



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Twelfth session

SUMMARY RECORD OF THE 223rd MEETING

Held at the Vienna International Centre, Vienna,
on Thursday, 28 January 1993, at 10 a.m.

Chairperson: Ms. CORTI

CONTENTS

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

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(continued)

Second periodic report of the United Kingdom of Great Britain and Northern Ireland (CEDAW/C/UK/2 and Amend.1)

1. At the invitation of the Chairperson, Ms. Whitaker, Ms. Bramwell and Mr. Hayes (United Kingdom) took places at the Committee table.

2. Ms. WHITAKER (United Kingdom) said that there had been many positive developments in the United Kingdom since the submission of the Government's second report, although it was recognized that there was still more to be done. The Government alone could not bring about the complete elimination of all forms of discrimination against women. Further progress would be largely a matter of effort by individuals and organizations. The United Kingdom was fortunate in having many active and varied non-governmental women's organizations, which were promoting the particular concerns of women in all aspects of life.

3. In May 1992, the Government had introduced a new framework for policy development on women's issues. Each government department remained responsible for the relevant policies and services affecting women, but the Secretary of State for Employment had been made responsible for coordinating policy on issues of special concern to women in a new Cabinet Subcommittee for Women's Issues, which she chaired. It was the first time that women's issues had been the concern of such a senior government committee. The role of the Subcommittee was to review and develop policy and strategy for women, not only in relation to work, but also outside the workplace. It was also responsible for overseeing the implementation of its policies. Ministers from all the key government departments were represented on the Subcommittee, which had agreed on a policy framework to ensure that women's issues were an integral part of government thinking in departmental personnel policies and in services delivered, as well as in the development and appraisal of policy. The Subcommittee reported to the Ministerial Committee on Home and Social Affairs and to the Prime Minister.

4. The Secretary of State for Employment had also established a Women's Issues Working Group, which advised her on practical measures to extend equal opportunities for women in the workplace and beyond, including an important new child-care system. As part of the new framework, the Equal Opportunities Commission and the Women's National Commission also came under the Department of Employment.

5. The Equal Opportunities Commission, established under the Sex Discrimination Act of 1975, had three main duties: to work towards the elimination of discrimination, to promote equality of opportunity between men and women, and to keep under review the workings of the sex-discrimination and equal-pay legislation and to submit proposals for its amendment. It was a non-departmental public body, funded by the Government but operating independently, whose members were appointed for fixed terms by the Government. It currently received over £5 million a year. It had a duty to advise and assist individuals who might wish to take action under the law on

sex discrimination or equal pay. It also conducted formal investigations into organizations suspected of illegal discrimination on grounds of sex and took legal action in its own name. It published guidance and research, encouraged networking to share good practice and worked with organizations to help them develop and implement policies for equal opportunities.

6. The Women's National Commission was an advisory committee to the Government and received government funding. It had 50 full and 25 associate members, drawn from voluntary organizations, the major political parties, trades unions, religious groups and professional bodies. It was chaired jointly by a Government Minister appointed by the Prime Minister and a member elected by the members. The Commission represented the views of women's organizations. Its independent reports were sent to government departments, which consulted it on issues of policy of particular interest to women. It had recently reported on women returning to the workforce, on women in prison and on older women. Earlier reports on domestic violence and on homelessness had served to raise those issues and had led to reviews of government policy. Its members had been consulted in the preparation of the United Kingdom report to the Committee, and the Secretary of State for Employment herself would report to the Commission on its presentation. Tribute should be paid to the role played by non-governmental organizations in the United Kingdom in the consultative process that informed government policy makers on issues of concern to women.

7. Great importance was attached to the issue of women's employment. Their role in the workplace in the United Kingdom had continued to increase, with over 70 per cent of women of working age being economically active in 1991. The number was expected to continue to increase until at least the end of the century. In 1992, women's hourly pay had risen to 79 per cent of that of men, the highest proportion yet recorded; that was the fifth successive year in which the pay gap had narrowed. A new grant scheme to develop an additional 50,000 places for out-of-school child care, for which £45 million had been provided, was to begin in April 1993. Its main aim was to enable parents to return to work and to have a wider choice of their hours of work. Child care for pre-school children had expanded considerably, and would do so further under the Children Act which had come into force in October 1991. Also, under legislation currently being considered in Parliament, rights to maternity leave would be extended to all employees, and workers would have the right to challenge discriminatory terms in collective agreements.

8. Throughout 1993 and beyond, the Secretary of State for Employment was to present a series of regional "opportunity shops" entitled "New Horizons for Women". The aim was to extend opportunities for women across a broad spectrum and to help women progress at all levels of the career ladder, including their first foothold in employment, and to increase their role at all levels of public and community life. Action was also under way in the health field, where the objective was to reduce the death rate from breast cancer by at least 25 per cent by the year 2000 and the incidence of cervical cancer by at least 20 per cent. In the field of social security, the Government was committed to equalization of the State pension age. Equalization in relation to occupational pension schemes was already in place. The Child Support Act of 1991 had paved the way for a major reform of child maintenance which would have a substantial impact on single parents, 90 per cent of whom were women. The Act aimed to ensure that parents made fair and consistent financial provision for their children. The Child Support Agency, which was to begin

work in April 1993, would be responsible for tracing absent parents and for the assessment, collection and enforcement of child maintenance. In the field of education, through the introduction of the national curriculum in 1989, the Government was ensuring that girls studied the same range of subjects as boys. Already, girls were gaining better examination marks in nearly all subjects at the age of 16 than boys. As many women as men were also taking up further and higher education.

9. Women's opportunities had thus been extended by a number of recent developments. She emphasized that the Government was not complacent. It realized that there was a long way still to go, but it was gratified by the achievements to date.

10. She wished now to turn to the questions raised by the Working Group (CEDAW/C/1993/CRP.2, annex VII).

Questions of a general nature

11. On question 1, she said that the Government was grateful to the group of women's organizations which had taken such close interest in the report. As far as the statement that women were poorer than men was concerned, it should be borne in mind that most people lived in families and that their living standards were family living standards. While the average pay of women in full-time work was below that of men, the gap was narrowing. It was also the case that the rate of unemployment of women was lower than that of men. Most women who worked part-time did so by choice. However, women did outnumber men as single parents and pensioners. The Government was concerned to open opportunities to women and to encourage them to take up training and employment that would give them greater financial security. Both the Government and the Equal Opportunities Commission were encouraging women to make provision for their old age by contributing to pensions when in work. Within the State pension scheme, there was provision for compensating women for time spent outside the labour market raising a family.

12. On question 2, she said there had been steady progress in the involvement of women in most areas of national life. The first woman Speaker of the House of Commons, the first woman Director of Public Prosecutions, the first woman Director of the Security Services and the first Briton in space had provided models to encourage women to aspire to leadership in all fields. At the threshold of their careers, women entering higher education outnumbered men, and equal numbers of men and women were entering such professions as law and medicine. Earlier still, the introduction of the national curriculum meant that girls and boys were learning the same range of skills, for instance in science and technology, that would give them access to the jobs of the future. The involvement of women in the workforce was increasing steadily, although job segregation remained widespread. In both the public and the private sector, employers were making changes in order to be able to attract and retain women workers, such as more flexible working patterns, part-time work and job-sharing up to the highest levels, career breaks and retraining for those returning, child-care support etc. The Children Act provided a framework for local authorities to review and plan child-care provision, thus enabling more women to go out to work. The new Child Support Agency would improve the payment of maintenance, thereby giving greater security to single mothers and enabling more of them to go out to work. Women were also playing an increasing role in public life. In 1991, the Prime Minister had launched a

five-year programme to increase the number of women holding public appointments. After one year, the proportion of women had increased from 23 per cent to 26 per cent. An employer-led campaign, Opportunity 2000, had also been launched by the Prime Minister in 1991, seeking to increase the participation of women in the workforce. A number of major employers were members, including most government departments. There had also been an increase in the number of women appointed to tribunals, the bodies that heard complaints relating to employment matters under the Sex Discrimination Act and the Equal Pay Act.

