



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

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**Committee on the Elimination of Discrimination
against Women**
Forty-first session

Summary record of the 844th meeting

Held at Headquarters, New York, on Thursday, 10 July 2008, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3 p.m.

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

Fifth and sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland (continued) (CEDAW/C/UK/5 and Add.1 and 2, CEDAW/C/UK/6 and Add.1 and 2, and CEDAW/C/UK/Q/6 and Add. 1)

1. *At the invitation of the Chairperson, the members of the delegation of the United Kingdom of Great Britain and Northern Ireland resumed places at the Committee table.*

Articles 7 to 9

2. **Ms. Neubauer** noted that while female representation in elected assemblies had improved, it had not done so uniformly throughout the national territory. She wondered whether the Government had met its 2008 target of 40 per cent of women in public appointments in a clear majority of departments and wished to know how many women were actually chairing publicly appointed bodies.

3. With respect to the situation in Northern Ireland, it was not possible to speak of progress when 32 per cent of officials currently serving on public bodies were women, down from the figure of 35 per cent in 1996-97 reported by alternative sources. Turning to article 8 of the Convention, she would like to know what percentage of those working in the diplomatic service were women and also wondered how many women were serving as heads of embassies and permanent missions abroad in comparison to men.

4. **Ms. Tavares da Silva** expressed appreciation for the fact that the peace agreement in Northern Ireland included a commitment to women's advancement and full and equal participation in public life. It would be useful to know what measures had been adopted to fulfil that commitment, particularly with regard to women of other ethnic backgrounds. In that connection, she enquired how the Government of Northern Ireland was taking into account Security Council resolution 1325 (2000), as the report mentioned a national action plan for its implementation but did not refer specifically to Northern Ireland. Finally, she wondered whether the Government's decision to draft bills using gender-neutral language

mentioned in the report would also apply to Government documents.

5. **Ms. Belmihoub-Zerdani**, commending the delegation on its level of female representation, said that she hoped to see the United Kingdom achieve gender parity in the public and private sectors, as nothing less could be expected from a country that had been the first parliamentary democracy. Given its history and democratic traditions, it was surprising that the United Kingdom had taken a long time to include women in the houses of Parliament, and its influential status as a world power dictated that it should lead by example on the question of female representation.

6. While significant progress had been achieved on several fronts — such as representation in the European Parliament — the percentage of women in Parliament, currently at 20 per cent according to the head of delegation, remained insufficient. More women should also be appointed to the judiciary. The United Kingdom had ratified the Convention and acceded to its Optional Protocol and was therefore obliged to proceed with accelerated implementation of the Convention.

7. She applauded the Government strategy that focused on the portrayal of women in the media in order to sensitize the population to gender-related reforms. The delegation should also make use of its national media outlets, such as the British Broadcasting Corporation, to raise awareness on the possibilities of achieving gender equality through the Convention and its Optional Protocol, neither of which were particularly well publicized in the United Kingdom. Lastly, special attention should be given to the needs of refugee and minority women, many of whom had fled instability in search of a peaceful society and who were also contributing to the national economy as migrant workers.

8. **Mr. Flinterman** said that the State party's reservation to article 9 was no longer necessary in light of the assertion made in the report that United Kingdom nationality legislation reflected the principle of equal rights for men and women, and also in light of the views adopted by the Committee in its decision on communication No. 11/2006. It therefore hoped that the reservation would be withdrawn.

9. He thanked the delegation for providing information on Government policy on refugees and asylum seekers. Noting that the annual target of the

Gateway Protection Programme for the resettlement of vulnerable refugees to the United Kingdom had been set at 500 women for the year 2004, he would like to know why the actual number of women assisted in 2007 was lower, at 350, and what targets had been established for 2008 and beyond. He expressed concern that the Home Secretary's plan to require potential applicants for spouse visas to take an English-language test would be disadvantageous, particularly for female applicants, and wondered whether refugee women might instead be given the opportunity to learn English after arriving in the State party.

