

 **CEDAW**

**UK shadow report for 72nd Session review Autistic Females in the United Kingdom spotlight**

Foreword by Dr Catriona Stewart.

Progress is being made in the UK in terms of the awareness of autistic females, that we exist. There is less progress in terms of the recognition and more, in terms of responding to and addressing, the specific needs of autistic females, their specific assets and rights.

Where progress is being made, it is primarily driven by autistic women themselves, as advocates, peer-mentors and campaigners. Individuals such as British Autism Advocate Carly Jones MBE and autistic-led organisations such as SWAN: Scottish Women’s Autism Network, Autangels, FIGS.

We are also lucky to have a number of individual professionals, clinicians, academic researchers and organisations proactively seeking to offer partnership support and develop genuinely participatory projects in order to ensure the authentic voices of autistic people are heard.

There are so many areas of life negatively impacted on for autistic individuals it sometimes feels as if it’s impossible to know which ones to prioritise. In an ageing population, care of elderly autistic people who may be isolated in the community and unaware themselves they are autistic never mind articulate their needs and difficulties to carers, is an emerging issue. There are also serious concerns around the treatment of autistic women who are mothers, sometimes unknown even to themselves until they are already in a situation of crisis, by practitioners within the health and social care and court systems who are not well informed on autism, and do not have the skills to work constructively with autistic families. However, the need to ensure girls are supported and nurtured into adulthood, are able to access their education, are taught life skills and how to self care, to give them the confidence and knowledge of how to be safe has to be paramount. There is definitely progress; there is still a long way to go.

The response given below by Ms Jones covers some of the most cogent areas currently under focus and scrutiny by those of us working in the UK.

Dr Catriona Stewart -January 2019

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**UK shadow report for 72nd Session review .**

**Autistic Females in the United Kingdom spotlight**

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**Access to Justice**

In response to point 4

4. Please provide an update on the progress made to review the Legal Aid, Sentencing and Punishment of Offenders Act of 2012 in order to facilitate women’s access to legal aid for litigation concerning, inter alia, divorce, property disputes, housing and immigration matters. What specific steps are being taken to ensure that disadvantaged groups of women, in particular “black, Asian and minority ethnic” women, asylum-seeking and migrant women, and women with disabilities, have access to legal aid?

Women living in the UK can, if the case meets criteria, access a legal aid system . The key issue, as described below, is what might be the barriers to the meeting of those criteria and therefore the ability of women to access the legal aid .

The legal aid system helps women in both civil and criminal cases .

The most serious criminal cases are universally covered in order to protect women .

Civil cases can prove more unpredictable.

Although definitive explanations as to the basis of Autism remain elusive, we do know that Autism has a strongly genetic basis and therefore commonly ‘runs’ in families.

It is therefore quite often the case that an Autistic woman will be a mother to an Autistic child and a Carer at the point of requiring legal aid in divorce, property and housing cases .

Should the Autistic woman own her own home and have full time caring duties at the time of requiring legal aid she will be in a ‘grey area’ of legislation whereby she cannot afford to pay for legal representation due to low income yet will not be able to release equity from her property to pay for legal representation due to her lack of formally recognised employment with mortgage providers .

Many Autistic women rely on support from charities, organisations such as McKenzie Friends, independent advocates and carers support workers to access court cases. Many of these organisations /charities receive support and/or donations from UK government funds /schemes to do so.

**Gender based violence against women**

In response to point 10

“10. What efforts are being made to: (a) encourage women and girls to report incidents of violence against them, including domestic violence, by addressing negative attitudes by the police towards women and girls who are victims of domestic violence; (b) combat violence against “black, Asian and minority ethnic” women and girls, including domestic violence, in particular so-called honour killings” among certain migrant communities.

Point (A)

Domestic violence, in all its forms, are taken extremely seriously in the UK . In 2015 Theresa May, in her then position of Home Secretary introduced legislation to make Coercive Control a criminal act recognised by the courts in England and Wales. This move was reflected also in Scotland, where the Domestic Abuse Bill was passed in 2018 a bill that created a specific offence of "abusive behaviour in relation to a partner or ex-partner. This includes psychological abuse such as coercive and controlling behaviour as well as violence.”

Disabled women and Autistic women, like all women, are protected by this legislation.

There is, however, a potential loophole or grey area of defence criteria, that could be misused against disabled/autistic women due to the abuser being legally able to declare responsibility for their victim. In this context, therefore, there is the potential for the woman in this case being unprotected by this legislation.