13. On question 3, she said that, in the United Kingdom, plans of action were made by organizations, including government departments. Policy was coordinated by the ministerial Subcommittee on Women's Issues to which she had referred. The plans were increasingly setting targets for the participation of women, particularly at decision-making levels, and making public the progress in achieving them.

14. Regarding question 4, she said that the Government was taking steps to withdraw parts of its reservations to articles 11 and 13. With respect to article 11, the United Kingdom could now withdraw the section referring to conflict between the Convention and ILO Convention No. 45 concerning the employment of women on underground work in mines. With respect to article 13, it could withdraw the section referring to the married man's tax allowance. Other reservations might be amended in the light of changes in domestic legislation. All remaining reservations and declarations were being kept under review. In many cases, they in fact preserved greater rights for women, for instance in entitlement to receive family benefits under social security legislation. In others, they dealt with matters on which the Government was not in sole control and where it wished to leave scope for individual choice, such as education. However, there might be scope for the removal of some remaining reservations in the next few years.

Article 2

15. In reply to question 1, she said that 69 per cent of women's offences involved theft, of which 71 per cent involved shoplifting. A further 7 per cent were fraud or forgery. The peak age for offending was 15. Programmes for women sentenced for all offences included attendance centres (4 per cent of women convicted under the age of 17), supervision or probation (16 per cent of those under 17, 21 per cent of those aged 17 to 20 and 18 per cent of those over 21), and community service orders (6 per cent of those between 17 and 20 and 4 per cent of those over 21). Under the provisions of the Criminal Justice Act, 1991 the Government was required to publish information annually about women, crime and criminal justice, for the guidance of those engaged in the administration of justice. The first booklet had been published in September 1992. Unfortunately, data were not routinely collected on the social class of female offenders.

16. On question 2, she said that there were three mother-and-baby units in women's prisons and that further expansion was planned. The Government was concerned that the facilities should be of the highest standard and additional resources had been devoted to improving conditions. Nursery nurses had been recruited to prison staffs. At each unit, a comprehensive nutrition policy had been adopted following professional advice. Mothers cooked for their babies and ate with them. New guidelines had been issued in autumn 1992 for

mothers in prison with their babies and for the staff who worked with them. For mothers whose children were not with them, the development of all-day children's visiting and family open days offered increased contact. A general guide on regimes for women, covering work, education, training etc. had also been issued during the year. Inspections had been carried out in 1990 and 1992 by the Social Services Inspectorate, whose practical advice had contributed to the development of the mother-and-baby units. A report of the first inspection had been published and a report of the second would be published in 1993.

17. On question 3, she said that a full legislative framework, one of the first and most comprehensive in the world, had been in place since 1975. It covered matters in employment, education, the provision of goods and services and other areas, and provided remedies, including a body, the Equal Opportunities Commission, whose principal duty was to advise and assist individual complainants. Since then, it had been common practice to include requirements about equal treatment in new legislation. Recent measures included: independent taxation for husbands and wives; clarification of the law that rape in marriage was an offence; voting by the Church of England General Synod to allow women to become priests; a judicial declaration that discrimination in occupational pensions was illegal; an announcement by the Government of its intention to equalize the State pension age; judicial clarification that discrimination against women serving in the armed forces was illegal and the granting of compensation by the Ministry of Defence to servicewomen wrongly dismissed on pregnancy; implementation of the Government's programme to increase the number of women holding public appointments and government support for the independent campaign "Opportunity 2000"; introduction of the national curriculum in schools, ensuring equal access for women to all subjects; individual achievements which had raised the general status of women and provided role models; anonymity for complainants in cases of rape or sexual assault; annual publication of facts on gender and criminal justice for the guidance for all working in the criminal justice system; the Citizens' Charter issued by the Prime Minister for improved standards in public service, requiring all services to be provided on a non-discriminatory basis; broadcasting legislation that included an equal opportunities clause requiring companies awarded contracts to have equal opportunities policies for the staff employed.

18. Moving to the questions on article 5, she said, in relation to question 1, that section 38 of the Sex Discrimination Act dealt with advertisements for jobs indicating an intention to discriminate illegally. Both newspapers and job centres refused to accept discriminatory job advertisements and reported anyone persisting in such discrimination to the Equal Opportunities Commission with a view to legal proceedings. The Commission had received 4,650 inquiries, including 191 complaints, in 1991. As the law became more widely known, breaches were becoming rarer. No cases had been taken to court in Northern Ireland since 1984.

19. On question 2, she said that, in the United Kingdom, responsibility for the content and scheduling of broadcast programmes rested with the broadcasters and broadcasting regulatory authorities, who were independent of the Government. Intervention by ministers in programme matters would compromise the broadcasters' constitutional independence. The Government did, however, recognize the need for equal opportunities in the broadcasting industry. Under the Broadcasting Act, 1990, the independent broadcasting

regulatory bodies had to include conditions in independent television and radio licences which required the holders to promote equal employment opportunities. Employment in the broadcast industry was also subject to the provisions of the Sex Discrimination Act and the Equal Pay Act.

20. On question 3, she said that the Government was committed to action to reduce violence against women and its effects. More than half of all assaults against women were domestic. Over 375 local victim-support services received government funding. In 1992, their national association had published a report recommending further government action, which was currently under consideration. Under the Safer Cities Programme and other government funding, over 100 schemes received grants to deal with aspects of domestic violence, including alarms and telephone helplines, as well as government support for the national associations of women's refuges. All police forces had clear policies on domestic violence, and a research study was under way to assess their effectiveness. The role of the civil law in providing remedies and safeguards for women in the event of domestic violence was under review. Innovative programmes had been set up in Scotland to provide treatment as a condition of probation orders for men who ill-treated their partners. A new inter-departmental working party had been set up to coordinate action against domestic violence. There had been some publicity recently regarding alleged disparity in the law's reaction to women and men who killed in the context of a domestic partnership. The defence of provocation to a charge of murder, which would allow a lesser conviction for manslaughter, required a sudden and temporary loss of self-control. Critics alleged that the requirement discriminated against women who were victims of persistent domestic violence amounting to cumulative provocation. Statistics, however, indicated that women who killed were more likely than men to be charged with manslaughter and also more likely than men to be convicted of manslaughter following a charge of murder. There had been successful appeals on the basis of diminished responsibility as a consequence of domestic violence, and the Government was keeping the issue under review. The law on rape had been clarified in 1991, when convictions of men who had raped their wives had been upheld at appeal. The current law aimed to protect the anonymity of victims. It had been strengthened in 1992 by being extended to victims of all sexual assaults, and it applied whether criminal proceedings were taken or not.