10. It would be useful to know whether the reports of the UK Border Agency included sex-disaggregated data, as well as whether it was ensuring that gender issues were adequately taken into account, as its civil servants were the first point of contact that many women seeking asylum due to gender persecution had upon arrival in the United Kingdom. Indeed, such women were often advised to return to their countries. Lastly, he enquired whether the Commission for Equality and Human Rights had any mandate to monitor the gender policies of the UK Border Agency.

11. **Ms. Keeling** (United Kingdom) thanked Ms. Belmihoub-Zerdani for her perceptive comments, which would be given serious consideration, as would the suggestion to withdraw the reservation on article 9. The Commission for Equality and Human Rights did in fact have a mandate to investigate the UK Border Agency. Under the Gender Equality Duty, data disaggregated by gender was standard, but whether the agency was currently compiling information in that manner would have to be verified. The delegation undertook to provide a written response to the Committee on English language testing for applicants for spouse visas.

12. **Ms. Bond** (United Kingdom) said that ensuring women's full participation in public life was one of the top priorities for women established by the Ministers for Women. In that connection, officials from the Government Equalities Office had been working closely with the Cabinet Office and the Office of the Commissioner for Public Appointments, and they would also consider whether the Commissioner should have special power to encourage diversity in public appointments within her remit. In 2007, the proportion of women holding public appointments had stood at 3.14 per cent. Twenty-four per cent of national health-related bodies and 35 per cent of local National Health

Service boards were chaired by women. In addition, as part of the equality public service agreement, the Government had pledged to narrow the gaps in participation in public life with respect to gender, ethnicity, disability and age.

13. **Ms. Sung** (United Kingdom) said that, in Northern Ireland, only 29 per cent of applications for public appointments received annually were from women. In that context, the number of public appointments held by women — consistently accounting for a third of overall appointments — was somewhat of a success story, and there was a genuine desire to see that figure increase. Applications from all sectors of society were welcomed, as equality of opportunities was one of the key principles that underpinned the code of practice on ministerial appointments to public bodies published by the Commissioner for Public Appointments for Northern Ireland. The Commissioner, a strong supporter of diversity, was currently reviewing guidelines on applications and procedures on public appointments. However, diversity and increased representation would not come at the expense of the principle of selection on merit that was central to that code of practice.

14. The principle of merit also applied to the question of female representation in elected positions in Northern Ireland. At the current time, one of Northern Ireland's three Members of the European Parliament (MEPs), four executive ministers and 18 members of the Northern Ireland Legislative Assembly were women. While there was clearly a need for improved representation of women, the women who currently held office and their predecessors had provided powerful role models, and they had been strongly encouraging women to become involved in public life. The Government of Northern Ireland would also continue to focus particular attention on the inclusion of minority women in public life; one of the members of the Northern Ireland Legislative Assembly was the first Chinese woman in any European legislature.

15. Security Council resolution 1325 (2000) was widely acknowledged as an important international commitment to women's equality and empowerment, particularly as regarded access to politics, public life and decision-making. Furthermore, women had played an important role in the peace process in Northern Ireland. However, addressing the legacy of Northern Ireland's violent past remained one of its greatest challenges. A consultative group on the past had been

established in June 2007 to consult throughout the community on how to confront that legacy in a way that supported the attempt to build a shared future. The group would report its findings later that year. Non-governmental organizations had been particularly active on the issue of women and peace and security, advocating for Government implementation of Security Council resolution 1325 (2000).

16. **Ms. Collins** (United Kingdom) said that referrals to the Gateway Protection Programme for refugee resettlement to the United Kingdom could only be made through the United Nations High Commissioner for Refugees (UNHCR). All refugees settled received refugee status enabling them to remain indefinitely with no review. The Government quota of 500 individuals per financial year had recently been increased to 750 for 2008-2009. Since the UNHCR Executive Committee had issued its 2006 conclusion on women and girls at risk, the United Kingdom had been committed to and had achieved the inclusion of 10 per cent of cases in each caseload with the resettlement criteria of women at risk.

17. **Ms. Shersby** (United Kingdom) said that the delegation undertook to provide a written response to the Committee on gender-neutral Government documents.

