



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

Distr.: General
2 September 2013

English only

**Committee on the Elimination of Discrimination
against Women**
Fifty-fifth session

Summary record of the 1142nd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 17 July 2013, at 10 a.m.

Chairperson: Ms. Ameline

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(*continued*)

*Seventh periodic report of the United Kingdom of Great Britain and Northern
Ireland*

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (CEDAW/C/GBR/7 and Add.1 and 2; CEDAW/C/GBR/Q/7 and Add.1)

1. *At the invitation of the Chairperson, the delegation of the United Kingdom of Great Britain and Northern Ireland took places at the Committee table.*
2. **The Chairperson** said that, at the invitation of the Committee, some members of the delegation would be speaking via video link from London, the United Kingdom.
3. **Ms. Reardon-Bond** (United Kingdom), introducing the seventh periodic report of the United Kingdom, said that the Government had acted upon the recommendations made by the Committee in connection with the previous periodic report, and was striving to attain the standards set in the Convention of true gender equality.
4. The Convention provided overarching principles that underpinned all equality legislation in the United Kingdom. The Government was responsible for such legislation and accountable to the Committee for equality throughout the United Kingdom; however, many aspects of policy and delivery were devolved to the administrations of Scotland, Wales and Northern Ireland. Devolution allowed equality duties to be tailored to local needs, but did not mitigate the requirement to observe them. There was a common equality legislative framework for England, Scotland and Wales, while in Northern Ireland equality provisions covered nine equality grounds. The Gender Director's Network brought together those responsible for gender equality from all four nations of the United Kingdom.
5. The various aspects of the women and equalities agenda were now the responsibility of different ministers. Responsibility for equalities lay with the Secretary of State for Culture, Media and Sport; responsibility for women and growth lay with the Minister for Employment Relations and Consumer Affairs; responsibility for equality legislation and violence against women and girls lay with the Minister for Victims and the Courts; responsibility for eliminating violence against women and girls overseas and gender equality in international development lay with the Department for International Development; and overarching responsibility for violence against women lay with the Home Secretary. Those ministers provided a gender perspective in all areas of Government, including in high-level committees, were accountable to Parliament and were supported by the Gender Equality Policy Team.
6. During the reporting period, the Government had adopted various measures to comply with its obligations under the Convention, such as the publication of the first Equality Strategy in 2010 and the establishment of the Women's Business Council. It had made recommendations to the Government on how to help women fulfil their potential and thus promote economic growth, resulting in an action plan that would be published shortly. Under the public sector equality duty, public bodies were now required to be mindful of the need to eliminate unlawful discrimination, harassment and victimization. To counter the harmful impact of certain media images, the Government had launched the Body Confidence Campaign that worked with various sectors to increase the diversity and realism of media representation of women and supported the development of a resource for parents and schools. In addition, the Parentport website provided a single point of access to information on media regulation.
7. Following the general election in 2010, the Government had disbanded the Women's National Commission and, with a view to ensuring more direct involvement and greater accountability, had established the Women's Engagement programme. It was aimed

at women's organizations but was managed through the Government Equalities Office and worked closely with other government departments. It used a range of media including newsletters and round tables to reach the widest possible number of women on issues of interest to them.

8. The underrepresentation of women in all walks of political and public life continued to pose a challenge. The Government had implemented the provisions of the Equality Act 2010 allowing political parties to take affirmative action and had extended the use of all-women shortlists until 2030. It was working with the main political parties to collect and publish diversity data on their election candidates. To increase the representation of women in senior roles in the public sector, it aimed to ensure that at least half of the appointments to public boards by 2015 would be women, and was drawing up an action plan for that purpose. In Wales, the Sport Wales Case Study demonstrated how, with effort and commitment, more women would come forward for public appointments. The Commissioner for Public Appointments for Northern Ireland was working with government departments to develop measures addressing female representation in political life.

9. The Government was fully committed to ensuring that women were not disproportionately affected by the current economic climate. Some difficult budgetary decisions had been taken, but there was no evidence to suggest that women's services and the voluntary sector were being unfairly affected. A range of funding programmes for the voluntary sector had been implemented that would benefit women's organizations.

