through the Supporting People programme. Continued investment has been provided for the establishment of one-stop-shops across Wales to improve all citizens' access to VAWDA services and help build a robust infrastructure for the future.

83. Between 26th November 2012 and 22 February 2013 the Welsh Government is undertaking a public consultation on legislative and policy proposals aimed at ending violence against women, domestic abuse and sexual violence. It includes proposals to ensure consistent, high quality provision for victims across Wales. A review is also being undertaken of the services for VAWDA to inform future funding structures.

84. **In Scotland** a network of Violence Against Women Multi Agency Partnerships (VAW MAPs), supported by a National Network Co-ordinator, bring together the services in local authority areas which have an interest in, or responsibility for, work to tackle men's violence against women. The MAPs help to ensure that tackling violence against women is integral to the core activities of local agencies and structures.

85. During our last funding round in 2012-15, in order to make sure that local projects' activities are driven by local authority areas' needs and priorities, the Scottish Government asked for all applications to its VAW funding stream to be considered, and prioritised, by the network of VAW MAPs, before being submitted to them.

86. In Northern Ireland, eliminating gender-based violence in society is an objective of the Gender Equality Strategy (GES).

87. The Northern Ireland Executive has agreed a joint approach to two inter-agency strategies - Tacking Violence at Home (2005) and Tackling Sexual Violence and Abuse (2008) in recognition that there is considerable common ground between the two strategies in terms of policy, stakeholder interest, services, and support for victims. The Executive has also agreed to develop and implement a joint strategy on domestic and sexual violence for publication in 2013. An Inter-Ministerial Group (IMG) on Domestic and Sexual Violence provides leadership and ensures that the issues receive priority.

88. Many measures have been introduced in Northern Ireland to prevent violence against women or support and protect victims, including:

- Establishing a Sexual Assault Referral Centre (SARC), which opens in early 2013 to provide professional counselling as well as physical assistance. Victims will be able to self refer or be referred by the police.
- In January 2010 the Multi Agency Risk Assessment Conference which was established to examine and improve risk management around domestic violence, for example through monitoring and following up on early warning signs, and through ensuring multi-agency support for high risk individuals. So far more than 4,000 high risk victims of domestic violence have had safety plans put in place to protect them. These plans have included almost 6,000 children.
- A public information campaign to increase awareness of sexual violence and abuse and dispel myths ran from November 2009 to March 2010.
- An Anti-Rape campaign, targeting students in further and higher education, was re-launched in September 2010
- Government funds a 24-hour free-phone Domestic Violence Helpline service.
- Public Protection Units have been established in each police district.
- Since 2009, Courts can impose restraining orders in a wider range of circumstances.
- Domestic Violence Partnerships have been established in every Health and Social Care Trust.
- At least 160 primary school teachers are being trained as Social Guardians to deliver preventative education programme.
- All victims of domestic violence gaining fast track access to legal aid; and
- Since December 2010, the means test for legal aid has been waived for victims of domestic violence seeking non-molestation orders.

Female Genital Mutilation

Response to paragraph 13

89. As explained in paragraph 285 of the report, Female Genital Mutilation (FGM) has been specifically against the law in the UK since 1985. The UK Government's *Call to End Violence Against Women and Girls Action Plan*¹⁵ sets out the approach for England and Wales to preventing and eradicating Female Genital Mutilation and to supporting the care and well-being of girls and women affected by it.

90. Over the past year the UK Government has undertaken considerable work to prevent and tackle FGM in the UK, including:

- Launch of the multi-agency practice guidelines for England and Wales in February 2011 for front-line professionals such as teachers, GPs and nurses. These raise awareness and set out the steps that need to be taken to safeguard children and women.
- Providing £50,000 of funding in 2010/11 (re-launched November 2011) to support frontline organisations in England and Wales working to prevent FGM and community work.
- Increasing activity in summer 2012 (traditionally the time of greatest risk for girls being taken abroad to undergo the practice). This included:
 - Government representatives working in East Africa with consular staff to highlight issues and ensure all staff are able to respond;
 - A Metropolitan Police campaign to raise awareness across London;
 - Launch of a web-based short film to raise health workers' awareness.
- Launch in November 2012 of the pilot of the pocket-sized Declaration Document – 'A Statement Opposing FGM'¹⁶ which states the law and the potential criminal penalties that can be used against those allowing FGM to take place. This tool is primarily for families who have immigrated to the UK and do not want their children to be subjected to FGM, but still feel compelled by cultural and social norms when visiting family abroad. It can also be carried by girls for use when they are abroad with their family.
- In September 2011 the CPS launched legal guidance for prosecutors in England and Wales to assist them in prosecuting cases. In November 2012 they launched an action plan¹⁷ on prosecuting cases of FGM.
- Continuing to circulate and distribute more than 40,000 leaflets and posters to schools, health services, charities and community groups across England, Scotland and Wales.
- In January 2012 the Home Office and NSPCC co-hosted a roundtable discussion on FGM with front line practitioners. The discussion focussed on barriers practitioners faced when tackling FGM. Outcomes from the discussion will be used to inform future policy development.