18. **Ms. Cross** (United Kingdom) said that as of 1 June 2008, women represented 19.6 per cent of senior management staff within the Foreign and Commonwealth Office. On the basis of current projections, the Foreign and Commonwealth Office might reach the civil service target of 25 per cent by 2011. While improvement was necessary, female representation was still fair in comparison to the situation within British industry. Out of 189 ambassadorial posts worldwide, 23 were held by women, improving on the 2006 figure of 17. At the Foreign and Commonwealth Office in London, 6.1 per cent of director-general level staff were women, as were 12.1 per cent of director level staff and 25.2 per cent of heads of department.

19. A cultural audit had been launched in order to determine why women were not applying for senior management posts and how to address the problem. In addition, a comprehensive gender action plan was currently being updated, and it had already led to the creation of a board on gender and flexible working within the Foreign and Commonwealth Office. Other

measures included identifying jobs for accompanying partners and spouses of staff posted overseas; review of nursery facilities to support those returning from maternity leave; and encouraging more flexible working and internal job advertising. Lastly, a staff survey had highlighted certain gender equality issues, and additional measures were planned to address them.

Article 11

20. **Ms. Zou Xiaoqiao** welcomed the State party's efforts to promote women's advancement. The Committee would like to know more about specific measures taken in the context of Government policy initiatives to benefit minority women, who were underrepresented in the labour market as a result of double discrimination. She also wondered whether the Government had undertaken any comprehensive investigation of discrimination based on age and gender, including the illegal firing of women due to pregnancy. It would be useful to know whether any constructive solutions had been proposed and whether punitive measures were envisaged against companies engaging in discriminatory practices.

21. She expressed concern that a substantial gender pay gap persisted despite the fact that the Equal Pay Act had been in effect for nearly 40 years. According to the chairman of the Equal Opportunities Commission, legislation against unequal wages had not played a major role during that time. Indeed, a comprehensive national strategy was needed to address the gender pay gap. She asked how the Government planned to implement equal pay legislation in the public sector and how it intended to enhance the monitoring of such legislation by civil rights agencies.

22. **Ms. Patten**, noting the absence of a legal requirement for public authorities to carry out an equal-pay audit, asked whether the Government was envisaging mandatory pay audits for all organizations in order to reduce the gender pay gap. According to the State party's report, the proportion of women holding top management positions at the senior civil service level was only 27.5 per cent. The Committee would like to know whether there were any plans to reformulate wage structures in low-paying, female-dominated sectors of the labour market, such as teaching, nursing and childcare.

23. Under article 2 (e) of the Convention, States parties had an obligation to eliminate discrimination

against women by private organizations and enterprises. In that connection, more information was needed on how the Government planned to address pay gaps in the private sector. She commended the State party on the introduction of flexible working arrangements and wondered whether measures would be taken to prevent discrimination against female flexible workers.

24. More information would also be appreciated on the concrete measures envisaged to combat entrenched discrimination against black and ethnic minority women, particularly Bangladeshi and Pakistani women, who were underrepresented in all areas of the labour market. A number of small-scale initiatives had been mentioned in the report but no comprehensive race and gender equality strategy appeared to have been adopted.

25. **Ms. Shersby** (United Kingdom) said that the Government was committed to addressing the gender pay gap within the next three years and envisaged a wide range of measures as part of its public service agreement. Continued enforcement of equal wage legislation, which had played an important role in tackling equal pay issues, was important. In addition, the introduction of the National Minimum Wage in recent years had improved the situation of lower-paid women. Action was also being taken to address the broader set of issues that contributed to the gender pay gap, such as occupational segregation and the need for quality part-time work.

26. Although the Government had decided against mandatory pay audits as a viable solution at that stage, it planned to introduce a number of other measures. For instance, under the Equality Bill, public sector organizations would be required to publish clear information about their progress on important equality issues, as part of a general Government initiative to improve transparency. The Commission for Equality and Human Rights was committed to undertaking investigations within key sectors in which equality issues were particularly manifest.

27. **Ms. Durbin** (United Kingdom) said that the Government took very seriously the underrepresentation of black and minority ethnic women in the labour market, particularly acute among South Asian women, and had large-scale quantitative and qualitative research projects under way to determine what the barriers were. The Department of

Work and Pensions had an expert consultation group to advise it on appropriate strategies and pilot programmes to address the employment gap.

