



人权理事会  
第三十二届会议

议程项目 3

促进和保护所有人权——公民权利、政治权利、  
经济、社会和文化权利，包括发展权

英国平等和人权委员会提交的书面材料\*

秘书处的说明

人权理事会秘书处根据理事会第 5/1 号决议附件所载议事规则第 7 条(b)项的规定，谨此转交下文所附英国平等和人权委员会提交的来文。\*\* 根据该条规定，国家人权机构的参与须遵循人权委员会议定的安排和惯例，包括 2005 年 4 月 20 日第 2005/74 号决议。

\* 具有促进和保护人权国家机构全球联盟赋予的“A 类”认可地位的国家人权机构。

\*\* 附件不译，原文照发。



## Annex

*[English only]*

### **Submission by the Great Britain: Equality and Human Rights Commission**

#### **Statement on the protection of human rights of women to access effective justice following pregnancy or maternity discrimination**

Mr President,

This is a statement on behalf of the Equality and Human Rights Commission<sup>1</sup>.

Research has revealed worrying levels of workplace pregnancy and maternity discrimination in Great Britain. Three in four mothers reported a negative or possibly discriminatory experience during pregnancy, maternity leave, or on return to work. And one in nine reported that they were either dismissed; made compulsorily redundant, where others in their workplace were not; or treated so poorly they felt they had to leave their job. However, less than one percent reported pursuing a claim to an employment tribunal<sup>2</sup>.

Evidence suggests that the introduction of employment tribunal fees in Great Britain, alongside reforms to legal aid in England and Wales, may have had the effect of unduly restricting women's access to justice<sup>3456</sup>.

We call on the UK Government to mitigate any indirectly discriminatory effect these changes have had on women's access to justice, and to recognise the multiple barriers that pregnant women and new mothers face in seeking legal redress following workplace discrimination<sup>7</sup>.

We therefore recommend that the UK Government considers increasing the time limit from three to six months for bringing an Employment Tribunal claim involving pregnancy and maternity discrimination.

Thank you Mr President.

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<sup>1</sup> 'A' status National Human Rights Institution for Great Britain

<sup>2</sup> Source: HM Government and Equality and Human Rights Commission, 2016, "Pregnancy and Maternity-Related Discrimination and Disadvantage: Summary of key findings"

<sup>3</sup> Trott.L 2012, Are tribunal and EAT (Employment Appeal Tribunal) fees a price worth paying? IDS Employment Law Brief, volume 947, April

<sup>4</sup> Ministry of Justice, 2015 "Tribunals and Gender Recognition Statistics Quarterly: April to June 2015"

<sup>5</sup> Ministry of Justice and Legal Aid Agency, 2015, Legal Aid Statistics: July to September 2015 – Civil representation, certificates granted.

<sup>6</sup> Ministry of Justice and Legal Aid Agency, 2015, Legal Aid Statistics: July to September 2015 – Legal help matters and Controlled Legal Representation started.

<sup>7</sup> Source: HM Government and Equality and Human Rights Commission, 2016, "Pregnancy and Maternity-Related Discrimination and Disadvantage: Summary of key findings"