¹⁵ <http://www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/vawg-action-plan>

¹⁶ <http://www.homeoffice.gov.uk/publications/crime/FGM-declaration>

¹⁷ http://www.cps.gov.uk/news/press_statements/female_genital_mutilation_action_plan_launched/

91. **In Wales**, responsibility for prosecutions relating to FGM is not devolved to the Welsh Government. Their policy on FGM is set out in the *'Right to be Safe' Strategy and Implementation Plan*¹⁸. Procedures for safeguarding children and vulnerable adults are also relevant.
92. In 2011 the All Wales BME Health and Safeguarding Forum published the *All Wales Protocol on 'Female Genital Mutilation'* which sets out guidance on FGM for health professionals and good practice for social service departments, police, staff working in the education authorities and the voluntary sector. The protocol aims to increase awareness; identify children at risk; and help respond to cases appropriately.
93. An FGM toolkit for professionals, which provides information designed to promote cessation of the practice, was launched in Autumn 2011. Additional funding has been provided to ensure each Midwife, Health Visitor and School Nurse, sexual health and cytology in Wales has a copy.
94. The Welsh Government's *Sexual Health and Wellbeing Action Plan for Wales, 2010-2015* also recognises the need to raise the skill levels of health, education and social services professionals in relation to FGM.
95. Health Boards are responsible for providing access to appropriate support services for women and girls in their areas. In November 2011 the Welsh Minister for Health asked Health Boards to work with the Local Safeguarding Children Boards to ensure local services, such as sexual health, obstetric and gynaecology services, support community and police initiatives aimed at stopping FGM and to support those affected by it. Also, Cardiff has a small de-infibulation (reversal) service accessed by referrals from GP's and midwives.
96. **The Scottish Government** has a full time officer dedicated to minority ethnic women's issues, including FGM. The officer works with relevant statutory, voluntary and community organisations across Scotland to encourage reporting.
97. The government is also represented on the Association of Chief Police Officers in Scotland (ACPOS) Honour Based Violence Working Group. ACPOS has developed links with communities and organisations that work with people from communities that practise FGM and community liaison officers take part in community events, meetings and seminars to explain how the police can help. ACPOS will launch in April 2013 the *Investigators Guide for Honour Based Violence, Forced Marriage and Female Genital Mutilation*. This will reinforce police officers understanding and skills to ensure they respond to incidents appropriately.
98. The Scottish Government has funded the minority ethnic women's health organisation, Saheliya, to support victims of FGM and empower women. They help women address long held beliefs, define the solutions for themselves and increase their confidence in reporting.
99. The national *Guidelines for Child Protection and the National Framework for Learning and Development in Scotland 2012* set out the child protection procedures and core competencies necessary for practitioners to protect and promote the welfare of children. These specifically mention that workers should have appropriate knowledge and skills to identify and implement potential interventions when children are at risk of FGM.
100. The Scottish Government will launch in 2013 multiagency guidelines and protocols to encourage sharing of information and joint action against FGM.

¹⁸ <http://wales.gov.uk/topics/housingandcommunity/safety/domesticabuse/publications/besafe/?lang=en>

101. **In Northern Ireland**, Female Genital Mutilation is also an offence¹⁹. A multi-agency conference, entitled Safeguarding Adults and Children in a Culturally Diverse society was hosted in October 2012, to raise awareness of emerging issues.

Trafficking and exploitation of prostitution

Response to paragraph 14

Organised crime and Trafficking

102. The UK Government published its human trafficking strategy²⁰ on 19 July 2011, focused on four key areas: improving the identification and care for victims; working upstream to stop the threat early; smarter action at the border; and coordinating UK law enforcement efforts. Adult victim care arrangements in England and Wales were also amended in 2011 to provide trafficking victims with care and support tailored to their individual needs. Support is coordinated through the Salvation Army and provided by its twelve specialist sub-contractors. Gender sensitivities are an important consideration in the needs and risk assessment undertaken to determine what care and support a victim requires.

103. The Government is committed to tackling the harm and exploitation associated with prostitution. We have published a review of approaches to prostitution in different local areas²¹ to identify effective practice for policing, exiting, minimising harm, holistic support and general multi-agency working in England and Wales. This review emphasises the importance of considering community views when formulating a local response to prostitution.

104. Section 17 of The Policing and Crime Act 2009 came into force on 1 April 2010. It helps improve the safety and support available for individuals involved within prostitution by providing the courts with an alternative to fining those convicted of loitering or soliciting and instead requires attendance at meetings with a court appointed supervisor. Engagement and Support orders that provide access to services and support that might otherwise be out of reach including medical care, housing and drug/alcohol dependency programmes. We are aware that a number of orders are being used, but that diversions schemes such as the one run by Safe Exit are continuing.

105. It is an offence to solicit someone for prostitution and it is also an offence to pay for the sexual services of a prostitute who has been subject to exploitative conduct. The police are responsible for ensuring they have sufficient numbers of trained officers to respond to the levels of prostitution in a particular area.

106. **In Wales**, responsibility for prosecutions relating to Prostitution is not devolved to the Welsh Government. However the draft *Working Together to Reduce Harm (Substance Misuse) Delivery Plan 2013-15* has a key action 'to Improve access to substance misuse & DA Services for those that are engaged in sex work'.

107. The Welsh Government has provided over £100,000 for the StreetLife programme run by Safer Wales to support sex workers, and has appointed a dedicated Anti Human Trafficking Co-ordinator for Wales, thereby fulfilling the recommendation of the Council of Europe.