28. In addition to the general programmes in place to assist those seeking to return to the labour market, in particular the New Deal suite of programmes, it had been found that, since minorities often lived in concentrated areas, local solutions delivered on the ground achieved the best results. Some mosques in London, for example, offered employment services to specific minorities on behalf of the Government, including outreach, training and job search services tailored to overcome the cultural barriers faced by women of those minorities. Studies were being done to see how the lessons learned and best practices identified could be incorporated into general programmes.

29. **Ms. Shersby** (United Kingdom) said that flexible working arrangements referred not just to part-time work but to a variety of work patterns; recently the flex-time option had been extended to parents of older children. To ensure that flex-time did not place the employees using it at a disadvantage, the Government was taking initiatives with employers to encourage the use of flexible working patterns. For example, it had launched an Exemplar Employers programme under which employers agreed to encourage women to return to the workplace under flexible working arrangements; to date 113 employers had signed up for the programme. The Government was also funding projects on the topic with trade union equality representatives, who provided advice to union members on equality issues.

30. It was against the law for an employer to discriminate against a woman on the grounds of pregnancy. The amendments to the Sex Discrimination Act aimed at making it clearer to all employers that treating women unfairly because of pregnancy constituted sex discrimination. The Government had also enabled employers to remain in better contact with employees on pregnancy leave and had introduced optional "Keeping in Touch" days so that a woman on maternity leave might go into work for a few days without losing her right to leave. It had provided better targeted guidance so that both employers and employees understood their rights and responsibilities.

31. **Ms. Keeling** (United Kingdom) said that the Prime Minister had set up the Women and Work

Commission to investigate the gender pay gap. On the basis of the Commission's earlier recommendations on occupational segregation and the gender pay gap, the Government had been working on initiatives such as piloting models of quality part-time work. The Commission would be reconvening in October to develop comprehensive recommendations to address the gender pay gap.

32. **Ms. Pierce** (United Kingdom) said that the process of extending the Optional Protocol to all the populated Overseas Territories had been discussed with the territory leaders, who were favourable to the extension of the ratification and had agreed upon the target date of December 2008 for the extension. The Government was providing technical assistance to enable the territories to harmonize their legislation, particularly on family law and domestic violence, and restructure their social services to support full implementation, and it was also conducting education awareness-raising activities on the Convention in the Territories. The Foreign and Commonwealth Office had a fund that the Territories could access for special projects, including those related to the Convention.

Article 12

33. **Ms. Arocha Domínguez** said that the availability of Government officials to answer questions via videoconference had been valuable and could serve as a precedent for the future; however, the Committee should carefully examine its implications and modalities. It would have been helpful if the videoconference mechanism had been extended to allow the Committee to conduct a dialogue with officials in the many Overseas Territories as well, since the information on them in the report was incomplete and outdated.

34. While she appreciated the many details given on programmes for preventing and treating HIV/AIDS, she noted that the sexual health promotion strategy and action plan for Northern Ireland had not been completed; the Committee would appreciate an update. Since the Caribbean region ranked second in the world in terms of the prevalence and growth rate of HIV/AIDS infection, especially among women, the delegation should supplement the scanty information in the report on what the Government was doing to assess and monitor the HIV/AIDS situation in its Caribbean territories.

35. With regard to mental health, the Committee would be interested to know what types and prevalence of mental health problems had led to the adoption of the work plan for 2006-2007 mentioned in the sixth report (CEDAW/C/UK/6, para. 457), what results had been obtained and what the future direction would be. In particular, she would like to know if efforts were being made to address the high rate of suicide among women of South Asian origin and the mental health problems affecting women in Northern Ireland as a result of the prolonged conflict. On another topic, the delegation had not yet addressed the Committee's questions on the draft guidance on termination of pregnancy in Northern Ireland.

36. **Ms. Dairiam** asked whether there was any possibility of a legislative amendment that would extend the right to abortion in Northern Ireland and whether there was any reason to fear that the issue of women's reproductive rights might be used as a bargaining chip in negotiations between the British Government and Northern Ireland officials. More generally, she would like to know what mechanisms the Government was using to ensure consistency in the treatment of gender issues across all jurisdictions, and, in view of the gender duty incumbent on all Government departments and offices, what training on applying the standards of the Convention was being given to ensure consistency across departments.

