



UK Mission
Geneva

29 November 2013

Jakob Schneider
Secretary
Committee on the Elimination of Discrimination against Women
Office of the High Commissioner for Human Rights
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Dear Mr Schneider,

CONCLUDING OBSERVATIONS FROM CEDAW'S CONSIDERATION OF THE UK'S SEVENTH PERIODIC REPORT

1. Thank you for your letter of 1 November 2013 that formally transmitted to the United Kingdom the final version of the Committee on the Elimination of Discrimination against Women's (CEDAW) concluding observations following the Committee's review of the UK's seventh periodic report in July this year.
2. We take note of your request for follow-up information on two of your recommendations (contained in paragraphs 51 and 23) within one and two years respectively, and also your reminder that our next periodic report is due in July 2017.
3. We very much appreciated the opportunity in July 2013 to offer factual corrections on the draft version of your concluding observations. It is clearly important to ensure that any assessment of the situation in the UK is based on fact and verifiable. This ensures a credible analysis of the current status of women's rights in the UK and establishes an important benchmark for future considerations of the UK by CEDAW.
4. Whilst we welcomed the Committee's recognition that the initial draft of their concluding observations did indeed contain a number of factual inaccuracies, some of which were corrected, we remain concerned that there are still a number of important factual inaccuracies in the final version. These are set out below.

Paragraph 16

5. Section 149(7) of the UK's Equality Act 2010 lists "sex" as a protected characteristic for the public sector Equality Duty (PSED). It is therefore not correct to say that the PSED has no explicit gender component. Furthermore, the requirements of the public sector Equality Duty in the Act are exactly the same for England, Scotland and Wales. This runs contrary to the assertion in paragraph 16 that the duty requirements of the PSED have "no explicit gender component in England, unlike in Scotland and Wales". However, the PSED is supported by specific duties which are different in England, Scotland and Wales. In Wales and Scotland there is a specific gender component within the specific duties.

Paragraph 26

6. The Committee is concerned that the three-year limitation period for filing civil claims of sexual abuse in Scotland, including where a child is a victim, unduly limits access to justice for victims. We would like to clarify that this three-year limitation period, which applies to all personal injury cases (including sexual abuse) does not run whilst the child is under the age of 16 and that the courts have discretion to allow a case to proceed after the three-year period has expired, should they consider it equitable to do so.

Paragraph 28

7. It is incorrect to suggest that the mandate of the UK's Government Equalities Office does not extend to Northern Ireland; it does with respect to CEDAW and the Commission on the Status of Women and women's engagement on these issues.

Paragraph 30

8. The paragraph states that Lord Davies advocated temporary measures for quotas in his report on women on boards. He did not. He was against quotas. His report stated, "We have given careful consideration to the question of quotas – the arguments for and against; the impact they have had internationally; and the views of those consulted. Out of 2,654 responses only 11% recommended the introduction of quotas ... We have chosen not to recommend quotas because we believe that board appointments should be made on the basis of business needs, skills and ability."

Paragraphs 30 & 31

9. These paragraphs reduce the UK's successful business-led strategy on women on boards to a single item described as a "Voluntary Search Code." The voluntary code of conduct for executive search firms is just one part of this wider strategy, which has seen the proportion of women on the boards of our largest listed companies increase from 12% to 19% in two and a half years.

Paragraph 52

10. The Committee states that they are concerned about "legal impediments" in accessing reproductive treatments by some groups of women in Northern Ireland. There are however no legal impediments.

Paragraph 54

11. This paragraph asserts that "the number of women in prison continues to increase". This is not correct. The female prison population was at its highest in 2003 with 4,595 in prison. Since 2008 there has been a consistent fall with a total number of 3,853 in prison as of 30 June 2013. This is down seven per cent on 30 June 2012.
12. Paragraph 54 also suggests that the [alleged rise in the female prison population] is "partly due to changes in sentencing so that women are more likely than men to be incarcerated for non-violent offences". This is however not the case given that of those sentenced to immediate custody for indictable offences in 2012, 92 per cent (74,089) were male and 8 per cent were female (6,629). These proportions have seen little variation over the past 10 years. Furthermore, in 2012 the average length of custodial sentence for offenders sentenced for indictable offences was 10.8 months for females, compared to 17.6 months for males.
13. We should be most grateful if this letter could be placed alongside the CEDAW's concluding observations on OHCHR's website.

Yours sincerely,

pp Mark Matthews (Chargé d'Affaires a.i.)

**Karen Pierce CMG
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Organisations, Geneva**

