

## Evaluation of the CEDAW list of Issues

This document shows similarities between the Committee's 'List of Issues and Questions' (CEDAW/C/GBR/Q/8) and the submitted Shadow Report for England. WRC's input and comments are italicised for clearance.

- 18 of our issues and recommendations were picked up by the Committee, who have asked the State to elaborate further and/or clarify

## Statistics

- The Committee requested detailed statistics in almost all of its demands. This was criticised by WRC in our shadow report (para. 8) for the absence of sex disaggregated, intersectional statistics showing trends, and supporting assertions on progress.

## CEDAW in law

- The Committee have asked for more information regarding the steps being taken to incorporate the provisions of the Convention into national law (CEDAW/C/GBR/Q/8).  
- *WRC raised the 'perverse' assertion in the state report of the need to limit women's CEDAW rights in domestic law (para. 9).*

## Brexit

- The Committee has highlighted Brexit and its potential to "lead to retrogression in the protection of women's rights" (CEDAW/C/GBR/Q/8, para. 2). This was also included in the Shadow Report (para. 21) with a focus on the Charter of Fundamental Rights.  
- Clarification was also asked regarding the inevitable "loss of funding for specialised services for women and girls" (CEDAW/C/GBR/Q/8, para. 2). This issue is mentioned throughout our shadow report as well as in para. 5.  
- *WRC recommended that the UK reconsider its refusal to incorporate the provisions of CEDAW into domestic law (para. 11). The Committee also focussed on this and asked for the measures being taken to ensure that the provisions of the Convention are integrated in domestic law to guarantee women's rights (CEDAW/C/GBR/Q/8, para. 2)*

## Legal Aid

- A review of Legal Aid, Sentencing and Punishment of Offenders Act of 2012 (LASPO) has also been called for (CEDAW/C/GBR/Q/8, para. 4). This aligns with our report where *we highlighted that 'savage cuts to legal aid in England and Wales following the LASPO have had a devastating impact on women's access to justice' (para. 64).*  
- Specific mentions of disadvantaged groups of women, particularly "black, Asian and minority ethnic" (BAME) women, asylum seeking and migrant women, and women with disabilities, and their access to legal aid (CEDAW/C/GBR/Q/8, para. 4) have also been included. *WRC recommended enhanced access to legal aid for issues which render women vulnerable to exploitation (employment, maternity, housing and immigration) (para. 29).*

### National machinery

- As mentioned earlier, clarification on the measures taken (by the State) to develop a unified, comprehensive and overarching national strategy for the implementation of the Convention throughout the territory of the State (CEDAW/C/GBR/Q/8, para. 5) has been mentioned. WRC highlighted the absence of a UK strategy to promote women's rights or monitor progress under CEDAW (para. 18).
  - The State party's austerity measures and its negative impacts on programmes that benefited women and girls have also been flagged up. The Committee have asked to "assess the extent to which revenue losses, due to the use of offshore tax avoidance facilities, exacerbate gender inequality" (CEDAW/C/GBR/Q/8, para. 5).
  - WRC recommended an end to tax and spending cuts that affect the fulfilment of socio-economic rights (para. 25). We further analysed the negative impact of the austerity policy and the fact that women, especially black and minority women, and women's specialist services, especially black- and minority-led services, are impacted by cuts (para 22-25)
- WRC said that austerity, insecure work, and benefits caps make women vulnerable to sexual exploitation by private landlords and loan sharks (para. 27).

### Discriminatory gender stereotypes and harmful practices

- The State has been asked "what concrete steps are being taken to combat stereotypes in counter-terrorism and counter-extremism measures, which lead to prejudice and the stigmatisation of Muslim women and girls in the State party?" WRC provided evidence of the stigmatisation of Muslim women and girls (para 14)
- Female Genital Mutilation (FGM) and its effect on women and girls are addressed in the list of issues. More information has been asked of the medical and psychosocial support to women and girls who are victims of FGM (CEDAW/C/GBR/Q/8, para. 8).
- WRC called for NHS Clinical Commissioning Groups to ensure that integrated specialist health and social care services can meet referrals for sexual violence, domestic violence, FGM, 'honour'-based violence, forced marriages and modern slavery, so that women-led community-based specialist support services are funded (para. 54).

### Gender-based violence against women

- Data and evidence has been asked for regarding the "new laws and tools to protect women and girls who are victims of violence such as , "information on the number of cases involving gender-based violence against women including domestic violence that have been reported, investigated, prosecuted and the nature of sanctions imposed on perpetrators" (CEDAW/C/GBR/Q/8, para. 9). WRC have already provided detailed evidence of incidence rates and the barriers to the effective access to justice for gender based violence in our report (para. 81-94).
- Focus on the issues of combat violence against "black and minority ethnic women and girls" which includes domestic violence and "honour killings" among certain migrant communities was also raised (CEDAW/C/GBR/Q/8, para. 10).
- WRC said that BAMER women have less access to specialist help for forms of violence that disproportionately affect them - e.g., forced marriage, FGM, so-called honour-based violence. BAMER women experience higher rates of domestic homicide than other women, and half of those experiencing domestic abuse do so from multiple perpetrators; they are likely to stay longer before seeking help, and face significant barriers accessing support (para. 85).
- Proof has been asked of the efforts made by the State to ensure that "women and girls who are victims of gender-based violence, including domestic violence, particularly

migrant and asylum-seeking women, have access to shelters" (CEDAW/C/GBR/Q/8, para. 10). WRC provided evidence of the fact that women, especially black and minority women, and women's specialist services, especially black- and minority-led services, are impacted by cuts (para. 22-25).