¹⁹ The Female Genital Mutilation Act 2003.

²⁰ <http://www.homeoffice.gov.uk/publications/crime/human-trafficking-strategy>

²¹ <http://www.homeoffice.gov.uk/publications/crime/responding-to-prostitution>

108. **In Scotland**, soliciting and loitering in a public place for the purpose of purchasing sex is an offence under the Prostitution (Public Places) (Scotland) Act 2007. Last year, the courts were given a power to disqualify from driving, offenders who use a motor vehicle to ‘kerb crawl’. The Scottish Government also funds the First Base Agency to provide its Safe Havens project, Streetwork²², to deliver its women’s project, and Drugs Action to provide its Quay Services²³ early intervention project to support women out of prostitution. Funding is largely the responsibility of individual local authorities.

109. **In Northern Ireland**, work to prevent human trafficking and protect its victims include:

- Training delivered by Public Prosecution Service and the Police Service of Northern Ireland (PSNI) to their staff. To date 2,800 PSNI officers and staff have completed online training to help recognise signs of trafficking.
- Reaching out to victims through a multi-lingual leaflet and poster campaign. More detailed awareness-raising material is currently being developed in consultation with Amnesty International.
- Establishment of an awareness raising engagement group comprising representatives of the DOJ, PSNI, Health and Social Care Board and NGOs
- Ensuring that victims have appropriate and timely access to social security benefits.
- Working with Crimestoppers on a campaign to raise awareness of trafficking for labour exploitation across the United Kingdom. It will be launched in 2013.

110. In October 2012 they launched *Guidance on Working Arrangements for the Welfare and Protection of Adult Victims of Human Trafficking*. The Guidance sets out actions to be taken by the PSNI, the Health and Social Care Trusts and others.

111. In 2010, the Department of Justice (DOJ) published a research paper investigating the issues for women involved in prostitution in Northern Ireland, followed up by a stakeholder conference. A number of actions are being taken forward or further developed by DOJ, working in partnership with others.

Participation in political and public life

Response to paragraph 15

112. We have implemented the provisions in the Equality Act 2010 which enable political parties to use positive action, should they wish to, to encourage participation in politics among under-represented groups²⁴. We have also extended the ability to use women-only shortlists until 2030. We are also working with the main political parties to voluntarily collect and publish diversity data on their election candidates. This information will enable us to target our efforts in increasing diversity in our democratic institutions. The three main parties have now agreed to publish comparable data.

113. The Government’s aspiration is that May 2015 at least half of all new appointees to the boards of public bodies will be women. This ambitious target includes all public appointments regulated by the Commissioner for Public Appointments but does not include reappointments. Our strategy for achieving this will be published shortly.

²² <http://www.streetwork.org.uk/reach-out-project/>

²³ <http://www.quayservices.co.uk/>

²⁴ Prospective candidates must still be considered on their individual merits.

114. In July 2012, we launched the *Access to Elected Office Strategy* which aims to support to disabled people, including disabled women, who want to become MPs, councillors or other elected representatives. This includes a fund of £2.6m for 2012-14, to help meet the additional costs that disabled people face compared to a non-disabled people, for example, costs of transport or British Sign Language interpretation.

115. We have recently established a new Centre for Public Appointments in the Cabinet Office. This serves as a centre of expertise on all aspects of the appointments process and works with Departments to co-ordinate action to ensure the boards of our public bodies are representative of the communities they serve.

116. The diversity of the judiciary in the UK has improved gradually year-on-year. By 1 April 2012, within the courts-based judiciary, 22.6% of 3,575 judges were women. With tribunals, 39.6% of 2,060 legally qualified judges were women.

117. The Crime and Courts Bill facilitates increased judicial diversity. It extends salaried part-time working to the senior courts and the Supreme Court, and it allows the Judicial Appointments Commission to favour a candidate with a declared protected characteristic when candidates for judicial office are equal on merit. This process is based upon the Equality Act 2010 positive action provisions.

118. Key statistics for the participation of women in political and public life are available in the Statistical Annex.

119. As discussed in paragraph 101 of the report, Lord Davies of Abersoch presented his report on obstacles to the appointment of women to company boards on 24 February 2011. His recommendations included voluntary business-led measures including: FTSE 100 boards should aim for a minimum of 25% female representation by 2015; a Voluntary Code of Conduct for Head-hunters should be established; and amendments to the Financial Reporting Council's Code of Conduct should be made to require companies to establish a policy concerning boardroom diversity.

120. We have been working with businesses and stakeholders to implement the recommendations. So far, the Voluntary Code of Conduct for head-hunters launched in July 2011 with 40 firms signing up; investors are actively working with us to bring about change; and on 1 October 2011 The Financial Reporting Council amended the UK Corporate Governance Code to require companies to report on their board's policy on boardroom diversity, including gender. Since Lord Davies reported, there has been unprecedented progress – see Statistical Annex for further information.

121. **In Wales**, significant work has taken place within the Welsh Government and in the wider Welsh public sector to identify the issues faced by women and other under-represented groups in public appointments in Wales.

122. The Welsh Government has committed to seek to introduce Norwegian style quotas for appointments to public bodies in Wales ensuring that at least 40% are women. Welsh Ministers are considering how to best achieve this aim.