37. **Ms. Begum** said that, in view of the Government's commitment to tackling health inequalities, she would like to know about the accessibility of health-care services for black and minority ethnic women, particularly their needs for antenatal care, contraceptives, psychological support in adjusting to a new environment, information on reproductive health choices and breast and cervical cancer screening. She also wondered if the budgeted resources were adequate, since there had been reports of a decrease in funding for reproductive and sexual health.

38. In the light of reports that disabled women in some rural areas and islands suffered discrimination in health-care services, the State party should indicate whether adequate monitoring systems were in place and whether other parts of the country were covered by a law on elder abuse similar to the Adult Support and Protection (Scotland) Act 2007. She would also appreciate further information on the approaches that

the Government was taking to reduce the rate of teenage pregnancy.

39. **Ms. Sung** (United Kingdom) said that the Bamford Review of Mental Health and Learning Disability, a major independent review that had spanned five years, was currently in the consultation process in the Northern Ireland Executive, which had accepted most of its recommendations. A ministerial group had been set up to push the reform forward in a coordinated manner across departments.

40. She would be reporting back on the Committee's concerns, particularly with regard to suicide rates among Asian women. Within the health and social care sector, a task force would be set up; other sectors would also be making their own arrangements to contribute to the Bamford reform. The entire process could take 10 to 15 years to achieve, and the cost would be substantial, but funding was already allocated for the first three years in an amount sufficient to bring about major changes in health and social services.

41. Currently in Northern Ireland termination of pregnancy was allowed only if the continuance of the pregnancy would threaten the life of the mother or would have a real, serious and permanent adverse effect on her physical or mental health. During the passage of the Northern Ireland Act 1998, the Government had given assurances that abortion law would not be changed in Northern Ireland without the consent of all parties. Abortion law fell into the reserved category, because it was a matter of criminal law, based on the Offences against the Person Act 1861. However, the issue continued to be vigorously debated and had not left the public consciousness.

42. **Ms. Keeling** (United Kingdom) said that the delegation took the point that the information about the Crown Dependencies and Overseas Territories was not as comprehensive as it should have been. Officials from the Territories had been invited, but only the representative of the Turks and Caicos Islands had been able to attend.

43. **Ms. Boyce** (United Kingdom) reported that the territorial government of the Turks and Caicos Islands continued to implement education programmes concerning HIV/AIDS with support from the United Nations Population Fund.

44. **Mr. Mussenden** (United Kingdom) said that the Department of Health was committed to its women's

mental health strategy and had increased the staffing and resources devoted to it and issued guidance on implementing the strategy. It used the eight regional development centres to develop local strategies and had established gender equality mental health networks to address the problems of particular communities.

45. Patterns of suicide and self-harm among South Asian women and higher rates of severe mental illness among African and Caribbean women in the United Kingdom were indeed significant issues, which the Department was addressing through its programme "Delivering Race Equality in Mental Health Care". It was especially worrisome that African and Caribbean women, for instance, were displaying patterns of mental illness that were not prevalent in their countries of origin but were evidently the result of their experience of living in the United Kingdom, and that by the time those patterns came to light they were already at the acute stage. The focus of the programme was therefore on working with local communities on prevention and early intervention.

46. In terms of policy, the Department of Health took a mainstreaming approach to gender equality in health care. The Department of Health Board had designated a gender equality champion to provide leadership from the top down. Every policy was subject to an equality impact assessment before being published, and guidance was issued to enable local National Health Service Trusts to do the same. At the national level, there was a gender equality advisory group to steer the Department's efforts not just on reproductive health but on all health-care issues.

47. **Ms. McNab** (United Kingdom) said that HIV/AIDS prevention was a key component of the sexual health strategy and part of the overall message to young people on engaging in safe sex, using condoms and visiting sexual health clinics. The testing strategy targeted to vulnerable groups had achieved results; in particular, the policy of offering and recommending an HIV test to every pregnant woman had resulted in a dramatic drop in the number of women giving birth to HIV-positive babies.