- Specifically, WRC noted the cuts and closure of refuges (para. 14) and the very limited specialist BAMER provision of refuges (29 in the whole country) (para. 100). WRC made recommendations to secure women's access to gender based violence services: that 'the Istanbul Convention be immediately ratified and implemented, including securing adequate women's specialist support services. Cuts to funding for women's services must be abandoned and funding restored. Government must ensure that there are sufficient refuge places. Proposals to leave funding of refuges to local government (whose resources have been significantly cut) must be abandoned and payment via central government through benefit payments must continue. A sustainable funding model for Rape Crisis centres must be developed.'

- The State report mentioned the Destitute Domestic Violence Concession (CEDAW/C/GBR/8, para. 87), but failed to provide data on the number of women and girls who have benefited from it and whether the State party envisages extending the Destitute Domestic Violence Concession to cover women with insecure immigration status, including asylum seekers (CEDAW/C/GBR/Q/8, para. 10).

- The measures being taken to protect asylum seeking women with no recourse to public funds that are vulnerable to sexual exploitation has also been asked. WRC highlighted the current limitations on the Domestic Violence Discretionary Visa Concession (para. 78), linked to detailed evidence from Southall Black Sisters

### **Education**

- The Committee have asked for an update from the Department for Education and their efforts in developing a careers strategy which included gender equality (CEDAW/C/GBR/Q/8, para. 16). WRC recommended that schools careers programmes be explicitly designed to challenge gender stereotypes (para. 29).

- The State's measures regarding gender-based harassment and bullying in education facilities has also been questioned (CEDAW/C/GBR/Q/8, para. 16). WRC offered evidence that 5,500 sexual offences were recorded in UK schools over 3 years, including 600 rapes (para. 35).

### **Employment**

- The gender pay gap has been raised and the State's efforts to narrow it. They have also asked for sex-disaggregated data regarding the gender pay gap for part-time employees and measures to address occupational segregation (CEDAW/C/GBR/Q/8, para. 16). WRC highlighted that there is no duty on employers in England to actually reduce the gender pay gap, in contrast to other parts of the UK, and recommended that the regulations are strengthened to bring England up to the highest standards in the UK (para. 43).

- The measures being taken to combat sex-based discrimination and sexual harassment in employment (CEDAW/C/GBR/Q/8). WRC provided the evidence of the prevalence and nature of sexual harassment in employment (para. 97-99).

### **Rural women**

- The list of issues has asked for extensive amount of information regarding rural women and the strategies surrounding them (CEDAW/C/GBR/Q/8, para. 20). WRC's

short report mentioned rural women only in the context of access to VAWG services (para. 96).

### **Disadvantaged groups of women**

- Again the Committee have asked for clarification in a topic that WRC included in our report: information regarding the human rights situation of older women, widows, migrant women, BME women, Traveller women and women with disabilities (CEDAW/C/GBR/Q/8, para. 21). WRC *highlighted the position of Traveller women, disabled women, migrant women, and 'black women' throughout the report. Widows were not singled out in our consultation as experiencing discrimination specifically linked to their marital status.*
- The topic of detention and destitution of refugee and asylum-seeking women and girls, particularly pregnant women and mothers with children was also commented on (CEDAW/C/GBR/Q/8, para. 21).
- WRC *called for an end to the detention of vulnerable people (specifically highlighting the need to screen for survivors of sexual and gender-based violence (para. 31)), recommending that 'those with vulnerable immigration status must be monitored humanely in the community' (para. 77).*

### **Women in detention**

- The State's measures to address the over-representation of black and ethnic minority women in places of deprivation of liberty was questioned (CEDAW/C/GBR/Q/8, para. 22). WRC *highlighted the high levels of BAME women in prison*
- The excessive use of pre-trial detention of women was highlighted and age disaggregated data on the number of women who are on remand and the length of their pre-trial detention has also been requested (CEDAW/C/GBR/Q/8, para. 22). WRC *highlighted the high levels of remand prisoners.*
- It was asked what measures were being used to ensure that women often incarcerated for non-violent offences are subjected to alternative sentencing methods (CEDAW/C/GBR/Q/8, para. 22). WRC *had highlighted the number of non-violent offenders in prison*
- In light of the State party's Corston and Lammy reports, the measures put in place to enhance mental health services for women in prisons considering the prevalence of self-harm and suicides was raised (CEDAW/C/GBR/Q/8, para. 22).
- WRC *analysed the key issues for women in prison, including trends in self-harm and suicide, noting that the delays to the Government's strategy "to reduce the number of women ...in custody" undermine confidence in commitment to reform, funding and governance (para 66-71). WRC called for the Corston and Lammy reports to be fully implemented (para. 75).*