Similarly, one has to still in in a personal relationship with their abuser in order to be fully protected by the coercive control legislation, in England. (In Scotland the wording includes ‘ex-partner).

It is a sad fact that many ex spouses and partners who have acted in a Coercive manner will use the family court system to hold reign over their ex-partners for years, possibly decades, after an intimate relationship has ended.

<http://www.legislation.gov.uk/ukpga/2015/9/section/76/enacted>

<http://www.parliament.scot/parliamentarybusiness/Bills/103883.aspx>

On Monday 21st January 2019 , The Domestic Abuse bill was drafted in the Houses of Parliament aimed at supporting victims and their families and pursuing offenders.

To help tackle the crime, new legislation will:

•introduce the first ever statutory government definition of domestic abuse to specifically include economic abuse and controlling and manipulative non-physical abuse - this will enable everyone, including victims themselves, to understand what constitutes abuse and will encourage more victims to come forward

•establish a Domestic Abuse Commissioner to drive the response to domestic abuse issues

•introduce new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders to further protect victims and place restrictions on the actions of offenders

•prohibit the cross-examination of victims by their abusers in the family courts

•provide automatic eligibility for special measures to support more victims to give evidence in the criminal courts

The draft bill will introduce measures:

•to address coercive control and economic abuse, and how domestic abuse affects children

•to transform the response in the justice system

**The bill will also ban the distressing practice of domestic abuse victims being cross-examined by perpetrators in the family courts.**

https://www.gov.uk/government/news/government-publishes-landmark-domestic-abuse-bill

Due to the hard work of Autism charities, organisations and advocates, many more Autistic women feel able to disclose their experiences of Coercive Control to police than before .

Good progress is being made by UK charities , organisations and advocates to train and work with the police and NHS workers across the devolved nations to share awareness of Autism and encouraging support when reporting abuse .

The National Autistic society and Network Autism has a safeguarding course and training in development for 2019 to address these most pernicious issues with a view to national implementation.

The aim of such awareness being the more timely the recognition and reporting of abuse the more likely to end in timely support and a conviction.

Free Online safeguarding course.

https://www.openlearning.com/courses/boundaries-bodies-abuse-and-reporting-it-for-autistic-girls-

Point (B) For Autistic BAME women there are extra hurdles .

The first hurdle itself being able to receive a Autism diagnosis in the first place . This is by no means down to any racist behaviour but due to diagnosis , gender and cultural complexity. As autism is often neither thought of or recognised in girls or women across the UK population, this is also true of BAME females.

The Autism diagnosis process in the UK had for many years been saturated in stigma , myths and a degree of misogyny. Autism once being considered a very ‘male and pale’ condition.

Since the mid 2000s  there has been a greatly improved awareness of autism in females - an Epidemic of Knowledge- in the UK.

It has been considered that 1:4 Autism diagnosis are that of a female . Many UK Autism professionals believe the truer statistics to be 1:2 , possibly even 1:1

The improved levels of awareness across sectors and within the general population are slowly becoming UK wide. However, specific resources, strategies or support are still extremely sporadic and limited and often led and supplied by autistic women themselves.

Charities such as Scottish Autism are working to address many of the issues raised here by developing resources,  partnership working and training for bodies such as Police Scotland.

This is not yet universal and equal as there are however pockets areas that have not yet gained as much progress .

The pattern of these pocket areas tend to be areas that have racial diversity.

The Midlands in particular are struggling to protect their Autistic women and girls as swiftly as other UK areas .

Many non Autistic BAME professionals have shown a reluctance to diagnosis Autistic women and girls also from a BAME background . Sometimes due to lack of awareness , often due to a clinical fear of making the BAME Autistic woman "more vulnerable " with label viewed as a Double discrimination rather than the vital protective measure that it is .

With the above in mind , protecting BAME Autistic women and girls from abuse and sexual violence is a many layered issue . *This is not just within the UK ,but Internationally also .*

Many Midlands based women travel to Berkshire and London to gain support from Autism Advocates towards their Autism diagnosis and protection from further abusive relationships.

Midlands based charity Include Me TOO work nationally to mobilise Autism and Disability safeguarding, information and awareness with parents/carers , community, faith groups and organisations, public services and Autistic women and girls themselves.