123. **In Scotland** the Public Appointment and Diversity Centre of Expertise has put in place a continuous improvement plan to support the implementation of fair and effective public appointments. This includes the development of a specific action plan on diversity and equality issues, including outreach and awareness-raising activity.

124. Educational programmes in schools also 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. Young people can engage in democratic activities including membership of school councils and participation in the Scottish Youth Parliament.

125. The Scottish Government is working to encourage more women to apply for positions on public bodies in Scotland and the numbers are improving. They will also hold a consultation event in April 2013 with an aim to agree a set of potential actions that could increase the participation of women in public life, including application and success rates.

126. **In Northern Ireland** women account for 22% of Northern Ireland MPs; 18.5% of the members of the Northern Ireland Assembly; and 23% of Northern Ireland councillors. Two of Northern Ireland's three MEPs are female.

127. In 2011/12, women accounted for: 33% of 1,410 public appointments held; 29% of all public appointments made; and 27% of all applications received for vacant public appointments.

128. Women are currently under-represented amongst public appointees and Government has initiatives in place to raise awareness, improve accessibility and encourage more women to apply for vacancies. The independent Commissioner for Public Appointments upholds a Code of Practice intended to ensure that the merit principle is applied to public appointments. The Commissioner audits departmental public appointment processes and publishes the findings in an Annual Report. It is working closely with Government Departments to identify and develop measures to address female under representation.

129. The Office of the First and deputy First Minister maintains a mailing list of individuals and organisations interested in public appointments and actively targets women's organisations to ensure that they are made aware of vacancies.

Employment

Response to paragraph 16

Gender Pay Gap

130. We have made good progress to end pay inequality in the UK. The gender pay gap between men and women working full time, and between men and women working either full time or part-time is narrowing, whether using a measure of median and mean earnings. The difference between men's and women's median hourly full-time pay has fallen sharply from 12.7% in 2008 to 9.6% in 2012²⁵. While women are better paid than men when it comes to part-time work, the fact more women work part-time jobs, which tend to have lower rates of pay, means the pay gap for all workers remains higher at 19.7% compared to 22.6% in 2008. However, due to changes in the methodology used to calculate these figures in 2011, the 2008 and 2012 figures are not directly comparable.

131. The Equality Act 2010 includes new provisions to make pay secrecy clauses unlawful (Section 77); extend positive action in recruitment and promotion (Section 159); and protect against discrimination "by association", which is of relevance particularly to carers (Section 13). We are also taking new legislation through Parliament²⁶ which would give Tribunals power to order that employers conduct a pay audit where they have been found to discriminate over pay.

132. We are also encouraging companies to sign up to Think, Act, Report²⁷, a voluntary initiative to improve gender equality at work, including reporting on pay and other

²⁵ As measured by the annual survey of hours and earnings from the UK's Office for National Statistics

²⁶ Enterprise and Regulatory Reform Bill 2012

²⁷ <http://www.homeoffice.gov.uk/equalities/women/women-work/gender-equality-reporting/>

workplace issues. A recent progress report found that organisations signed up to this initiative accounted for more than one million employees.

133. In October 2012, the UK Government launched a new Equality Advisory and Support Service²⁸ for individuals who need expert advice and support on discrimination issues including sex discrimination.

Employment for women

134. Since the Coalition Government came to power in May 2010, the number of women in employment has risen by 287,000 and, as at November 2012, there are more women in employment than ever before (13.75 million). Over the same period the number of women in self-employment has also risen from 1.15 million to 1.27 million. The employment rate fell from 67.0% at the beginning of 2008 to 65.3% at the beginning of 2010, but has since recovered to 66.3% in November 2012.

135. Economic inactivity for women has also fallen over this period, from 29.7% at the start of 2008 to 28.4% in November 2012. The Government's welfare reforms are contributing to more women entering the labour market, reducing economic inactivity but putting upward pressure on unemployment rates as people start to actively look for work. Whilst women's unemployment rates rose between 2008 and 2011, they have since been falling and unemployment fell from 7.7% in November 2011 to 7.3% in November 2012.

136. A wide range of tailored support is available to unemployed women through Jobcentre Plus, the Work Programme, the Youth Contract and our Get Britain Working measures. Now available nationally, the Work Programme launched on 10 June 2011. This payment by results employment programme will provide personalised support to approximately 3.3 million claimants over the life of the contract.

137. In April 2012 we launched a National Careers Service offering independent and impartial information and advice on learning and work. We have also invested heavily in apprenticeships. In 2011/12, over half (52.5%) of new apprentices were women. More than 200,000 women started an apprenticeship in 2011/12, up from 139,000 in 2009/10.

138. We are also taking steps to ensure working conditions better match the needs and aspirations of women in the UK today to support women to achieve their potential in the labour market. This includes extending the right to request flexible working to all employees; working with business to increase the number of women in senior management and on corporate boards; and developing a new system of shared parental leave so that parents can choose how best to share caring responsibilities.

139. We also set up the Women's Business Council²⁹ in May 2012 to look at ways of maximising women's contribution to economic growth. The Council, drawn from across business sectors, will make recommendations to business and Government on how best to remove the barriers that women face in playing a full part in business and the workplace. They are due to report to Government later in 2013.