10. The number of women in work had risen substantially over the previous year as a result of government action. The National Careers Service provided advice to women and girls regarding learning and work and sought to remove gender-specific barriers to employment. Rural women's enterprise would be supported by funding of £1.6 million. The gender pay gap had fallen since 2008 and in order to reduce it further, the Government had launched a voluntary initiative asking private and voluntary sector employers to ensure fairer conditions for women through greater transparency. The number of women on FTSE 100 and 250 boards had increased. It was expected that by 2015, around 25 per cent of non-executive directors in the FTSE 100 would be women.

11. The Government was legislating on shared parental leave and the right to request flexible working conditions for all. Since the availability of affordable and reliable childcare was a major barrier to women seeking to return to the workforce, the Prime Minister had launched a commission to examine how to reduce costs and the burdens on childcare providers, leading to several reforms. The Scottish Government had increased funding for work on gender equality by almost 30 per cent, and continued to support women's organizations in order to link their experiences directly to policymaking. Measures adopted included a women's employment summit and a comprehensive review of childcare provision. In Northern Ireland, priority was given to improving economic conditions for women and a number of initiatives had been developed to encourage women into technical fields.

12. The Government was improving the National Health Service to cater for the specific needs of women, including by enhancing women's choices in key areas like maternity services. Reforms were also being implemented to upgrade social care for older and vulnerable women.

13. Nearly £40 million had been set aside until 2015 for specialist local support services for women who were victims of violence, including sexual violence. The Government planned to implement measures including the criminalization of forced marriage in England and Wales and the protection of victims of domestic violence and sex workers. The Scottish Government had allocated £34 million in order to eliminate violence against women and girls, and had provided additional funding to support organizations working in that area.

The Welsh Government was legislating on the issue. In Northern Ireland, a new draft domestic and sexual violence strategy was being finalized and a specialist sexual assault referral centre had been opened in May 2013.

14. In March 2013, at the United Nations Commission on the Status of Women, the Under-Secretary of State for International Development had announced the biggest ever international investment in eradicating female genital mutilation. An initiative had also been launched aimed at eradicating impunity for sexual violence during conflict.

Articles 1 to 3

15. **Ms. Halperin-Kaddari** (Country Rapporteur) expressed concern about recent changes to the State party's human rights legislation and urged the Government to reconsider its position on the direct incorporation of the provisions of the Convention into domestic law, bearing in mind the broader scope of that instrument. More importantly, the Equality Act, whose adoption the Committee had looked forward to when considering the State party's previous periodic report, seemed to be a regression on previous legislation, in terms of gender equality, in particular as the gender equality duty had been replaced by a more general public sector equality duty covering all the protected characteristics. She enquired about the expected outcomes of the public sector equality duty review scheduled to be completed shortly and how the Government intended to fulfil its gender equality obligations under the new system. It was unlikely that the recent austerity measures which had had adverse effects on women's welfare would have passed the gender assessment conducted under the previous system. She asked why the Government was reluctant to issue an overall directive for the implementation of the public sector equality duty and what steps would be taken in the event of non-compliance. One of the risks of a policy of gender neutrality was that it might undermine the concept of substantive equality for women laid down in the Convention. A case in point was the loss of tenders by established women's service providers in favour of less experienced or specialized providers that limited the provision of services exclusively for women. How did the Government intend to deal with such situations? Lastly, she asked when a review of the Northern Ireland Equality Framework would take place.

16. **Ms. Šimonović** said she wondered whether all of the declarations and reservations made by the United Kingdom with regard to the Convention were still necessary, in particular its declaration (a) on article 1 of the Convention, which implied that some of the State party's legislation provided for women to be treated more favourably than men. She invited the delegation to provide some examples of such legislation, pointing out that there was nothing in the Convention that prevented a State party from having more progressive legislation than the instrument itself. Similarly she questioned the need for declarations (b) and (c) on future legislation and succession to the throne respectively, as well as for the reservations to articles 9, 11, 13, 15 and 16. Was there any national legislation blocking their removal? Referring to the recommendation made by the Committee in its concluding observations on the previous periodic report that the State party should use the opportunity afforded by the bill on equality to ensure the incorporation of all provisions of the Convention in its domestic legislation, she sought an explanation of the Government's response that such an approach would create a parallel regime to the bill. Lastly, she asked whether human rights were part of curricula at universities and whether information on women's rights and the Convention were included. How was the Government addressing the question of the visibility of the Convention in general?