Article 6

21. In response to question 1, she explained that kerb-crawling already was an offence under the Sexual Offences Act 1985 when there was persistence, nuisance or annoyance. The 1990 Private Member's Bill which would have the strengthened that law had failed in its passage through Parliament and the Government was looking for a suitable opportunity to bring such a measure forward again. In 1991, 1,132 men had been found guilty of that offence.

22. On question 2, she explained that prostitution was not in itself a criminal offence in the United Kingdom. The law aimed to discourage women from becoming prostitutes, to prevent nuisance to the public arising from prostitution and to penalize pimps, brothel-keepers and others who made financial gain from encouraging, controlling and exploiting prostitutes. There were no plans at the present time to legalize brothels. In 1991, 3,840 women had been cautioned for soliciting, 10,175 had been prosecuted and 9,568 had been convicted. Convictions for brothel-keeping had totalled 79, and there had been 23 convictions for procuration. Women's motives for

engaging in prostitution varied. The Government's prevention policies concentrated on the most vulnerable, including the very young, often runaways, for whom there were programmes run by the police and the welfare and probation services. The Government was also concerned at the level of illegal drug abuse among prostitutes and the risk of HIV infection and the spread of AIDS, and there were inter-agency programmes to encourage prostitutes to use condoms.

Article 7

23. On question 1, she said that the causes for the disproportion of women at the managerial level were various, but that it had to be assumed that prejudice was one and that the lack of flexible work opportunities at senior levels was another. Both issues were tackled in Opportunity 2000 and other measures existed which would be discussed later on in response to other questions.

24. With regard to question 2, she pointed out that women had been particularly successful in by-elections during the period in question. At the 1992 General Election, a record of 60 women had been elected, an increase from 6.8 per cent to 9.2 per cent. There were 76 women members of the House of Lords, or 6.25 per cent, most of them life peers, as few hereditary titles were held by women, so that the proportion of women among life peers, who were the most active, was approximately 14 per cent. There were 12 women members of the European Parliament, or 14.8 per cent, two women members of the Cabinet, the Secretaries of State for Health and for Employment, five other women in the Government and 22 women in the Opposition Front Bench. All political parties had measures in hand to improve that situation.

25. On question 3, she said that the appearance of candidates and electors on television was a matter for the political parties and the broadcasting authorities. The law required that all candidates in a constituency should be mentioned, and in practice the principal parties were given equal coverage. In fact, women candidates, including women ministers, and electors had appeared on television, but with fewer women candidates, less coverage was inevitable. With regard to the proportion of women members of the European Parliament the United Kingdom ranked seventh among the 12 member States.

26. In relation to question 4 she said that it took time for changes in large organizations to work their way through to the highest levels. A fair appointments policy meant that posts could only be filled by those with appropriate ability and experience. There was provision for rapid development for talented people, but the top jobs required a breadth and depth of experience which could not be acquired instantly. The strategy was to create a pool from which senior personnel were recruited, and which would include many women. In the course of the programme in operation since 1984, there had been an increase in the proportion of women in the civil service from 47 per cent to 51 per cent. There had been an improvement at all management levels. A goal of 15 per cent had been set for the top three grades by the year 2000. Women accounted for 40 per cent of successful fast-stream recruits, and three heads of department and seven chief executives of government agencies were women.

27. The wastage rates of women had been reduced and schemes like workplace nurseries, part-time working and job-sharing and career breaks, as well as flexible working hours, had been introduced, all of which should ensure that

talented women were not lost to the service in future. In addition, the infrastructure for sustained improvement in future years had now been created. Promotion rates were now more equal and pilot schemes were showing how women might be encouraged to seek promotion. Training was more accessible, flexible working patterns were widely available, and child-care facilities were provided. The traditional attitudes had not yet been entirely eliminated. Women continued to be underrepresented in some departments and specialisms. They might also be less able to be mobile and gain wider experience, and there were still well-qualified women who chose not to apply for promotion.

28. With regard to question 6, while the composition of the police service was still largely male, real improvements had been made. In England and Wales, the proportion of women had increased from 10.7 per cent in 1989 to 12.1 per cent in 1991 and the recruitment of women was now over one quarter of the total. The number of women in the chief officer ranks had more than doubled between 1989 and 1991. A Home Office circular issued in 1989 had set out in detail what action was needed to implement equal opportunities in the police and action was monitored by an inspectorate. The Equal Opportunities Commission was involved in promoting action and in assisting forces to develop policy and practice. All forces had published equal opportunities policies; the equal opportunities principle was integrated into training and assessment for promotion. Part-time working had been introduced in 1992. Research was under way on discrimination and harassment within the police service.

29. All probation services had to have equal opportunities policies and ensure that they were effectively implemented, monitored and reviewed. Women accounted for 45 per cent of probation officers, an increase of 9 per cent since 1981. The number of women probation officers had increased threefold since 1971.

30. In answer to question 5, she said that the Government remained firmly committed to increasing the representation of women on public bodies. Public appointments were separate from civil service appointments to government departments, generally being from one to five years and renewable. They were often part-time and unpaid, although expenses, including the cost of child care, were normally payable. A new programme of action had been launched by the Prime Minister in October 1991 to raise the proportion of public appointments held by women to between a quarter and a third over five years. In the first year, the proportion had grown from 23 to 26 per cent. United Kingdom law did not allow quotas. It was held that they denigrated women and undermined confidence that women had the ability to hold positions on merit, and the emphasis was rather on ensuring fair procedures and open opportunities. Affirmative action therefore concentrated on reviewing criteria for appointments, publicizing opportunities for women, encouraging women to register an interest through submitting curricula vitae to registers kept centrally or by departments, widening the pool of possible recruits through advertising and other measures, and establishing an expectation that women were always included on shortlists. The Secretary of State for Employment had launched a series of regional events to encourage women to apply for public and community appointments. Women graduates were recruited into government service at the professional and administrative levels.

Article 9

31. In recent years the most significant change in the pattern of immigration had been an increase in applications for asylum, which were over five times higher than they had been five years earlier. The proportion qualifying for refugee status had fallen from over 30 per cent in 1980 to around 10 per cent at the present time. Legislation was being introduced to simplify and accelerate decision-making on asylum applications. Excluding dependants, around 20 per cent of principal applicants were women and they were covered by equal opportunities legislation. Anecdotal evidence suggested that they were more isolated than men, with fewer in work or studying. Refugee voluntary groups had recognized that situation and were establishing women's groups to provide mutual support. Women were well represented as active participants in refugee organizations.

Article 10

32. With regard to question 1 she emphasized that the Government was fully committed to promoting equal opportunities in education. All providers of education in the United Kingdom, both public and private, had to comply with the provisions of the Sex Discrimination Act, while the Education Reform Act ensured that plans for educational reform went hand in hand with the duty not to discriminate. The phased introduction of the national curriculum since 1989 ensured that children in all schools maintained at public expense followed a common basic curriculum from between the ages of five and 16. Independent curriculum and examination bodies were developing similar programmes. While the national curriculum was not mandatory for independent schools, it was taken into account by the national schools inspectors, who had a duty to certify the standards of such schools, and information was made available to enable them to develop their curriculum along similar lines. In General Certificate of Secondary Education examinations taken at the age of 16 in England and Wales in 1991, more girls than boys had gained A-C grade passes in the majority of subject areas, including science. Girls had also outperformed boys in the Scottish Certificate of Education.