Childcare

140. Childcare is a key enabler for parental employment but the high cost can be a barrier to work. To help we have provided an entitlement to 15 hours of free education and care per week for 3 and 4-year-olds (which is being extended to cover around 40% of 2 year-

²⁸ <http://www.equalityadvisoryservice.com/>

²⁹ <http://www.homeoffice.gov.uk/equalities/women/women-work/business-council/>

olds) and extended help with childcare costs to those working under 16 hours for the first time.

141. In summer 2012 we established a Childcare Commission to consider the affordability of childcare; before and after school and holiday care for school-age children; regulation of the childcare sector; and the role of childcare in supporting families to move into sustained employment and out of poverty. Their report is due shortly.

142. From April 2013, we will make £2m available (in small grants of up to £500) to childcare providers and childminders wishing to set up new childcare businesses. Tailored business start-up advice, support and mentoring will also be available.

143. **In Wales**, a legal duty³⁰ requires public authorities that identify a gender pay difference to either set a gender pay equality objective to address the cause, or explain publicly why they have not done so. This information must be put in an action plan along with any existing policies that relate to the need to address gender pay difference.

144. The Welsh Government's Strategic Equality Plan includes an Equality Objective to work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences.

145. **In Scotland**, since 2001, the Scottish Government has funded, (£615k for 2012-2015), and been an active partner in, the Close the Gap³¹ project which raises awareness about the gender pay gap and its various causes and encourages action by employees and employers to tackle the causes and close the gap.

146. **In Northern Ireland**, the Equality Commission has reviewed its 1999 Code of Practice on Equal Pay and proposes to replace it with a revised Code, which provides updated, practical guidance to employers and employees, their representatives or advisers, on how to avoid sex discrimination in pay structures. The new Code will include a summary of the Commission's guidance on undertaking equal pay reviews.

147. In December 2009, the Northern Ireland Civil Service began a comprehensive review of the pay and grading arrangements to ensure that, across the service, equal pay is paid for work of equal value. Structural changes were implemented in November 2012 as a result, and an equal pay audit will be conducted during 2013 to assess the effectiveness of the restructuring on gender pay gaps and identify any remaining gaps of 5% or more for further investigation. Also, equal pay audits are to be carried out before negotiating pay awards to identify gender pay gaps that need action.

148. In 2010, the gender profile of the Northern Ireland Civil Service workforce was reviewed. This found that women were under-represented in some jobs. Further work is planned to identify the reasons, and any actions to take that may lead to improvements, including additional reviews (the next one scheduled for 2013).

149. The Northern Ireland Executive has committed to establish a system of affordable, accessible childcare by 2013 and is currently consulting on the proposed Childcare Strategy.

³⁰ Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

³¹ <http://www.closesthegap.org.uk/>

Health

Response to paragraph 17

150. In Northern Ireland, it is lawful to perform a termination where it is necessary to preserve the life of the woman, or where there is a risk of real and serious adverse effect on her physical or mental health, either long term or permanent. In any other circumstances it is unlawful to perform such a procedure. There are no plans to change the law on abortion in Northern Ireland.

Social and economic benefits

Response to paragraph 18

151. The new Universal Credit is for people who are looking for work or are on a low income. It simplifies the benefits system by bringing together a range of working-age benefits into a single streamlined payment. The Universal Credit policy is gender neutral, so where men and women are in the same circumstances they are treated equally.

152. Groups with higher barriers to work such as lone parents (the majority of whom are women), will face improved financial incentives to taking their first steps into work. Government will now pay support for childcare for those working under 16 hours per week. In addition, Budgeting Advances will be available to cover upfront childcare costs for claimants who have a confirmed job offer, which in turn will have a positive impact on equality for this group of claimants and provide financial support for low income families. This will also present an opportunity to promote gender equality through helping more parents access the right support to take up employment.

153. Through Universal Credit the number of workless households will reduce. In some families, second earners may choose to reduce or rebalance their hours or leave work. In these cases, the improved ability of the main earner to support his or her family will increase the options available for families to strike their preferred work/life balance.

154. The Department for Work and Pension's Equality Objectives were published in April 2012 and, as part of this, the Universal Credit Programme committed to monitoring the impact of the policy change. Evidence will be used from a number of sources on the experiences and outcomes of the protected groups, including women.

155. The 2008 pension reform ensured that the Pension Protection Fund, which offers certain protections to members of defined benefit occupational pension schemes, provides for the sharing of pension compensation as part of a divorce settlement. Also, from 2009, the Financial Assistance Scheme extended survivor payments to include surviving partners (previously it only covered widows, widowers and surviving partners when they had been in a Civil Partnership with the deceased).

156. The 2008 Pensions Act provides for sharing of Pension Credit data with energy suppliers in order that vulnerable customers may be identified and receive a discount of £80 off their electricity bills in 2010/11 and £130 discount in 2011/12. There is no gender breakdown available however we estimate that around 62% of beneficiaries³² are female, 38% male (where beneficiaries include the partner as well as the claimant).

³² We expect that numbers benefiting will follow a similar breakdown as for Pension Credit Guarantee Credit only recipients

157. As part of the 2008 reform we estimate that there are 11 million workers eligible for automatic enrolment into a workplace pension of whom 29% are women aged between 18 and 49, and 8% are women aged 50 and over. The latest evidence suggests that the proportion of black and minority ethnic groups (BME) in the eligible group would be around 8% with the current qualifying earnings threshold of £8,105. The evidence suggests that workers with a disability would comprise 14% of the eligible group. Anyone who is not automatically enrolled because of an increase in the earnings threshold (to be debated in Parliament before the summer of 2013) will retain the right to opt in. If they earn above the lower limit of the qualifying earnings band they will also get an employer contribution.