17. **Ms. Neubauer** asked whether the impact of the many changes to the government departments responsible for equality in recent years had been properly assessed, adding that such changes were not in conformity with the Beijing Declaration and Platform for Action. Furthermore, according to women's NGOs in the United Kingdom, the disbandment of the

Women's National Commission and establishment of the Women's Engagement programme with its use of new communication media had not achieved the Government's goal of enhancing the involvement of women and women's organizations in women's issues and their contact with the relevant government bodies. Would any review be conducted of the situation?

18. **Ms. Reardon-Bond** (United Kingdom) said that the delegation would respond to the detailed questions on reservations and declarations relating to the Convention later. In the meantime, she assured the Committee that the Government was keeping the situation under review. Likewise, when extending the application of the Convention to the overseas territories, the necessity of reservations was examined and kept under review. The Equality Act had made gender issues an integral part of policymaking, and although the gender equality duty had been replaced by the public sector equality duty the United Kingdom considered that it remained in the vanguard in such matters. A review of the public sector equality duty had been undertaken in response to feedback regarding its effectiveness from the public sector and NGOs. It was true that there had been many changes to the national machinery responsible for women's issues over the years, *inter alia*, because the governments concerned had considered that it should be headed by a cabinet minister. On the positive side, it had meant that gender equality had been mainstreamed into different government departments and networks and contacts had been broadened. The Women's National Commission had been abolished along with many other public bodies, following public consultation, because ministers had opted for more direct engagement with women's organizations, through round tables and other activities. The process was working effectively, although it did not have the support of all concerned.

19. **Mr. Henderson** (United Kingdom) said that the public sector equality duty was considered to be progressive not regressive, as the approach taken previously with regard to gender, disability and race was now extended to all protected characteristics and upheld the key principle of due regard. The austerity measures mentioned had probably been the result of the previous Government's emergency budget and spending review in 2010 and gender equality duties would have remained applicable. An inquiry by the Equality and Human Rights Commission (EHRC) into how the treasury had managed the measures had prompted improvements in the way gender equality was taken into account in relation to fiscal events. EHRC was leading a project with government departments, academics and NGOs to further develop practice in the area. The review of the public sector equality duty had clear terms of reference. It had been a very transparent and inclusive process involving public bodies and NGOs and its conclusions would be issued shortly.

20. **Mr. Papaleontiou** (United Kingdom), responding to concerns about the impact of the new commissioning framework on local-level services for victims of gender-based violence, said that nearly £40 million of central State funding had been set aside until 2015 and that the central authorities continued to engage actively with service providers, NGOs and the interministerial group on violence against girls and women to ensure a holistic, cross-cutting approach and a proper understanding of the changes. Advice was available to help local authorities to make good commissioning decisions and to help specialist providers to understand the new framework. The State-sponsored Aya Project, managed by Women's Aid, had a central role in building that capacity.

21. **Mr. Devitt** (United Kingdom) said that section 75 of the Northern Ireland Act required local authorities to ensure equality of opportunities across nine categories, including gender, and to perform a full equality impact analysis to determine what mitigation might be appropriate in those cases where a policy or budget decision was found to have differential effects. A scoping exercise was under way to identify any gaps in current legislation, including the Equal Pay Act and Sex Discrimination Order, and to consider how existing provisions might be streamlined and harmonized.

22. **Ms. Reardon-Bond** (United Kingdom) wished to clarify that the Women's Engagement programme was not built solely around information technology. It also organized thematic round tables at which representatives of women's organizations could meet with the relevant ministers in person. The Government's decision to maintain the ring-fencing of the State funds allocated to services for victims of violence, even though the ring-fencing introduced for major local authority revenue grants in the 2010 spending review had for the most part been lifted, was a testament to its commitment to protecting vulnerable people, including victims of domestic and sexual violence.

23. **Ms. Kvjathovski** (United Kingdom) said that the Government would not become a party to an international instrument unless it was satisfied that its legal framework was consistent with the obligations to be assumed. Any reforms needed were made prior to ratification. Thus, although the Equality Act was the primary means of giving effect to the obligations of the United Kingdom under the Convention, the Act simply consolidated, streamlined and strengthened earlier laws including the Sex Discrimination Act and the Equal Pay Act through which those obligations were already being fulfilled. In addition, a highly evolved body of case law, amassed since the first anti-discrimination provisions had been enacted, guaranteed continuity and certainty in the understanding of equality obligations.

