



Asamblea General

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Consejo de Derechos Humanos

32º período de sesiones

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos,
civiles, políticos, económicos, sociales y culturales,
incluido el derecho al desarrollo**

Comunicación presentada por escrito por Gran Bretaña: Comisión para la Igualdad y los Derechos Humanos*

Nota de la Secretaría

La Secretaría del Consejo de Derechos Humanos transmite adjunta la comunicación presentada por Gran Bretaña sobre la Comisión para la Igualdad y los Derechos Humanos**, que se reproduce a continuación de conformidad con el artículo 7 b) del reglamento que figura en el anexo de la resolución 5/1 del Consejo, según el cual la participación de las instituciones nacionales de derechos humanos se basará en las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos, incluida la resolución 2005/74, de 20 de abril de 2005.

* La institución nacional de derechos humanos tiene la acreditación de la categoría “A” ante la Alianza Mundial de Instituciones Nacionales para la Promoción y la Protección de los Derechos Humanos.

** Se reproduce en el anexo tal como se recibió, en el idioma en que se presentó únicamente.

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Anexo

[Inglés únicamente]

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 Commission¹.

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 tribunal².

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 justice³⁴⁵⁶.

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 discrimination⁷.

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.

¹ 'A' status National Human Rights Institution for Great Britain

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

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

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

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

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

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