158. Pension Reforms in 2010 (which had legislative components in the 2007 and 2008 Pension Acts) significantly improved women's basic State Pension outcomes through the reduction in the number of Qualifying Years required to receive a full basic State Pension from 39 years to 30 years. The reforms were deliberately intended to deliver a fairer outcome for women and individuals who may have a disrupted work pattern, whilst maintaining the contributory concept of 'something for something'.

159. This reduction in the Qualifying Year threshold allows more people to enter the UK State Pension scheme, where in the past they may have been disadvantaged from entering the scheme, because of care, ill-health or childcare responsibilities. This reform is deliberately intended to deliver higher pension outcomes to as many people as quickly as possible. Around 80% of women reaching State Pension age since April 2011 are projected to be entitled to a full basic State Pension, compared to around half without the reforms. By 2025, over 90% of women reaching State Pension age are projected to be entitled to a full basic State Pension, around the same proportion as men. There have also been changes to, for example: the state pension age to reflect demographic changes; equalisation of the state pension between men and women; calculating qualifying years for carers; and to rules making it easier to buy more years towards the basic State Pension. As these pension reforms were introduced in April 2010, it is too early to judge their effectiveness.

160. **In Wales** the Programme for Government includes a commitment to take action to mitigate the negative implications of Welfare Reform changes, so far as is possible, and tackle the longer term causes of poverty.

161. **In Northern Ireland** the equality statutory duties contained within Section 75 of the Northern Ireland Act (1998) ensure that the promotion of equality between men and women is central to the policy making process, therefore all budget proposals are subject to equality screening and high level impact assessments.

Disadvantaged groups of women

Response to paragraph 19

162. At the end of 2010, the Government set up a Ministerial Working Group to look at ways to tackle the poor social outcomes faced by Gypsies and Travellers in areas such as health, education, accommodation, employment and the criminal justice system. The Ministerial Working Group published a progress report in April 2012³³ which includes 28 commitments from across Government, including:

³³ www.gov.uk/government/publications/reducing-inequalities-for-gypsies-and-travellers-progress-report

- piloting a 'virtual headteacher' who will champion the interests of Gypsy, Roma and Traveller pupils across their local authority and respond to issues of low attainment and attendance;
- promoting improved health outcomes for Gypsies and Travellers within the proposed new structures of the National Health Service;
- work to build on our support for authorised sites that have the backing of the local community, through £60 million Traveller Pitch Funding and the New Homes Bonus;
- improving knowledge of how Gypsies and Travellers engage with employment services;
- preventing hate crime, increasing reporting of incidents and challenging the attitudes that underpin it; and
- ensuring access to appropriate rehabilitation activities in prison and on probation.

163. The Ministerial Working Group will continue to monitor and report on progress on these commitments.

164. **The Welsh Government** launched, in September 2011, *'Travelling to a Better Future - A Gypsy and Traveller Framework for Action and Delivery Plan'*³⁴. The Framework aims to address the inequalities and poverty experienced by the Gypsy and Traveller community, to ensure equality of opportunity, and enable the community to access resources and mainstream services. It includes sections on health and continuing care, education and training, participation and engagement and accommodation and employment. The Framework aims to tackle the high rates of infant mortality, accidents and illness and the low life expectancy experienced by the community and also makes commitments to: support Local Authorities to increase and improve accommodation; to introduce a statutory duty on Local Authorities to provide culturally appropriate accommodation where there is need; and to combating poverty of aspiration and opportunity for Gypsy and Traveller youth. It also promotes variety of ways to improve school attendance and attainment.

165. **In Northern Ireland** the Minister for Education established a Taskforce on Traveller Education in November 2008 to assist the Department of Education draw up an action plan to bring about better educational outcomes for the Traveller community. The Department of Education has recently issued a draft *Action Framework for the Traveller Child in Education* which is currently out for public consultation.

166. Priorities for Youth, a new policy for the delivery of youth work in education is due to be implemented from spring 2013. Subject to the outcome of public consultation it is proposed that planning, funding and delivery of youth work will be based on an assessment of need. Provision will be targeted at young people who are at greatest risk of social exclusion, those who are at risk of disengaging from education or training, those who are newcomers or have English as an additional language, those who are young carers or young parents, and those from the Traveller community.

167. *The 'All Ireland Traveller Health Study (AITHS) Reports'* which examined the health status and health needs of all Travellers living in both jurisdictions launched on 2 September 2010. A *'Birth Cohort Follow Up Report'* was launched separately in September 2011. The findings of this study provided a framework to ensure that Travellers have access

³⁴ <http://wales.gov.uk/docs/dsjlg/publications/equality/110928gypsytravelleren.pdf>

to healthcare services. In October 2010 a Regional Travellers' Health & Wellbeing Forum was established to implement the priorities identified in the AITHS.

168. In 2004 the Northern Ireland Health and Social Care Interpreting Service was established to improve access to health and social care services by members of ethnic communities who do not speak English.