24. Any person who felt that a public authority had failed in its duty to give due regard to equality was entitled to petition the high court to review the lawfulness of the authority's action and, if necessary, to order remedial action. EHRC was also empowered to monitor compliance with the public sector equality duty and to request a judicial review. The equality duty did not involve an express duty to mitigate or to achieve a particular outcome, but was a duty to consider the impact of a policy or decision on people who shared a relevant protected characteristic. Precisely what "having due regard" involved in practice was explained in detail in section 149 of the Equality Act. The Act also made provision for voluntary positive action, in section 158, on general measures, and in section 159, on recruitment and promotion.

25. **Mr. Tucker** (United Kingdom) said that the Legal Aid, Sentencing and Punishment of Offenders Act 2012 was designed to focus legal aid on the most important cases and on persons in genuine need. Legal aid was no longer available for the majority of employment-related cases but was maintained for domestic violence cases, including protective injunctions related to forced marriage, and for separation issues such as child custody. Aid was also guaranteed where withholding funding would be in breach of European Union law or the European Convention on Human Rights.

26. **Ms. Smith** (United Kingdom) said that a programme of personal, health, social and sexual education had been developed for use in the nation's schools but was not a statutory subject. There was no fixed curriculum and the programme could be tailored to the specific needs of schools, teachers and pupils, although the school inspections conducted by the educational standards office, Ofsted, did include an assessment of the spiritual, moral and cultural development of pupils, their respect for diversity and their sense of responsibility.

27. **Mr. Sangha** (United Kingdom) said that British universities were independent institutions, there was no national curriculum and each institution was individually responsible for course design and delivery. However, relevant courses of study such as law would normally include education in human rights and equality that should cover international instruments such as the Convention.

Articles 4 to 6

28. **Ms. Neubauer** asked why the policies adopted by the Government of the United Kingdom were taking so long to give effect to its obligations under the Convention and

eliminate the hidden barriers that prevented women from achieving full substantive equality, noting that under article 2 of the Convention, States parties agreed to pursue by all appropriate means and “without delay” policies to achieve that end. Of particular concern was the apparent regression in women’s representation in politics and the country’s lowly position in the world rankings of women in parliament compiled by the International Parliamentary Union. Given that situation, why did the Government continue to favour temporary special measures that were voluntary rather than legally binding?

29. **Ms. Patten** said that the relentless sexual objectification of women in the print media not only constituted discrimination but also served to reinforce myths and stereotypes. Noting that the Crown Prosecutor had warned of the impact of women’s treatment in the media on the administration of justice and that a 2012 survey had revealed many women felt unable to report sexual violence, she asked what was being done to regulate media coverage of cases of violence against women and girls, and to limit the negative ramifications and guarantee women’s right to safety and security of the person. Furthermore, how did central Government ensure that local decision makers fulfilled their obligations and took the action necessary to prosecute perpetrators of violence and that funding was commensurate with needs?

30. Lastly, given that the protection afforded by the domestic violence concession to the immigration rules was reportedly being undermined by the recent legal aid cuts, she asked what measures were in place to guarantee the fast track processing of applications for leave to remain under the concession.

31. **Ms. Acar** expressed concern that, in Scotland, victims of domestic violence were apparently required to contribute to the cost of obtaining a civil protection order against the perpetrator; that, in Northern Ireland, there was apparently an unmet need for a differentiated approach to the multiple risks of violence and discrimination to which black and other minority women and girls were exposed; and that the proposal to abolish legal aid for immigrant women in certain situations would have a negative impact on access to justice for those most in need.

32. Commending the State party on its commitment to eradicating female genital mutilation (FGM) worldwide, she asked whether international policy was reflected in policy at home and, in particular, since there had apparently been no FGM convictions, how domestic policy was applied to asylum seekers and immigrants in the United Kingdom.