33. On question 2, she said that whether children attended single-sex or coeducational schools was a matter of parental choice. Some parents preferred single-sex schools on religious grounds. Girls' schools were generally better at taking account of equal opportunities in the curriculum than mixed schools, which in turn were better than boys' schools. There was some evidence that girls performed better in terms of academic achievement in single-sex secondary schools than in mixed ones. The national curriculum was a requirement in all schools maintained at public expense. Girls tended to stay on at school longer than boys, and women now outnumbered men in the rates of entry to higher education.

34. As far as question 3 was concerned, the national curriculum covered certain health issues, including aspects of sex education, which in turn dealt with HIV. It was the responsibility of the school governors to determine which educational materials and teaching methods would be used for which age groups. In Scotland, the Government had supported teacher training and the development of relevant teaching materials for health and sex education aimed at boys and girls aged 10 to 14. In Northern Ireland, the Government had issued guidance to schools on sex education and had recommended that teaching materials should cover AIDS. Special provision of family planning and

counselling services for young people emphasized the importance of loving and stable personal relationships. The reduction of unintended pregnancies among girls under 16 was a health policy priority. HIV/AIDS was one of the five priority areas for action in the Government's health promotion programme. Although the number of women diagnosed positive for HIV and AIDS was far smaller than the number of men, at around 5 per cent, the recent rate of increase had been higher and health authorities were required to make appropriate provision in both preventative and treatment services. The Health Education Council had an extensive programme of advertising on safer sexual practices, including posters and television.

35. On question 4, she said that under recent legislation, the Further Education Funding Council and the Higher Education Funding Council, as well as local education authorities and other bodies, would be responsible for ensuring equal opportunities for women and girls. Provision included more flexible access to courses to meet women's needs, and women accounted for about three quarters of the increase in numbers enrolling in further education courses in further and higher education colleges and polytechnics between 1980/81 and 1990/91. The most popular subjects studied by women in 1990/91 had been business administration and creative art and design, which had attracted 273,000 and 134,000 women respectively. Colleges also provided access courses designed to attract students from underrepresented sections of the community, and included courses for women returners in confidence-building as well as updating and developing new skills. Some colleges also provided child-care support. Women now accounted for 47 per cent of all full-time first degree students in England and Wales and 51 per cent in Northern Ireland, where modular courses had been introduced in the current academic year to facilitate study by women with other responsibilities. The proportion of women students had grown in the majority of subjects studied, including non-traditional areas. Women accounted for 85 per cent of students in medicine and social studies, but under 10 per cent in architecture, building and planning, and engineering and technology. They accounted for 40 per cent of all postgraduate students in 1990, an increase over previous years in all subject areas except creative arts. Educational bodies at all levels were responsible for appointing their own staff and had to abide by the provisions of the Sex Discrimination Act. Among full-time academic staff at universities in Great Britain, the proportion of women had increased steadily from 14 per cent in 1980/81 to 21 per cent in 1990/91. The number of women professors had more than doubled between 1983/84 and 1990/91, from 93 to 197, although that was still not enough.

Article 11

36. In answer to question 1, she observed that the Government believed in choice, including, for mothers, the choice whether to go out to work or not. That had been the reason for the retention of child benefit as a universal benefit, normally payable to the mother, and why benefits were payable and tax allowances available to single parents at the same rates as for couples. Since 1971, the male activity rate had fallen by 4 per cent, and women were expected to account for 85 per cent of the growth of the labour force by the year 2001. The fact was that most women wished to go out to work, often part-time while they had young children or other responsibilities. The activity rate for women with dependent children was 62 per cent, compared with 77 per cent for women without children. Employers were increasingly aware of their need to attract and retain female staff. The National Health Service,

the largest employer, provided help with child care at 50 per cent of its health authorities and trusts.

37. Women had also been choosing self-employment to a greater extent, now accounting for around one quarter of all self-employed workers. It was sometimes claimed, however, that it was harder for women to get loans and contacts to start and develop a business. However, there were constraints on increased participation. The evidence was that the lack of appropriate and affordable child care was a barrier for women to enter or advance in the labour market, hence the Government's new initiative on child care referred to earlier. Participation in the workforce by women was 49 per cent for those with children under five, 72 per cent for those with children aged five to 10, and 78 per cent for those with children aged 11 to 15. Lone mothers were also less likely to be working than married mothers, accounting for 49 per cent, as against 62 per cent. The number of lone mothers had increased by nearly 30 per cent between 1981 and 1990. At present, male unemployment could provide a disincentive for wives to enter employment as household income was the basis for means-tested social security benefits. There was lower participation in employment by women without qualifications in comparison with women who were well qualified.

38. On question 2, she said that women were generally underrepresented in industries manufacturing military equipment, manufacturing as a whole employed 14 per cent of working women and 27 per cent of working men. Women were also underrepresented in armed service employment, totalling 7 per cent of all employees. Implementation of redundancy would conform with equal opportunities policies, so that the decline in employment resulting from cuts in defence expenditure would affect men more than women.

39. With regard to question 3, she said that the Equal Pay Act 1970 had been in force since 1975 and had been amended in 1984 to cover work of equal value. Redress for breaches of the law was available to individuals through a complaint to an Industrial Tribunal. The average wage for a woman had risen from 60 per cent of a man's in 1970 to 79.1 per cent in 1992. Differences in earnings were not entirely due to discrimination, nor could they be remedied by the Equal Pay Act, which dealt with comparisons between employees of the same employer rather than differences between whole industries. To compare jobs properly was a complex and lengthy process. Work was being carried out, notably by the ILO, which should assist the development of methodology for job evaluation that would avoid sex bias. The Government set great store by the power of individuals to bring actions in their own interest, albeit supported by the Equal Opportunities Commission when appropriate. In the five-year period, 1986-1991, almost 3,300 equal pay claims had been lodged with industrial tribunals, and 80 per cent had been settled to the complainant's satisfaction, either by the good offices of the Advisory Conciliation and Arbitration Service or because of a favourable decision of the tribunal. Figures for relative pay by broad occupation showed that from 1984 to 1990, female relative pay had risen in a majority of occupations, including, for example, clerical, catering, cleaning, hairdressing and personal services, but were rather less in manual trades such as metal and electrical processing, painting and product assembly.

40. On question 4, she said that domestic responsibilities were only one of the reasons why women preferred part-time work. Where earnings were not the prime concern, women might choose other activities, including voluntary work

on behalf of the community as well as family activities. However, there was clear evidence that even in households where both partners worked full-time, women assumed a far greater share of household tasks, only 22 per cent of couples in the latest survey stating that they shared tasks equally. The Government's view was that it was something to be decided by couples themselves in the light of their own circumstances, rather than for government intervention. It nevertheless welcomed the fact that there had been changes of attitude in recent years. The development of the national curriculum in schools undoubtedly facilitated that process.