Response to paragraph 20

169. The UK Government broadly accepted 40 of the 43 recommendations in Baroness Corston's 2007 report '*A Review of Women with Particular Vulnerabilities in the Criminal Justice System*'³⁵. Progress over the last five years includes significant investment in women's community centres to address the factors associated with women's offending such as drug and alcohol addiction, mental health issues and histories of abuse, and the reduction of the female prison estate by 400 places, with the closure in 2011 of Morton Hall prison. The following milestones should also be noted:

- Probation Trusts (which are responsible for overseeing offenders released from prison on licence, and those offenders on community sentences) must show that they are providing appropriate provision to allow women to complete their sentence and to reduce the likelihood of further offending. They have received £3.78m to fund 31 women's community services in 2012/13, which provide services to address factors associated with women's offending, including substance misuse, mental health issues, and histories of domestic violence and abuse. For 2013/14 this £3.78m funding is being devolved to Trusts to exercise local commissioning to allow for flexibility to meet local needs. This budget is solely for women's community services and the National Offender Management Service (NOMS) have not agreed to its use in other areas of work with offenders.
- Probation Trusts must also ensure that there is suitable provision for women to complete their Community Payback orders in appropriate settings that avoids situations where it is likely for there be a lone female in a work group.
- The Bail Accommodation and Support service continues to support certain women in the community who do not have a suitable address or need some extra support.
- Gender Specific Standards for women have been embedded in all areas of prison regimes, against which each establishment is audited.
- The Women Awareness Staff Programme continues its roll-out with a focus on training the trainers to provide support to staff and partners working with female offenders.
- Delivery of the Government-led '*Call to End Violence Against Women & Girls*', which will address the high levels of abuse experienced by female offenders.
- Commitment to publish in early 2013 the Government's key strategic objectives for female offenders.

170. Offenders are entitled to the same treatments and services from the National Health Service (NHS) as anyone else. From April 2013, the Health and Social Care Act 2012 requires the commissioning of health services or facilities for all persons detained in prison, or in other secure accommodation, to equivalent standards of care to people in the wider community.

³⁵ <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>

171. The Health and Criminal Justice Programme Board (HCJP) is working to reduce the number of women in prison who do not pose a risk to the public, by diverting them at an earlier stage in their contact with the criminal justice system. It is piloting and rolling out liaison and diversion services nationally, in police custody and at courts, that identify women offenders with mental health problems, learning disabilities, personality disorder and drug or alcohol problems as early as possible in the criminal justice process. Once identified and assessed, they will be referred to appropriate treatment services, whether they stay in the criminal justice system or not. The health needs of women prisoners are also being addressed through programmes such as the Drug Recovery Wings³⁶ pilots; the *Personality Disorder (PD) Strategy*; and pilots of intensive, treatment-based alternatives to custody for offenders with drug or mental health problems.

172. Women detained under Immigration Act powers in immigration removal centres are generally concentrated in just one such centre, Yarl's Wood in Bedfordshire, which allows for gender-specific needs to be better met in terms of the provision of facilities, activities and services, including healthcare services. The UK Border Agency is considering whether there are aspects of Prison Service policy relating to women prisoners that could usefully be adopted for the immigration detention estate.

173. **In Northern Ireland**, a *Strategy to Manage Women Offenders and Those Vulnerable to Offending Behaviour* was published in October 2010. This sets out Government's commitment to a structured, coordinated, multi-agency approach to developing women-specific interventions designed to address their offending behaviour. In November 2012, a peer audit was commissioned to ensure that gender specific standards were being achieved and maintained.

Response to paragraph 21

174. We do not consider that the ability to change employer is necessary to provide protection. There are a range of options available to Overseas Domestic Workers (ODW) to seek protection such as access to the National Referral Mechanism (NRM) if they have been trafficked to the UK; the ability to report abuse or confiscation of a passport to the police; and as workers, the right to access the Employment Tribunal service or return home.

175. We consider the best way to prevent abusive relationships being brought to the UK is to restrict access to the route and to test the validity of the working relationship before a visa is issued. Therefore we have restricted the length of stay in the UK to 6 months and we require 12 months prior employment and a signed statement of terms and conditions of employment in line with the National Minimum Wage. ODWs are also informed of their rights in the UK and where to get help if needed - this letter is provided in a range of languages.

176. Since the introduction of the new rules we have not seen any evidence that these changes have led to an increase in abuse or trafficking. A recent Inter-Departmental Ministerial Group report on human trafficking showed that only a small percentage of trafficking victims entered the UK to work in the household of their employer. We expect that the changes to the Immigration Rules will reduce this even further.

177. **The Welsh Government**, in 2008 launched the Refugee Inclusion Strategy, and in July 2011 launched an accompanying Action Plan³⁷ which describes the actions the Welsh Government and its partner organisations will take to achieve the objectives outlined in the strategy and provides a framework for monitoring and evaluating achievements against

³⁶ <http://www.justice.gov.uk/news/features/feature220611a>

³⁷ <http://wales.gov.uk/topics/housingandcommunity/communitycohesion/publications/refugeeactionplan>

objectives. These are about achieving the establishment of mutual and responsible relationships between refugees and communities, between civil society and Government.