Faith, Disability and Safeguarding protecting and promoting safeguarding and inclusion of disabled children and young people faith-based and community settings: Over the last decade Include Me TOO have continued to highlight the much needed issues of safeguarding Black, Asian and Minority Ethnic (BAME) children and young people with autism and disabilities and the role of faith-based settings to protect and promote the welfare of all children in faith settings.

Include Me TOO have worked with numerous partners organising seminars and conferences sharing learning, identifying solutions, increasing cultural competences and awareness by threading together the diverse breadth of cultural and safeguarding issues. Include Me TOO’s Faith and Disability work continues to highlight the many barriers families experience within their communities, these range from negative attitudes, exclusion, misconceptions which further enhance pessimism and increase vulnerability of particularly girls and women with autism and disabilities. Their safeguarding work focuses on highlighting the importance of addressing and ending all forms of abuse and harmful practices including witchcraft accusations, female genital mutilation and forced marriages to increase cultural awareness and understanding of areas to be considered in within the UK’s diverse communities.

Include Me TOO brought together autistic and disabled advocates to ensure Autistic girls and women are not left behind and the issues that affect them are included on platforms such as the conference in 2017 they organised and which was supported by Birmingham City University. Further events are being planned during 2019.

**Participation in political and public life**

In response to point 14

14. Please provide an update on: (a) efforts to improve the low representation of women in senior positions in the judiciary and the civil service, in particular as Permanent Secretaries, and in sporting bodies (paras. 67 and 70); (b) the progress made to improve the representation of black, Asian and minority ethnic women (CEDAW/C/GBR/CO/7, para. 43); (c) efforts to evaluate the Access to Elected Office Fund, which seeks to help women with disabilities to overcome barriers that they face when vying for elected positions .

Point (A)

In December 2018 Rt Hon Lord Chris Holmes of Richmond MBE launched his independent review into the diversity of those who hold public appointments in the UK .

The review is not gender specific but wholeheartedly includes and welcomes women.

Lord Holmes Review Disabled applicants for Public Appointments

https://www.gov.uk/government/publications/the-lord-holmes-review

Point (B)

Although all UK Autism charities and organisations are inclusive to all cultural and racial backgrounds, there are significant projects with a BAME spotlight by London based voluntary support group A2ndVoice, led by Venessa Bobb, Branch officer for the Lambeth National Autistic Society and is also a member of the APPGA Advisory Group (All Party Parliamentary Group on Autism). Between 2013 and 2018 A2ndVoice have held low cost /free events for BAME Disabled /Autistic women with a view to discuss a range of topics around keeping safe. These projects are supported by Cassandra Centre a charity offering support for young people who have experienced domestic abuse and violence.

https://www.a2ndvoice.com

Birmingham based charity Include Me too are a remarkable charity who also work tirelessly to include BAME disabled UK persons . Include me too was founded by Parmi Dheensa . In April 2018 during the Commonwealth Heads of Government Meeting in UK Include me too held a round table event at the House of Lords with many diverse ,disabled voices of UK and global youths heard as active participants. In 2018 Julys Global Disability Forum hosted by Kenya and UK , Include Me Too worked with the department for international development (DFID) and The British Council on a youth lead project .

https://includemetoo.org.uk

Point (C) T

The UK government EnAble Fund was launched December 2018 .

Although not gender specific the Launch the EnAble Fund for Elected Office , a £250,000 commitment to help cover disability-related expenses people might face when seeking elected office" will give a pragmatic logistical benefit to disabled women seeking political life ,particularly in a climate that is so heavily promoting the #AskHerToStand campaign.

https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-12-04/HCWS1138/

https://www.disabilityrightsuk.org/enablefund

Similarly , In November 2018 the announcement of the Women and Equalities to move to the Cabinet Office by Rt Hon Penny Mourdant MP is a progressive movement for disabled women in the UK .

https://www.gov.uk/government/speeches/government-equalities-office-to-join-cabinet-office

**Disadvantaged groups of women**

In response to point 21

21. Please provide updated information on the human rights situation of older women, including widows, migrant women, “black, Asian and minority ethnic” women, Traveller women and women with disabilities, in respect to education, employment and access to health services, as well as to their protection from sexual violence and abuse.

Disabled /Autistic women and girls in the UK , *as in other countries , due to the nature of their condition*face  extra hurdles to Education, Employment, access to Health Services and protection from sexual violence and abuse .

Health services

There has been a positive response to a report from an independent organisation called the Westminster Commission entitled ‘A Spectrum of Obstacles: An Inquiry into Access to Healthcare for Autistic People’ with an initiative about to be launched to create a national register of autistic people within the health service and access to annual health check ups.