48. Halving the teenage pregnancy rate by 2010 remained a key target. Results were already visible: the rate had dropped from the 1998 baseline figure and had reached the lowest level in 20 years. The health components of that effort focused on raising awareness in young people and increasing their access to health

services. There were currently two major awareness-raising campaigns, one called “Are you thinking?” targeted to younger teenagers, which supported those who wanted to delay engaging in a sexual relationship and included a help line, and another called “With respect” targeted to older teenagers, which encouraged safe sex and condom use as part of respect for a partner.

49. Useful support for young people was provided through school sex and relationship education, and another component in the campaign to reduce teenage pregnancy was support for schools through training for teachers of sex education and a tool for assessing whether the programmes provided were meeting the needs of their pupils. Lastly, a key component of the campaign was to ensure that young people and vulnerable groups to be provided were able to access contraceptives services. In addition to campaigns to raise awareness of contraceptive methods, including some of the long-acting contraceptives, considerable resources had been invested in specifically targeted services for young people and vulnerable groups to be provided in a variety of settings in which they would be comfortable.

50. **Mr. Earwicker** (United Kingdom) said that since infant mortality was higher among black and minority ethnic groups, efforts were being made to encourage early booking of antenatal visits. The Government was reaching out to such groups through the Sure Start Children’s Centres and local initiatives such as the pregnancy outreach workers scheme in a number of major cities.

Article 14

51. **Ms. Tan** said that she would appreciate statistics on the Traveller community disaggregated by sex and age. Since Traveller women faced discrimination from service providers, suffered higher levels of violence and had higher rates of miscarriages, infant mortality, drug dependency and mental health problems and a lower life expectancy than women in the rest of the population, she wondered if an effective inter-agency approach to those problems had been developed. The Unauthorised Encampments (Northern Ireland) Order of 2005 had effectively criminalized the nomadic lifestyle of the Travellers. The delegation should indicate whether the designated areas set aside for them had basic facilities, such as clean water, electricity and toilets.

52. She would like to know whether a gender action plan was being developed for Northern Ireland to implement section 75 of the Northern Ireland Act to ensure that gaps in gender equality in rural areas were being addressed in the Department of Agriculture and Rural Development. In view of the influx of workers from other European Union countries, the delegation should explain what steps it was taking to protect vulnerable migrant women in Northern Ireland.

53. **Ms. Hayashi** pointed out that failure to address the abortion issue in Northern Ireland was not compatible with the State party’s obligation under the Convention to guarantee women’s reproductive rights. Since any change would require broad support across all sectors of society, she would encourage the State party to continue that debate.

54. **Ms. Coker-Appiah** said that, although the Government clearly had taken important measures to address the needs of ethnic minority women, those measures often did not apply across the entire territory of the United Kingdom, especially in Northern Ireland. Moreover, poor or ineffective implementation of official policies often exacerbated the multiple discrimination faced by ethnic women. The Traveller community was one of the most marginalized groups in Northern Ireland, and the Unauthorised Encampments Order of 2005 was an example of institutionalized discrimination.

55. She would like to know what the State party had done to address the disadvantages faced by ethnic minority women, including Travellers, in relation to violence, employment, education and housing and to assess the impact of its efforts. Secondly, in pushing its community cohesion policies in Northern Ireland, the Government seemed to be channelling all its funds to generic and faith-based organizations at the expense of minority women’s non-governmental organizations, which were doing work that merited support.

56. **Ms. Halperin-Kaddari** said that data should be provided on women’s representation in the judiciary, especially in senior posts, and additional information should be provided on the Family Law Act of 1996. Clarification should be provided of the anomalous areas of family law referred to in the fifth periodic report (para. 386). With respect to marriage and cohabitation, it would be interesting to know whether regulated mediation services were available.

57. The State party should be more specific about the rights of cohabitants and the legislative measures aimed at protecting the weaker party in de facto unions. It would also be useful to learn more about property rights in traditional marriages and about the distribution of intangible assets, including future income and earning potential. Clarification should also be provided of the steps taken to prevent forced marriages.