178. **In Northern Ireland** free English language provision has been introduced for asylum seekers who have lodged their claim for asylum in the UK. The spouse/civil partner of the asylum seeker (who is usually female) and their children are also eligible for free provision. Asylum seekers who commence a course and attain refugee status part way through can complete the course free of charge.

Marriage and family relations

Response to paragraph 22

179. The Law Commission published *Cohabitation: The Financial Consequences of Relationship Breakdown*³⁸ in July 2007. This independent report recommended a statutory scheme to create certain legal rights and obligations for cohabiting couples, as a default position when relationships break down. Couples who wished to do so could opt out of the default scheme.

180. The Law Commission's proposals were similar in many respects to those contained in the Family Law (Scotland) Act 2006. Thus, in March 2008, the UK Government announced that it would await the outcome of research into the operation of the Scottish scheme to assess its cost and effectiveness in resolving financial issues faced by cohabiting couples on separation.

181. The UK Government then considered the research on the impact of the Family Law (Scotland) Act 2006 along with the proposals set out in the Law Commission's report and, on 6 September 2011, announced that the recommendations for reform would not be taken forward in this parliamentary term. The UK Government considered that the Scottish legislation did not provide a sufficient basis for a change in the law in England and Wales, and that the family justice system is currently in a transitional period with major reforms on the horizon.

182. Same-sex couples in the United Kingdom have the opportunity to register their relationships as civil partnerships and thereby obtain broadly equivalent rights and obligations to those applying to married couples. The UK Government is currently legislating³⁹ to enable same sex couples in **England and Wales** to marry. **The Scottish Government** are also intending to make this change shortly.

183. **In Northern Ireland**, a cohabitee can seek financial relief, post-separation, in consequence of the general law of contract, property or trusts.

³⁸ <http://lawcommission.justice.gov.uk/publications/723.htm>

³⁹ Marriage (Same Sex Couples) Bill

STATISTICAL ANNEX

Further information in response to paragraph 11 relating to Scotland

Information on the prevalence and rates of domestic abuse and sexual violence is contained in the publication 'Sexual Victimization and Stalking modules of the 2010/11 Scottish Crime and Justice Survey' - <http://www.scotland.gov.uk/Publications/2011/12/20090441/0>

Information on the rates of reporting to the police is contained in the publication 'Recorded Crime in Scotland' - <http://www.scotland.gov.uk/Publications/2012/06/1698> and in particular: <http://www.scotland.gov.uk/Publications/2012/06/1698/7>

Information on court proceedings (prosecution and sentencing of offenders) is contained in the publication 'Criminal Proceedings in Scotland' (see <http://www.scotland.gov.uk/Publications/2012/11/5336/5> for details of people proceeded against and <http://www.scotland.gov.uk/Publications/2012/11/5336/14> for information on sentencing of offenders).

Further information in response to paragraph 11 relating to Northern Ireland

A statistical table which provides detailed information on the prevalence of domestic violence in Northern Ireland: http://www.psnipolice.uk/domestic_abuse_incidents_and_crimes_in_northern_ireland_2004-05_to_2011-12.pdf

Detailed statistical information on the prevalence of sexual violence in Northern Ireland:

http://www.psnipolice.uk/police_recorded_crime_in_northern_ireland_1998-99_to_2011-12.pdf

Further information in response to paragraph 15

Participation of women in political and public life

	<i>Women</i>		<i>BME</i>	
Ministers attending Cabinet	15.6%	(5 of 32)	3.1%	(1 of 32)
Ministers	19.1%	(23 of 120)	3.3%	(5 of 120)
MPs	22.4%	(146 of 650)	4.2%	(27 of 650)
Peers	22.1%	(180 of 813)	4.9%	(40 of 813)
LA Councillors	30.6%		3.6 %	
PCCs	14.6%	(6 of 41)	None	
Courts based judiciary	22.6%	(of 3,575 judges)	Not given	
Tribunals - legally qualified judges	39.6%	(of 2,060)	Not given	
Public Appointments (2011/12)	34%	(582 of 1740)	7.2%	(119 of 1740)

Progress with gender equality on boards of listed companies***FTSE 100***

- Women now account for 17.3% of FTSE 100 directorships (up from 12.5% in 2010).
 - 21.5% of Non-Executive Directorships (up from 15.6% in 2010)
 - 6.7% of Executive Directorships (up from 5.5% in 2010)
- Since 1 March 2012 women have accounted for 38% of all board appointments
 - 49% of new Non-Executive Directorships are women
 - 9% new Executive Directorships are women
- 7 all male boards remain in the FTSE 100 (down from 21 in 2010).
- In addition, research by Cranfield School of Management shows that, should this momentum and current pace of change be maintained, we are on a trajectory to achieve 26.7% women on FTSE 100 boards by 2015 and 36.9% by 2020.

FTSE 250

- Women now account for 12.0% of FTSE 250 directorships (up from 7.8% in 2010).
 - 14.9% of Non-Executive Directorships
 - 5.2% of Executive Directorships
- Since 1 March 2012 women have accounted for 36% of all board appointments
 - 44% of new Non-Executive Directorships are women
 - 11% Executive Directorships are women
- 79 all male boards remain in the FTSE250 (down from 131 in 2010).

The majority of appointments had no prior FTSE 350 board experience, suggesting that the appointment process is opening up to new women.

Source: BoardWatch – 15 November 2012