33. Updates on the timeline for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) and the enactment of legislation to criminalize forced marriage would be appreciated. With regard to the latter, she also wished to know about any related awareness-raising and support measures envisaged, and whether the problem would be addressed from an immigration angle or as a form of violence against women.

34. **Ms. Šimonović** asked for objective, statistical data on the number of women killed by their husbands or former husbands in the United Kingdom from which recent trends could be clearly extrapolated. Noting that, according to paragraph 49 of the report, the Government was using the definition of gender-based violence contained in the United Nations Declaration on the Elimination of Violence against Women but that the definition contained in the Committee’s general comment No. 19 and in the Istanbul Convention were closer to the standards established in the Convention on the Elimination of Discrimination against Women, she asked whether any legislative reforms were envisaged prior to ratification of the Istanbul Convention. Lastly, she sought information about any specific mechanisms and laws in place to prevent and punish the sexual harassment of young girls in schools and within the public sphere.

35. **Ms. Jahan** expressed concern that, although the State party had adopted important new anti-trafficking measures and strategies, there was no formal, centralized mechanism for monitoring or coordinating their implementation. Furthermore, the legal and institutional framework for preventive, protective and punitive action was complicated by the system of devolved government. The State party should therefore adopt comprehensive legislation that established a multidisciplinary approach and included clear definitions in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) and the Council of Europe Convention on Action against Trafficking in Human Beings. It might also consider appointing a national rapporteur on trafficking in line with the Dutch model.

36. Information from alternative sources indicated that the national referral mechanism for identifying victims of trafficking accorded more importance to the victims' immigration status than to the alleged offences against them, with the result that fear of deportation stopped many from coming forward. A review of that mechanism was therefore needed. Figures for the number of cases prosecuted and the number of convictions obtained under the new strategy would be appreciated, as well as details of any convictions obtained under the new Northern Ireland law that criminalized the purchase of sexual services from a person that had been trafficked or otherwise exploited. Lastly, she asked whether the State was planning to address the lacunae and inconsistencies in legislation regulating prostitution and, more specifically, to amend the provision that could allow persons who bought sexual services from a minor to escape conviction if it could not be shown that they were unaware of the victim's minor status.

37. **Ms. Reardon-Bond** (United Kingdom) said that temporary special measures were voluntary because her Government considered that its legislation set a very high benchmark, and effective remedies were available to all persons who believed themselves to be victims of discrimination. Although all-women shortlists were used by political parties, they were not obligatory; nonetheless, the percentage of women in Parliament had risen from 9 per cent in 1997 to 22.5 per cent currently, and all parties were actively working to increase women's political participation.

38. The Lord Davies Review of women's representation in the boardroom had sparked considerable discussion over the possible use of quotas. However, the vast majority of women involved in the debate had indicated that appointments should be based on merit only and the focus had thus shifted to identifying and removing the barriers to their advancement, for example, by promoting flexible working arrangements and a change of workplace culture. The Women's Business Council, created specifically to address those barriers, had produced a report containing recommendations for the Government and businesses in June 2013.

39. **Ms. Kaufman** (United Kingdom) said that while it understood that the use of pornographic and objectifying images of women in the media was a source of great public concern, the Government of the United Kingdom believed that freedom of speech and an independent press were fundamental tenets of an open and democratic society and, for that reason, it could not order the removal of stereotyping or objectifying images and texts unless they were in breach of the law. Instead it used initiatives such as the Body Confidence Campaign and the Parentport website to prevent and address harmful impacts.

40. The recommendations for tackling the growing sexualization and commercialization of children contained in the Bailey Report: Letting Children Be Children, published in June 2011, were now being implemented, and the introduction of a voluntary code of practice for the display of men's lifestyle magazines was under consideration. The Government had considered Lord Justice Leveson's proposals for a reformed system of press self-regulation, and a cross-party agreement on the establishment of an independent verification body had

been reached in March 2013. Thus, without undermining freedom of expression, the Government was working to eliminate the persistent and decontextualized sexualization of women and to ensure that the media did not contribute to promoting or legitimizing discrimination and violence against women.