58. **Ms. Tan** asked whether specialist domestic violence courts existed in Northern Ireland, Scotland and Wales and the overseas territories. If so, the reporting State should provide statistical data disaggregated by sex, age and ethnic origin on the activities of those courts. It would be interesting to know the number of applications for protection orders and whether mediation was used in domestic violence cases. Additional information should be provided on the funding and budget of non-governmental organizations that assisted victims of domestic violence.

59. It would be interesting to learn whether women were entitled to free legal advice in divorce cases. More specific information should be provided on the maintenance paid to children and action taken when the father did not make child support payments. The Committee would also welcome statistical data disaggregated by sex, age and ethnic origin on single mothers.

60. **Ms. Sung** (United Kingdom) said that the Racial Equality Strategy recognized multiple types of discrimination, including the inequalities faced by minority ethnic women and Traveller communities in Northern Ireland. The Department of Agriculture and Rural Development had received guidance from ministers, senior officials and other partners to develop a rural gender equality strategy as part of its long-term commitment to gender equality in rural areas; it had collected reliable statistical data by recording and defining farm work. The Department had also developed the Women Participating in Rural Development Programme, which aimed to enhance the role of women as agents of change in rural communities; that initiative had gone from strength to strength.

61. With respect to the challenges caused by immigration, the Racial Equality Strategy addressed the protection of vulnerable immigrant women; further

action would be taken by the Government following a public debate. In addition, the provisions of the Race Relations (Northern Ireland) Order 1997 were fully enforced. Her delegation had taken note of the Committee's concern that funding had been channelled towards faith-based organizations at the expense of women's organizations; however, all funding was allocated on the basis of strict criteria. With respect to abortion and sexual reproductive rights, the Government had promoted dialogue at all levels of Northern Ireland society, including in the Legislative Assembly and in the media.

62. **Ms. Moore** (United Kingdom) said that 18 per cent of the posts in the judiciary were held by women; 54 per cent of lay magistrates were women; and 45 per cent of posts in legal tribunals were held by women. While underlining the need to select candidates based on merit, the Northern Ireland Judicial Appointments Commission encouraged applicants from all sectors of society with a view to ensuring that the judiciary reflected the community that it served. Furthermore, the Commission had carried out research on the barriers that prevented women from entering the judiciary. Her delegation would provide a written answer to the question concerning anomalous areas of family law referred to in the fifth periodic report (para. 386).

63. **Ms. Hunter** (United Kingdom) said that property rights, pension rights and child support were taken into account during divorce proceedings. When a father did not make child support payments, the Child Support Agency would take up the case; in addition, there were reciprocal agreements with other countries in order to pursue fathers who moved abroad. In cases of domestic violence, mediation services were not considered appropriate. With respect to the status of cohabiting couples and the division of property in the case of separation, a major report had been drafted in 2007 and the findings were under consideration.

64. **Mr. Dunworth** (United Kingdom), referring to the question about forced marriages, said that while the Forced Marriage (Civil Protection) Act 2007 allowed for civil rather than criminal action, it contained provisions for arrest and imprisonment. The Government had taken the view that civil action was appropriate because there were other legislative measures at its disposal in cases of abduction, forced marriage or underage sexual relations. During the previous three years, the Government had established 98 specialist domestic violence courts in England and

Wales; those courts also included comprehensive support services.

65. **Ms. Watson** (United Kingdom) said that 12 of the 98 specialist domestic violence courts were located in Wales. A review of the first 23 courts had been undertaken in 2007. The results had been largely positive in terms of bringing offenders to justice, guaranteeing safety for victims and obtaining positive prosecution outcomes. The Government had gathered data disaggregated by sex and ethnicity on the activities of those courts; from April 2008, data had been collected that included an age component.

66. Overall, data showed that 95 per cent of perpetrators were men and 90 per cent of victims were women. Research also showed that most applications for protection orders had been granted. In addition, the Ministry of Justice had allocated three million pounds per annum to fund the posts of independent domestic violence advisers. In 2008, there were 111 posts in the 98 courts and there was a commitment on the part of the Government to increase that number to 128 by 2011.

67. **The Chairperson** invited members to ask follow-up questions on the articles discussed.