41. Turning to question 5, she said that significant employment rights, including equal pay, protection from sex and race discrimination, health and safety and time off for antenatal care, were available to all employees regardless of the number of hours worked. Other rights generally applied to employees who had worked for at least two years for their employer for 16 or more hours a week, or five years if they had worked at least eight hours a week but less than 16. Only 3 per cent of workers worked too few hours to qualify for that area of protection, and around 45 per cent of part-time workers currently fulfilled the qualifying conditions. The Government sought to strike a balance between the rights of employees and the burden on employers, and was willing to extend part-time workers' rights where they would not have a detrimental effect on part-time work opportunities. The current Trade Union Reform and Employment Rights Bill, for instance, covered maternity rights, trade union rights, health and safety and other matters irrespective of hours worked. Workers and employers were of course free to negotiate additional terms of employment.

42. In reply to question 6, she said that a number of schemes existed for supporting training, including retraining. Government-funded training, for which men and women were equally eligible, was concentrated on school-leavers and the long-term unemployed, and support might include the costs of child care. There were also special rules enabling those who had been out of the labour force for some years but were not counted as unemployed to join those training schemes. Returners, of whom 95 per cent were women, accounted for 5 per cent of all entrants to employment training. Around 50,000 women, one third of the total, were currently being trained on that scheme. Results were generally good, with 44 per cent getting work or a place in further or higher education. Training was free and trainees received allowances higher than or additional to social security rates. The Training and Enterprise Councils, which administered those funds locally to meet local labour market conditions, had a contractual duty to ensure equal opportunities and were permitted to take positive action to help women train for areas of work where they were underrepresented or to enable them to return to the labour market. Women and lone parents seeking to return to work after raising a family might enter employment training without the same qualifying period of being unemployed and claiming social security benefits as other trainees. Young women unable to take up youth training because of pregnancy remained eligible to do so beyond the usual age limit of 18. Women did well in gaining qualifications in jobs after youth training and employment training programmes. Some higher and further vocational education was free to United Kingdom residents. Women could also qualify on the same terms as men for means-tested mandatory grants and loans to attend higher education courses full-time or combine them with a vocational element. Mandatory awards were also made for specific part-time courses of initial teacher training. They included elements of benefit to women, extra help being available for single students with dependants.

Concern had been expressed that mandatory grants and loans were not available for part-time study and that women were less likely than men to get employer support for such study. However, demand for part-time higher education was buoyant from both men and women, and women who studied part-time could apply for discretionary awards. There were also career development loans, which could be used to pay for courses, distance-learning materials and child-care costs, and vouchers for vocational guidance.

43. In reply to question 7, she said that the Committee's concern at the absence of statistics on women employed on an unremunerated basis in family businesses was understandable, but the extent of such employment was difficult to measure on a reliable basis. Some women involved in family businesses were formally employed, or paid as directors, while others worked irregularly or received payments other than wages or in kind. However, unpaid family workers were now included in the regular Labour Force Survey. In spring 1992, there had been 126,000 female unpaid workers across all industries, amounting to some 70 per cent of all unpaid family workers. About one third of those were in retailing, hotels or catering. Unpaid work was now also valued in another way, work being in hand, for example, to provide a means of recognition of the skills acquired or demonstrated in domestic work in national vocational qualifications.

44. On question 8, she replied that the United Kingdom followed internationally-agreed conventions and definitions when compiling national accounts statistics and, recognizing the difficulty of valuing unpaid work, considered that estimates would be unreliable. Nevertheless, the contribution of unpaid work by both men and women to the welfare of families and the community was acknowledged and appreciated. United Kingdom statisticians continued to participate in international forums where those issues were considered.

45. With regard to question 9, she replied that the increasing involvement of women in decision-making positions in the workplace had led to greater recognition of the unacceptability of sexual harassment. Legal cases had established that sexual harassment might constitute sexual discrimination under the Sex Discrimination Act and that an employer who had failed to take reasonable practical steps to prevent it might be liable for action by employees. An inquiry was under way as to whether complainants were deterred from taking cases to an industrial tribunal for fear of publicity. The Government condemned all forms of sexual harassment and had issued a guidance booklet to some 10,000 employers, with a leaflet for copying to employees, in March 1992, on the law and on practical steps to prevent harassment and to handle complaints fairly. Many employers, particularly in the public sector, including the civil service, the Post Office and British Rail, had well-developed policies and provided trained staff to advise and counsel potential complainants.

46. Turning to question 10, she stated that the Government recognized the importance of the availability of reliable and affordable child care for working women. The Children Act which had come into force in October 1991 provided the necessary framework to regulate standards of child care, which should encourage expansion to meet local needs. The Act also gave local authorities both the duties and the powers to provide, regulate and review services for children under eight years of age in their areas. The Government recognized that the way forward was to encourage a wide range of provisions to

meet the different needs, through partnership between parents, local authorities, voluntary organizations and employers.

47. The figures requested by the Committee were unavailable, as information was not collected in the form requested, State-financed child-care facilities being provided on the basis of need in the interests of the welfare of the child, and not only to enable parents to work. In England alone, local authorities spent over £100 million per year on such services for children under five. Allowances were available for mothers on government-funded training schemes, and tax relief could be obtained for employer-provided child care. From April 1993, a new grant scheme to enable out-of-school schemes to be established would be available, and measures taken to finance at least 50,000 additional places in after-school and holiday schemes.

48. An estimated 70 per cent of children under five were covered by some form of full-time or part-time child care. Some 21 per cent (48 per cent of 3- and 4-year-olds) were in nursery school paid for from public funds and a further 8 per cent were in a nursery, with a child-minder or a nanny, the majority of which were privately financed. Local authority nurseries in England had had approximately 27,000 places in 1991, and the authorities paid for a further 9,000 children's places in other nurseries or with child-minders, plus 11,000 places in playschools. Places in officially-registered private and voluntary day nurseries in England had increased from 36,000 in 1988 to 77,000 in 1991, a rise of 112 per cent. Similarly, the number of children cared for by registered child-minders had grown substantially from 162,000 to 233,250 over the same period, and there were over 425,000 places available in play groups. Similar growth could be seen in Wales, Scotland and Northern Ireland.

49. In reply to question 11, she informed the Committee that when the Sex Discrimination Act had been passed in 1975, it had not in general been made applicable to existing legislation. Women's pension age had been reduced from 65 to 60 in 1940, following a campaign waged by unmarried women, many of whom were caring for dependent relatives, and in recognition of the fact that married women tended to be several years younger than their husbands.

50. Some legislation with regard to social security matters discriminated in favour of women, and would continue to do so. It included benefits payable normally to the mother as the parent with day-to-day responsibility for children. However, single parents were treated equally in social security matters. Widows' benefit was paid to women because they were more likely to be in financial straits following their husband's death. In general, widowers of working age had been in employment and found it less difficult to support themselves financially.

51. Two European Community social security directives were already in force. In line with EC treaty obligations, the United Kingdom had implemented equality in relation to occupational pension schemes. EC laws specifically provided for unequal State pension ages and survivor and dependency benefits under a derogation in Directive 79/7. However, the Government was committed to equalizing the State pension age, after a period of consultation on various options to deal with the complex issues involved, including the consequences for entitlement to other benefits and concessions.

Article 12

52. On question 1, she stated that the grounds for the 24-week limit were medical rather than social. Under the 1967 Abortion Act, social considerations were not, in themselves, sufficient grounds for abortion. A pregnancy could only be terminated on the basis of the clinical judgement of two registered medical practitioners, taking account of the health and actual or reasonably foreseeable environment of the pregnant woman, including existing children. There was no time-limit if there was any possibility of the woman's life being endangered or there was the risk of permanent and grave injury to her physical or mental health.