41. **Mr. Tucker** (United Kingdom) explained that the current legal aid system was governed by the Legal Aid, Sentencing and Punishment of Offenders Act, although consultations had recently taken place on proposals to reform the system, including the introduction of a residence test. The rationale behind the residence test was that public funds should be spent only on persons who had a strong connection with the United Kingdom. However, two exceptions had been proposed, namely asylum seekers and serving members of the armed forces. There had been extensive consultations on the matter, and concerns had been raised about the impact of the proposed residence test on victims of trafficking. The results of those consultations were being analysed and the Government would take its final decision based on that analysis. Domestic violence protection injunctions were covered by legal aid; however, if a person had the means to make a financial contribution to the cost of the injunction, then such a contribution was required. That provision had been in place for some time and had not elicited any criticism during the passage of the Legal Aid, Sentencing and Punishment of Offenders Act through Parliament.

42. **Ms. Irving** (United Kingdom) said that in Scotland women who required civil protection orders because of domestic abuse could apply for legal aid. The Scottish Legal Aid Board used a number of statutory criteria, including financial eligibility, to assess such applications and the majority of women applying would qualify for legal aid. Nevertheless, the NGO, Scottish Women's Aid, was currently collecting data on eligibility-related difficulties experienced by victims of domestic abuse. The data collected would be submitted to the Scottish Legal Aid Board's Access to Justice Reference Group and would be used to find an appropriate solution.

43. **Mr. Devitt** (United Kingdom) said that in Northern Ireland representatives of black and minority ethnic women were part of the Regional Strategy Group on Domestic Violence, which was the steering group responsible for drafting the joint strategy on domestic and sexual violence. In line with recommendations made by the Minority Ethnic Development Fund, it had been agreed that, in addition to core funding, a crisis fund should be available for minority ethnic groups. Work was also under way on a racial equality strategy for Northern Ireland. There was a 24-hour domestic violence helpline operating in order to provide assistance to all victims of domestic violence.

44. On the question of juvenile prostitution, he explained that in Northern Ireland it was an offence to pay for sexual services from any person under the age of 18. In some cases where the child was over the age of 13, it could be argued that the client had thought the child was over 18, and it was the responsibility of the prosecutor to rebut such an argument beyond reasonable doubt. As far as trafficking was concerned, he said that the Justice Minister had launched the Northern Ireland Trafficking Plan 2013–2014 earlier in the year; it set out various priorities and objectives, inter alia, relating to the prevention of trafficking, protection and support for victims and bringing perpetrators to justice. Victims of trafficking in Northern Ireland were offered a package of support by the Ministry of Justice, including accommodation, living expenses, access to health care and help to access legal advice and compensation. Lastly, any changes to legal aid provisions were subject to equality screening and, if necessary, a full equality impact assessment.

45. **Ms. John** (United Kingdom) said that the Welsh Government had recently appointed its second Anti-Trafficking Coordinator; it also had an Anti Human Trafficking Leadership Group to provide guidance in that area and to ensure that training was consistent across the country. Special training for senior investigating officers in the Welsh police force would be rolled out in September 2013. NGO support was available for victims

of trafficking to help them access the national referral mechanism. The previous year, 34 victims of trafficking, including 21 women, had accessed the national referral mechanism and there had been 3 convictions for trafficking.

46. **Mr. Papaleontiou** (United Kingdom) said that the Government of the United Kingdom unequivocally considered FGM as violence against women and child abuse. Accordingly the Ending Violence Against Women and Girls: action plan 2013 contained measures to tackle FGM, such as guidelines to assist agencies to recognize, refer and deal with cases of FGM. In addition, the National Society for the Prevention of Cruelty to Children had launched a dedicated helpline for victims and the Director of Public Prosecutions had issued an action plan to address barriers to the prosecution of cases. There was a coordinated approach among the Ministries of Health and Education and the Home Office and a round-table meeting was planned with NGOs, government agencies and front-line agencies to ensure that enough was being done at the grass-roots level to change attitudes towards FGM and to secure prosecutions.

47. Forced marriage would soon become a criminal offence following the adoption of new legislation being considered by Parliament. Related support measures would be provided and funds had been earmarked for that purpose. Work was also being done at the community level to raise awareness and change attitudes about forced marriage. The Home Office was working with the devolved administrations and other government departments to develop a time frame for ratification of the Istanbul Convention. Clearly the criminalization of forced marriage was a key element in that regard; EHRC input would also be given due consideration.