A further 3 year independent UK-wide project the National Autism Project published its report The Autism Dividend at the end of 2017 and was probably the first time the major transitional experiences for autistic women of pregnancy, childbirth and motherhood were acknowledged.

<http://nationalautismproject.org.uk/the-report>

In 2018 Autism and Learning Disability was announced to be one of the NHS priorities for the next 10 years . Public consultations were held nationwide in order to galvanise the professional and lived experiences of Autistic individuals,families and professionals.

Although the consultations were not gender specific these discussions covered the accessibility to smear tests ,contraception, sex education, family planning and midwifery services of Autistic women.

Both in England and Wales and in Scotland, independent reviews are being conducted of the relevant Mental Health Acts, which address the contexts in which individuals may be held and treated against their wills. In Scotland, the process of the review which is based within a Human Rights Framework, has involved extensive consultation with autistic individuals as well as professionals and organisations. SWAN, for example has been involved in the review, as well as individuals such as Kabie Brooke, founder of ARGH and Dr Catriona Stewart, founder and Chair of SWAN.

The National Autistic society and Scottish Autism have freely available advice for health professionals on Autism ,

<https://www.autism.org.uk/professionals/health-workers/guidance.aspx>

Scottish Women’s Autism Network (SWAN) have guides for health professionals and autistic women as patients available on their website

<http://swanscotland.org>

and via the Royal College of General Practitioners Autism Toolbox:

<https://www.rcgp.org.uk/clinical-and-research/resources/toolkits/asd-toolkit.aspx>

Scottish Autism launched their Right Click online resource for Women and Girls in 2016

<https://www.scottishautism.org/services-support/support-families/women-and-girls-online-support>

The Right Click programme covers a range of topics, including health, mental health, education, employment, being a parent, getting older.

The National Autistic society and Network Autism have also developed and launched in 2018 their first Autism Women and Girls Module

<https://www.autism.org.uk/professionals/training-consultancy/online/women-and-girls.aspx>

The health services for the many Autistic girls in home education can be a challenge due to immunisations of HPV ,safeguarding and sex education being implemented in schools .

Each local authority runs a immunisation service in the UK and better advertisement of this vital service would help Autistic girls out of school system .

Free online safeguarding course “Boundaries, bodies Abuse and Reporting it for Autistic Girls” was launched in 2017 for Autistic girls provide support for Autistic girls in Home Education but more courses online needed to cover Sex Education ,Puberty and Family Planning for school aged girls .These are in development for 2019/2020 .

**https://www.openlearning.com/courses/boundaries-bodies-abuse-and-reporting-it-for-autistic-girls-/homepage?moduleSet=Default**

Education

In October 2017, a partnership of charities Scottish Autism, Children in Scotland and National Autistic Society, Scotland, published a report on the exclusion of autistic children in Scottish Schools. The so-called informal or illegal exclusions of autistic children was highlighted in this report. The are: where parents are constantly called by their child’s school to come and take them home due to meltdowns or shutdowns; reduced timetables; school refusal; school drop-out; enforced home schooling. Many Autistic girls , due to the nature of their condition and due to the structure and sensory issues of the UK educational system are educated at home .

<https://www.scottishautism.org/news/not-included-not-engaged-not-involved>

Many UK benefits for children ,such as Child Tax Credits and Child Benefit rely on a young person being in full time recognised education .

Thankfully the UK government recognises this .

Home education is recognised as valid for Child Tax Credits and and Child Benefit purposes . The GOV.UK page on child benefit 16-19 says child benefit continues if they stay in approved education or training". This can include home education .

Prevention of sexual abuse

https://www.openlearning.com/courses/boundaries-bodies-abuse-and-reporting-it-for-autistic-girls-

http://www.autismberkshire.org.uk/

**Marriage and Family**

In response to point 23

23.The report indicates that the State party is considering whether further reform is needed to the family justice system in England and Wales to ensure that the law on property rights delivers the best outcomes for children and families and protects the most vulnerable users of the system (para. 178). Please provide information on the possible gaps in the law that would necessitate such reforms and whether any progress has been made in this area.

As highlighted in point 4 Access to Justice. A  proactive measure to safeguard Autistic women ,as carers to Autistic dependants would be to make Legal Aid ,for housing and property civil cases a non means tested support for all carers in recipes of Carers allowance in the UK ,regardless of disability or gender .