53. Women's organizations had had a mixed response to National Health Service reforms. The reforms clarified each local authority's responsibility to obtain appropriate health care for all its population. The health authority, as purchaser of services, had to assess the needs of its population and decide what services were thus required. So, authorities were able to identify and provide for the needs of women more effectively. The new Patient's Charter was committed to providing choice and responding to individual requirements. Therefore, if a patient asked for a woman doctor, she should be able to have one. Moves were afoot to increase the number of women doctors, particularly in surgical specialities, so that it would be possible to respect such choices in all areas. The Patient's Charter also provided for full respect to be paid with regard to privacy, dignity and religious and cultural beliefs.

54. The Government had adopted a strategy for improving the health of the nation, which had been published in July 1992. The health-care needs of women would be taken into account in five priority areas: coronary heart disease and strokes; cancer; mental illness; HIV/AIDS and sexual health; and accidents. Priority was also being given to promoting the take-up of screening for cervical cancer for women between 35 and 60 years of age. Smear tests could be taken, on clinical grounds, at any age. Extra payments were given to general practitioners who achieved target rates of 50 per cent or 80 per cent take-up, and 92 per cent and 72 per cent of GPs respectively had reached those targets in 1991. Five million pounds was being spent on research to estimate the effectiveness of screening for breast cancer more often and from a younger age. Take-up of breast screening invitations was at present around 70 per cent. National monitoring aimed to ensure that women had access in all parts of the country. The latest agreement on tobacco advertising and promotion included a ban on advertisements in magazines where women aged 15-24 years accounted for more than 25 per cent of the readership.

55. Family planning advice and services were available nationally, free of charge, under the National Health Service. It was estimated some 70 per cent of women aged 16-49 used contraception, had been sterilized or had partners who used contraception or had been sterilized. Most general practitioners provided family planning services, and approximately two-thirds of women using contraceptives had taken advantage of those services. Attempts were being made to reduce pregnancy among girls under 16 by at least 50 per cent.

56. With regard to question 2, she said that the latest figures (September 1992) reported 579 cases of women with AIDS, compared with 9,940 men, and 2,174 women with HIV, compared with 15,887 men. Whilst women were only some 5 per cent of AIDS cases, they accounted for 12 per cent of HIV cases and the rate of increase for women of both HIV and AIDS was higher over

the previous year than for men, which suggested a higher proportion of AIDS cases in the future. The Government was committed to caring for people affected by HIV/AIDS. Two hundred million pounds was being provided in 1992/93 through health authorities, local authorities and voluntary organizations. Guidance on the use of such funds had stressed the need to ensure that proper provision was made for women, and initiatives under way included hospice care, housing for women and children, and integration of HIV services into generic women's health facilities. A government grant to the voluntary organization Positively Women, supported services for women with HIV/AIDS. Preventative work included the production of a booklet by Women's Health, another voluntary organization, for those working with HIV/AIDS victims and research on drug-using prostitutes. In December 1992 the Department of Health had suggested that in areas of known or suspected prevalence of HIV infection, health authorities should consider offering antibody testing to all women receiving antenatal care. It stressed that a test should only be carried out with explicit consent and after appropriate counselling which took account of the different languages and cultures of ethnic minorities. Termination of pregnancy would be offered as only one of the options to be considered if the woman was found to be infected with HIV. Reducing the number of cases of other sexually-transmitted diseases was also a priority health-care aim.

Article 13

57. Arrangements were being made to withdraw the reservation. The claim to the married couple's allowance had to be made by the husband in the first instance, but the law had been changed to give the wife the right to half the allowance, or even the entire allowance if the couple so agreed.

Article 14

58. Replying to question 1, she said that women represented a growing proportion of paid employees in agriculture and were protected by equal pay rates and health and safety legislation. Training for women in agriculture recognized the role of unpaid family members in administrative and financial aspects of farm management. Consideration was being given to extending the remit of Agricultural Training Boards to cover diversification of rural activities, including the development of land for recreational purposes. In Northern Ireland, a project was being funded to assist women to develop rural businesses. The Rural Development Commission continued to target its programmes at seeking local solutions to women's problems.

59. In response to question 2, she informed the Committee that the Rural Development Commission had published a study of women's employment in rural areas in 1991. It had highlighted problems of low pay and poor conditions of service and related problems of poor transport and housing, particularly for single parents. It also published a study of child care in rural areas and funded local schemes. It gave full support to innovative local solutions to transport problems. Bus mileage in rural areas of England had increased by 22 per cent since deregulation in 1985/86, and there were subsidies for socially necessary services. Together with locally-based Training and Enterprise Councils and community councils, the RDC supported training for work in rural areas. The Housing Corporation had set targets for the provision of low-cost housing in villages and support given to small rural housing associations.

Article 16

60. In Great Britain, the most recent estimates indicated that there were approximately 1 million single mothers and 100,000 single fathers and that 17 per cent of families with dependent children were one-parent families. The Child Support Act 1991 (and equivalent legislation in Northern Ireland) had paved the way for a major reform of child maintenance. It would affect a great many single parents, 90 per cent of whom were women. The Act aimed to provide a consistent and fair approach to child maintenance through administrative procedures rather than the court. It would ensure that parents honoured their responsibilities towards their children whenever they could afford to do so. The Child Support Agency would, from April 1993, be responsible for tracing absent parents and the assessment, collection and enforcement of child maintenance. Better maintenance provision would provide income which would give lone parents greater independence and an incentive to seek work. Consideration was being given to reforming divorce law to require conciliation before granting divorce. The main aim of conciliation was to smooth the transition and ensure that both parents continued to take responsibility for their children, but in some cases it could also lead to reconciliation. Government grants supported the work of marriage guidance agencies, including those dealing only with members of particular religious groups.

61. The CHAIRPERSON thanked the representative of the United Kingdom for the exhaustive replies given to the Committee's questions, the volume of which had demonstrated the Committee's interest in the report.

General observations

62. Ms. AKAMATSU welcomed the fact that the Government had been able to withdraw part of its reservations to articles 11 and 13 of the Convention, and hoped that, before long, it would be in a position to remove those which remained. The Government should be congratulated on the efforts made to consult non-governmental organizations, including women's groups, during the preparation of the second periodic report.

63. Ms. FORDE considered that recent developments in the United Kingdom were of major importance, particularly those concerning the advancement of girls in schools and their successful examination results. However, the continued exploitation of women in the media by means of sexually explicit pictures was of grave concern and needed to be remedied. Being a citizen of a country in which decisions of United Kingdom courts carried some weight, she welcomed the ruling whereby rape in marriage was considered a crime. However, was existing law in England on those two issues and on pornography sufficient to bring about appreciable changes?

64. With regard to the other countries mentioned in the report (CEDAW/C/UK/2/Amend.1), namely the Turk and Caicos Islands and the British Virgin Islands, she would be interested to know whether or not they had been consulted in the preparation of the report or whether they had been permitted to see it after its completion. She would also like to know why the report did not cover Anguilla and Montserrat.

65. Ms. SINEGIORGIS said that she had been interested to learn of recent improvements in the status of women in the United Kingdom, especially the

election of 60 women to Parliament. The efforts made by the Prime Minister in terms of his initiative for ethnic minorities were laudable.