48. The Office for National Statistics, an independent agency, was responsible for publishing data on violence against women and girls, and the most recent Crime Survey for England and Wales had shown that domestic abuse figures were lower than for previous years. The Ending Violence Against Women and Girls: action plan 2013 contained actions aimed at challenging the sexualization of women and girls. In addition, the United Kingdom Council for Child Internet Safety had taken measures to restrict underage children from accessing restricted or harmful material. A new national group had been set up to address sexual violence against children and vulnerable people, particularly with regard to the underreporting of sexual violence and rape. The recent Criminal Justice Reform Strategy and Action Plan had made violence against women and girls a priority, and had also emphasized the need for a more victim-based approach.

49. **Mr. Armour** (United Kingdom) said that the Government had implemented the relevant European Union directive on trafficking and, as a result, an interministerial group had been set up to serve as a reporting and coordination mechanism. Criminal law in Scotland and Northern Ireland contained separate offences for certain aspects of trafficking involving sexual exploitation, although that did not alter the overall response to trafficking. In 2011, there had been one conviction for trafficking in Northern Ireland, and eight in England and Wales. Although those figures were low, they were far higher for convictions of related offences – including sexual violence which carried a more severe penalty and were thus recorded as the primary offence. In addition, a review had been carried out of the national referral mechanism, which had shown that immigration factors did not influence the decision-making process.

50. **Mr. Clarke** (United Kingdom) said that all schools were required to have measures in place to address bullying, including sexual harassment. In addition, Ofsted, the official body for inspecting schools, held schools to account concerning the effectiveness of their response to bullying and discriminatory behaviour, including cyberbullying, gender-based bullying and use of derogatory language. Teachers had also been given the authority to tackle bullying, for example, by searching for and deleting inappropriate messages on

computers and mobile phones. Cases were usually handled under the school's disciplinary regulations, although on some occasions they could entail breaches of criminal law.

51. **Ms. Sutcliffe** (United Kingdom) said that the Equality Act provided a civil remedy for sexual harassment in certain circumstances, including in the sphere of education. Criminal penalties could also be applied under existing legislation on protection against harassment. In addition, more recent legislation criminalizing stalking covered behaviour and online material causing alarm and distress and provided for prison sentences of up to 5 years. Lastly, the Sexual Offences Act criminalized behaviour such as unwanted sexual touching and established penalties of up to 10 years' imprisonment.

52. **Ms. Halperin-Kaddari** asked why there was no statutory nationwide guidance regarding the implementation of the equality duty and whether the provision for bringing charges for breaching the equality duty had ever been applied. She also asked about the provision under Scots law establishing a three-year time limit for bringing charges for sexual abuse, even in cases involving children, and whether there was any possibility of changing the burden of proof requirements in Northern Ireland in cases involving prostitutes aged between 13 and 18. Lastly, she wished to know whether there was any data available on the implementation of new legislation on the possession of extreme pornographic material.

53. **Ms. Hayashi** asked for additional information on the extension of the Convention to the overseas territories and crown dependencies and on the progress made by the Government of the Isle of Man in withdrawing certain reservations to the Convention. In addition, she would appreciate an update on the status of the new legislation on domestic violence in the British Virgin Islands, as well as information on whether the national trafficking strategy was applicable in all the overseas territories and crown dependencies.

54. **Ms. Schulz**, referring to a statement made by the Chief Inspector of Prisons regarding the lack of support for foreign female inmates who were victims of trafficking, asked what was being done by the State party to identify such women and what plans existed to improve their situation, particularly in terms of counselling and their referral to appropriate support mechanisms.

55. **Ms. Jahan** asked whether the national human trafficking strategy promoted social reintegration for female victims of trafficking and prostitutes and what measures had been introduced to discourage the demand for the services of trafficked persons and victims of forced prostitution. In addition, she wished to know whether the strategy established a clear policy to help the victims of trafficking who wished to return to their country of origin in safety and without the risk of further trafficking. She enquired what measures had been undertaken to eliminate racial attacks and hate crimes against women from minority groups, such as awareness-raising and promoting respect for diversity. Lastly, she requested an update on the investigation into the abuse of women in residential institutions in Northern Ireland between 1922 and 1995 and on the measures introduced to provide reparation to those women.