68. **Ms. Pimentel** requested additional information on government funding for the rape crisis centres.

69. **Ms. Morgan** (United Kingdom) said that the Government had allocated over one million pounds to eight rape crisis centres facing closure; a second round of funding would become available in late 2008.

70. **Ms. Gabr** said that it was not clear why immigrant women victims of domestic violence who applied for indefinite leave to remain had no recourse to public funds. Furthermore, clarification should be provided of the support provided to women and children if the male head of the household was arrested under anti-terrorism laws.

71. **Mr. Dunworth** (United Kingdom) said that approximately 500 women victims of domestic violence applied for indefinite leave to remain every year. The Government granted a back payment to those women once their application was successful. The Government was aware that the back payment did not solve the problem and that the burden of proof rested on the women but it was very mindful of the need to protect those vulnerable women. With respect to anti-terrorism laws, if the male head of the household

was arrested, the wife and children could apply for benefits, provided that they had leave to remain or were citizens and provided that they reached the required threshold.

72. **Ms. Dairiam** asked whether the Convention was applied consistently across all jurisdictions in the United Kingdom.

73. **Ms. Shin** asked whether the Gender Equality Duty applied to the overseas territories and whether a preliminary assessment of the measure had been made.

74. **Ms. Patten** requested additional information on how gender was taken into account in asylum cases.

75. **Ms. Halperin-Kaddari** asked whether the earning potential of spouses was taken into account in cases of divorce and whether the Government had commissioned a study on the economic consequences of divorce.

76. **Ms. Belmihoub-Zerdani** asked whether any legal action that invoked the provisions of the Convention had been taken by United Kingdom citizens.

77. **The Chairperson**, speaking as a member of the Committee, asked whether the Government had made an assessment of the implementation of the Optional Protocol in the United Kingdom.

78. **Ms. Keeling** (United Kingdom) said that the Government was in the process of assessing the impact of the Gender Equality Duty in England and Wales. The Gender Equality Duty was relatively new but it seemed that it was effective. Compliance with the Gender Equality Duty was enforced by the Commission for Equality and Human Rights, which was a powerful, well-resourced and independent body.

79. **Mr. Dunworth** (United Kingdom), referring to the No Recourse to Public Funds rule with regard to the capacity of immigrant women to escape domestic violence, said that domestic violence victims accounted for 10 per cent of all of those who fell within the category. The Government was aware that those women were among the most vulnerable and at risk and required protection. It would need to carry out an assessment of all women affected by the No Recourse to Public Funds rule to ascertain whether there were other women who were also at risk.

80. **Ms. Collins** (United Kingdom) said that in 2004 the Government had undertaken to review its

commitments under human rights instruments and had acceded to the Optional Protocol with a view to considering on a more empirical basis the merits of individual petitions. The Government had also undertaken to review the implementation of the Optional Protocol two years after it had come into force. On 22 March 2007, the Government had postponed the review in order to take into account the Committee's views on the first two applications that had named the United Kingdom. Neither of those applications had been deemed admissible.

81. **Ms. Keeling** (United Kingdom) said that the Gender Equality Duty did not apply to the Overseas Territories.

82. **Ms. Follet** (United Kingdom) said that the constructive dialogue with the Committee had focused on extremely important issues that were of great interest to every member of her delegation. During the previous 30 years, there had been a significant shift in attitudes in the United Kingdom. In the 1960s, discrimination had been commonplace, and men and women had been treated differently. The Committee's questions and comments had been enormously helpful in a number of areas.

83. The Government would review implementation of the Optional Protocol and the consistency with which the Convention's provisions were applied in the United Kingdom. In particular, the Government would look at ways of dealing with violence against women. The change in attitudes since the 1960s had provoked a backlash against women because men were struggling to adapt to new roles and responsibilities. Society must work together to eliminate all forms of violence against women.

84. **The Chairperson** said that the Government had made progress but there was still work to be done. In order to maintain the focus on women's rights and achieve substantive equality it was important for the Government to make full use of the Convention's provisions. In addition, the Government should take on board the Committee's questions and comments, its concluding observations and input from non-governmental organizations.

The meeting rose at 5.25 p.m.