66. Ms. GURDULICH DE CORREA said that she recognized the efforts made by the United Kingdom to withdraw some of the reservations entered to the Convention.

67. As an Argentine, she disagreed with the inclusion of the Malvinas and South Georgia in the report submitted by the United Kingdom in document CEDAW/C/UK/2/Amend.1. The United Nations General Assembly had passed 10 resolutions in recent years recognizing the sovereignty dispute and urging both sides to negotiate to settle the matter in accordance with the Charter of the United Nations.

68. Ms. CARTWRIGHT welcomed the partial withdrawal of reservations to articles 11 and 13 of the Convention, but noted that the United Kingdom had entered significantly more, and indeed more substantial reservations, than any other State party which had reported to the Committee at its twelfth session. Had the United Kingdom, which had ratified the other four major Human Rights Conventions, entered the same number of substantial reservations to them? Furthermore, since both China and the United Kingdom had ratified the Convention, was there any reason why the protection provided by the Convention should be extended to the women of Hong Kong?

69. Ms. LIN Shangzhen said that in accordance with the basic law for the Hong Kong Special Administrative Region, the rights and interests of Hong Kong's residents, including women, would be fully protected following Hong Kong's return to Chinese administration on 30 June 1997. If the British side wished to extend application of a given Convention to Hong Kong during the transitional period, or wished its implementation to continue after 1997, then the matter should be discussed through the correct channels.

70. Ms. NIKOLAEVA sought clarification with regard to hidden unemployment in the United Kingdom. It seemed that the unemployment benefit available in Britain was so low that persons who were out of work could not survive on it and were, therefore, not registering themselves as unemployed, which in turn meant that unemployment figures were incorrect.

General questions

71. Ms. OUEDRAOGO requested additional information with regard to migration. The report stated that although traditionally there was a net outflow of people from the United Kingdom to the rest of the world, the trend was beginning to change. In view of that, what was the nature of migration, namely, was it family-related, and if so, what impact did that have on women? Furthermore, in view of the trend in recent years, and the return of families to the United Kingdom, what were the effects on the social integration of women?

72. Ms. MÄKINEN reminded the Committee that general recommendation No. 18 had suggested that States parties should provide information on disabled women in their periodic reports. Although the report submitted by the United Kingdom had included some relevant statistics, it did not shed light on whether disabled women enjoyed equal opportunities, particularly in the labour market, education and public life.

73. Ms. SCHÖPP-SCHILLING said that German women in the 1970s had regarded the situation of women in the United Kingdom with admiration. However, that had started to change, and there was an increasing feeling of disappointment, especially given the United Kingdom's attitude towards the Maastricht Treaty. Owing to the United Kingdom's failure to sign paragraphs on social issues, which dealt predominantly with women's matters, the Social Chapter had had to be withdrawn from the Treaty proper and made into a separate document, which the United Kingdom still refused to sign. The Government would be well advised to rethink its position, since the countries of the Common Market could only be effective in their campaigns to improve the situation of women if they worked together. The programmes of affirmative action in government and in industry were impressive. However, with regard to quotas, would it not be preferable for the Government to concentrate more on flexible or soft quotas and on numerical goals? Also, did the Government intend to incorporate programmes of affirmative action into national legislation, which would ensure continuation of the aims of the programmes regardless of which political party was in power?

Article 5

74. Ms. MÄKINEN requested additional information on the Equal Opportunities Commission, on whether its budget was increasing or decreasing, and on its objectives. Did women's organizations in the United Kingdom cooperate with political parties to raise women's awareness of and interest in politics?

75. Ms. ABAKA congratulated the Church of England on its decision to ordain women priests. Judging by a report she had read, rape had become a common occurrence in the United Kingdom. The report had gone on to state that 20 women per year were raped by boys under the age of 14. She requested information on what happened to the young rapists and whether the victims who went to rape crisis centres then reported the crime to the police.

Article 6

76. Ms. BRAVO NUÑEZ DE RAMSEY said that as a Latin American, she was interested in issues concerning that area of the world, including Malvinas. She had noted from the report that there was a contradiction in so far as paragraph 20 of CEDAW/C/UK/2/Amend.1 stated that there was no prostitution there, while subparagraph (e) on page 43 stated that as in any community with a large military presence, prostitution was present. So, was the United Kingdom Government fully aware of what was happening on the island, or was the contradiction simply the result of an error?

Article 7

77. Ms. SCHÖPP-SCHILLING said that she welcomed the increase in the number of women Members of Parliament, but requested further information with regard to percentages and on their distribution in political parties. Furthermore, what were parties doing to increase the number of women in Parliament? Did they have flexible quotas?

78. Ms. BUSTELO GARCIA DEL REAL requested information on arrangements for the care of adults, such as the elderly and the disabled, who were not in a position to care for themselves. She said she would also welcome information on the number of men who had part-time jobs, the amount of time men spent on

domestic tasks and child care, and in both cases how the figures compared with those for women.

79. Ms. QUEDRAOGO wondered why the rate of female unemployment in the United Kingdom was so low, while in most other countries it was high.

Article 9

80. Ms. KHAN asked whether the Equal Opportunities Commission provided special services for immigrant women, who might often encounter discrimination and for socio-economic reasons might have less access to job opportunities.

Article 11

81. Ms. SCHÖPP-SCHILLING asked whether the mandate of the Equal Opportunities Commission covered discrimination on grounds of age, which was becoming more common, especially as far as women were concerned. She suggested that if it was not already within the Commission's mandate, it might be useful to extend the mandate to cover it. She had been pleased to note that the income gap between men and women was narrowing in the United Kingdom, but disturbed to hear that the mandate of the Equal Opportunities Commission only covered discrimination with regard to pay if the same employer was involved. It was now fairly rare in Europe for discrimination to exist between men and women holding the same job, but where similar or comparable jobs were held with different employers, pay discrimination did exist, and she wondered if the Government of the United Kingdom was contemplating extending legislation so that cases could be brought on the grounds of pay discrimination in different industries.

82. Ms. QUEDRAOGO, noting the references in the report to the doubling between 1981 and 1989 of the number of women aged between 18 and 49 who were cohabiting and the increase in one-parent families from 8 per cent in 1971 to 14 per cent in 1987, asked about the attitude adopted by the Government of the United Kingdom with regard to what might be termed the break-up of the family. She wondered if any surveys had been carried out to determine whether it was a clear and desired trend.

83. The CHAIRPERSON invited the representatives of the United Kingdom to reply to the questions raised by members of the Committee.

84. Ms. WHITAKER (United Kingdom) said that all the reservations entered with regard to the Convention were under review, although some of them were of genuine help to women.

85. Ms. BRAMWELL (United Kingdom), replying to a question about pornography and the law, said that the Government of the United Kingdom was committed to maintaining domestic controls on obscene material and was currently examining ways of improving law enforcement in that regard. In 1990 it had commissioned a review of the research evidence on the effects of pornography, particularly any connection there might be between pornography and violent or sexual crimes. The review had concluded that the evidence on the adverse effects of pornography was not clear-cut and that any causal link between pornography and attacks on women was not clearly established. When receiving the review, the Government had made clear that it supported attempts to improve the control of

pornography and that the enforcement of proper standards of taste and decency remained unaffected.