56. **Ms. Neubauer** asked about the Government's response to concerns voiced by women's groups regarding the closure of the Women's National Commission. She expressed concern that the current methods used by the State party to elicit women's views, namely round-table discussions and web-based consultations, might exclude women in some sectors of society; their views on temporary special measures might not be heard.

57. **Ms. Šimonović** expressed concern that the Equality Act did not contain specific provisions ensuring substantive equality and the participation of women. While she was aware that it was up to individual governments to decide how to implement the provisions of the Convention, she wondered how the State party envisaged complying with its obligations under articles 1 and 2. She invited the delegation to provide detailed data on

violence against women, including murder, domestic violence, rape and violence against women with disabilities.

58. **Ms. Leinarte** asked why Scotland had not participated in the human trafficking strategy and what impact that had had on anti-trafficking efforts.

59. **Ms. Reardon-Bond** (United Kingdom) said that the round-table approach was being used for consultations with women in order to make the process as open as possible; however there was always room for improvement. There had been mixed views among women's NGOs regarding the closure of the Women's National Commission: some had felt that it should not have been disbanded; others that a new approach would be useful.

60. **Ms. Irving** (United Kingdom) said that in Scotland there was no statute of limitations on prosecutions for cases of sexual abuse and that there had been a number of historic prosecutions. Furthermore, Scotland had its own action plan on human trafficking but worked closely with the central Government to ensure equal protection of victims.

61. **Mr. Devitt** (United Kingdom) said that he was not aware of any plans to amend existing provisions relating to the burden of proof in cases of juvenile prostitution; however the views of the Committee would be welcome on that subject. An historical institutional abuse inquiry had been established and was still under way, but he was not certain whether the inquiry covered the alleged abuse of children in the Magdalene laundries during the period 1992 to 1995.

62. **Mr. Papaleontiou** (United Kingdom) said that according to the Crime Survey for England and Wales, during the previous year, 1.2 million women and 800,000 men had reported having experienced domestic abuse, and 88 women and 17 men had been killed by a partner or ex-partner. During the same period, more than 60,000 women had been raped and around 400,000 sexually assaulted; more recent figures would be published shortly. Domestic homicide reviews had been undertaken to enable relevant agencies to learn from such cases. Regarding vulnerable children and possible victims of trafficking, the Crown Prosecution Service and the police had issued revised guidance on the sexual exploitation of children. It ensured that investigations focused squarely on the credibility of the allegations, rather than that of the victim and that investigators and the police recognized the vulnerability of victims.

63. **Mr. Henderson** (United Kingdom) said that the public sector equality duty could be enforced by an individual through the courts and judicial review or by the Equality and Human Rights Commission. A number of judicial reviews had already taken place and, during the most recent review, 28 cases had been considered, with only 3 original rulings being overturned, which showed that public bodies were mostly complying with equality duty. The question of the advisability of a statutory code and the quality of guidance on the equality duty were being looked into as part of the equality duty review under way, as was the related code of practice. Although the latter was the responsibility of the Equality and Human Rights Commission, it had to be approved by the Secretary of State and submitted to Parliament for review. Since there had been some areas on which it had not been possible to reach agreement, for the time being, the draft code had been issued as technical guidance only.

64. **Ms. Sutcliffe** (United Kingdom) explained that the crown dependencies were self-governing territories; however, when the United Kingdom ratified an international instrument, the established practice was that it also ratified the instrument on behalf of any such territories, if so requested. Discussions were under way in the Isle of Man on the possible withdrawal of reservations to articles 9, 11 and 13 of the Convention. Formal confirmation of which reservations would be withdrawn was expected in autumn 2013, at which point the Ministry of Justice would make the necessary arrangements for a formal depositary notification.

65. **Ms. Greenwood** (United Kingdom) said that the United Kingdom Government had funded a project for the period 2011–2012 to pave the way for implementation of the Convention in the overseas territories; some progress was being made, and two overseas territories had recently submitted proposals on the extension of the Convention to their territories. The approach of the Government was to encourage overseas territories to extend the Convention when they were ready to apply its provisions. The British Virgin Islands had a national policy on gender equity and equality, which included protection for victims of domestic violence through, inter alia, the promotion of access to medical and counselling services for victims of gender-based violence.

The meeting rose at 1 p.m.