86. Ms. WHITAKER (United Kingdom) said that there were differing arrangements for the dependent territories, and with the Committee's permission she would reply in writing on that subject, including information concerning Anguilla and Montserrat. If it were felt that the questions raised regarding the Falkland Islands were the proper concern of the Committee, such information would be included. She would also give answers in writing to the questions concerning the Human Rights Conventions and Hong Kong.

87. Ms. BRAMWELL (United Kingdom), replying to a question concerning rape in marriage and whether the law was now adequate, said that the High Court and the House of Lords had ruled in a particular case in 1991 that rape within marriage was a crime and that since then there had been a number of successful prosecutions of husbands for rape. It represented a real change in the law, and could be regarded as a landmark.

88. Replying to a question concerning outflows and inflows of people, she said that before 1983 there had usually been a net outflow, but that since 1983 there had been a net inflow, including British citizens returning. There continued to be a net inflow from the new Commonwealth, but flows to and from the rest of the European Community and other countries had tended to balance each other. Except for the new Commonwealth, the magnitude of flows had increased, particularly for the rest of the European Community. Analysis by citizenship showed that the level and direction of total net migration depended heavily on the migration patterns of British citizens. Since 1983 the net outflow of British citizens had been much lower than in previous years, and that, together with a slight increase in the net inflow of non-British citizens, had resulted in a net inflow overall in recent years. As for the question concerning social integration when people were returned to their own countries, she pointed out that people were usually not deported unless they had family contacts or people to return to.

89. Ms. WHITAKER (United Kingdom) said that all legislation applied equally to disabled women; employers were obliged to employ a certain number of disabled people, and equal opportunities legislation required that of those disabled people a certain number had to be women. It was, however, often the case that disabled people did not register as disabled and the system in general was under review. Disabled women had equal opportunities not only in the labour market, but also in education and public life. As for the Treaty of Maastricht, the Government of the United Kingdom had clear views about subsidiarity which went beyond concerns for the position of women.

90. As for affirmative action and the system of quotas, she wondered whether the soft quotas referred to by one questioner were in fact much the same as the "targets" and "goals" referred to in the United Kingdom. The Government was keen that there should be numerical targets whenever appropriate, but it was not really in favour of fixed quotas, which led to the appointment of "token" women. The progress of affirmative action programmes was being carefully monitored, with a view to incorporating them into legislation, but much depended on the good will of employers, and the Government would consider legislation only if employers were found to be flagrantly flouting affirmative action programmes.

91. The budget of the Equal Opportunities Commission had certainly increased over the years and was now the highest ever in real terms. It had a staff of some 160, whose work fell into two categories: assistance in legal cases, and educational and campaigning responsibilities.

92. Women's organizations certainly exerted pressure on the political parties to include more women, and there was one voluntary group whose sole task was to get more women into political life.

93. As for the welcome decision of the Church of England Synod on the ordination of women, she wished merely to point out that it still needed to be ratified by Parliament, although it was not envisaged that there would be any problem in that regard.

94. Ms. BRAMWELL (United Kingdom), replying to the question concerning rapes committed by boys under the age of 14, said that a private member's bill, which would have strengthened the law on kerb-crawling and would also have removed the present legal presumption of the incapacity of boys under the age of 14 to have sexual intercourse, had not reached the statute book because it had been talked out by Members of Parliament. However, the Government regarded the issue as very important, and the bill was due to receive a second reading in the House of Commons that very day. Under the bill boys aged between 10 and 13 would be convicted of the appropriate offence, namely rape, instead of indecent assault as at present. They would also have to serve proper sentences which, although not custodial, would involve careful monitoring.

95. There had been an encouraging increase in the proportion of rapes that were reported to the police, whose attitude to the crime had also changed. The police now insisted on an out-of-uniform woman officer being present when the rape victim made her report, and some of the larger police stations were equipped with special rooms for dealing with rape victims. With regard to the protection of victims, the Sexual Offences Amendment Act, 1992, had extended the lifetime anonymity that existed in rape cases to victims of sexual assault.

96. Ms. WHITAKER (United Kingdom) said that she was not in possession of the full facts regarding prostitution in the Falkland Islands, but would include that information in her written report to the Committee. As for hidden unemployment, while there were undoubtedly many women who were not working and who did not register as unemployed, it was hard to calculate just how many. However, the number of women who did work in the United Kingdom was very high.

97. Mr. HAYES (United Kingdom), replying to a member of the Committee who had suggested that women might be unable to live on unemployment benefit, said that the unemployment benefit system provided what the Government regarded as a good flat-rate benefit for most people, especially for the low-paid, and that in any event their income could be topped up by other, income-related benefits. In the year ending 1992, the Government had paid £5 billion in unemployment benefit, and a substantial further amount in income-related benefits.

98. Ms. WHITAKER (United Kingdom) said that more information would be given in the next report concerning part-time work and the sharing of domestic work between men and women, as well as details of allowances for those who cared for adults. As for the rate of female unemployment, many women in the

United Kingdom worked either part-time or with flexible time, and there was in any case an increasing number of part-time posts because they were particularly suited to present labour market conditions.

99. The Equal Opportunities Commission had programmes aimed at the ethnic minorities, and at least two of its Commissioners came from ethnic minorities.

100. Ms. BRAMWELL (United Kingdom) said that immigrant women were more likely to face the double disadvantage of racial and sex discrimination. Many of the older immigrant women encountered a further obstacle to joining fully in society because of their inability to speak English. The Commission for Racial Equality, an independent body separate from the Government, had many programmes to assist immigrant women, and there were some 90 racial equality councils operating at the local level with well-directed programmes aimed specifically at their needs. Grants were available for learning English as a second language and for skills training.

101. Ms. WHITAKER (United Kingdom) said that the Equal Opportunities Commission dealt only with sex discrimination, but the Government was very conscious of the growing problem of discrimination on grounds of age, and an advisory committee on older workers had recently been set up within the Department of Employment. The Women's National Commission had also recently completed a well-researched report on older women and their problems both in employment and elsewhere.

102. Employers were free to negotiate their own pay rates, and there were many cases of indirect discrimination which were being dealt with by the Equal Opportunities Commission, one of whose tasks was to ensure that men and women received equal pay for the same work or for work of equal value.

103. Many children in the United Kingdom were born out of wedlock, and research was being done on the break-up of families. However, there were many stable partnerships that were not sanctified by wedlock, and there was a move no longer to refer to the children born of such unions as "illegitimate".

104. The CHAIRPERSON said that it was clear from the very detailed report that much progress had been made in improving the status of women in the United Kingdom between the first and second periodic reports. The withdrawal of two reservations was encouraging. However, she hoped that the Government would examine the other reservations entered with respect to the Convention. She also hoped that it would align itself with the other 11 Governments in the European Community with regard to the Social Chapter of the Treaty of Maastricht, upon which it had entered reservations because of its difficulties with regard to subsidiarity.

105. She wondered whether there was any discrimination with regard to residence in the United Kingdom that, for example, meant that young women entering the country as students had no right to bring their fiancés or companions with them. She would like to know whether men enjoyed that right.

106. Thanking the representatives of the United Kingdom for their report and the way they had replied to questions, she made the general observation that many of the obstacles encountered by women in industrial and post-industrial societies, such as that of the United Kingdom, were due to their mass entry

into the labour market, whether full-time or part-time. The difficulties experienced by women in the developing countries were, on the whole, of a quite different nature.

The meeting rose at 1.10 p.m.