
Committee on the Elimination of
Discrimination against Women
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Concluding comments of the Committee on the Elimination of
Discrimination against Women: United Kingdom of Great Britain
Northern Ireland

Initial report

167. The Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland (CEDAW/C/5/Add.52 and Amend.1-4) at its 155th, 156th, 159th and 160th meetings, on 24 and 26 January 1990 (CEDAW/C/SR.155, 156, 159 and 160).

168. The representative of the United Kingdom, in introducing the report, stated the commitment of the Government to the rights set out in the Convention, to which it subscribed fully and of which it was conscious in terms of its international treaty obligations. The report had been prepared in 1987 and the introduction would present subsequent developments.

169. She noted that each government department was concerned with issues affecting women and that the main forum for co-ordination was the Ministerial Group on Women's Issues chaired by the Home Office Minister and including the ministers with policy responsibility for issues of special concern to women (e.g. health, employment and education). It had reviewed government policy in areas covered by the Forward-looking Strategies, co-ordinated government response to such issues as child care, public appointments and violence against women. It had also agreed on model instructions as the basis for departmental guidelines and organized senior staff seminars.

170. The second main body was the Equal Opportunities Commission (EOC) set up in 1975, which worked to eliminate discrimination and promote equal opportunity and reviewed the 1975 Sex Discrimination Act and had the power to conduct investigations, issue legally enforceable discrimination notices, assist individuals or bring its own cases. It consisted of 14 persons mostly part-time, with a full-time chairperson. A similar body existed in Northern Ireland.

171. To channel the input of non-governmental organizations (NGOs), a Women's National Commission had been set up in 1989 consisting of representatives from

50 women's NGOs with a joint chair consisting of one elected by the Commission and one minister nominated by the Prime Minister who represented the Commission on the Ministerial Group.

172. With regard to employment issues, the representative stated that the role of women in the economy had been recognized, public policy and economic growth had led to an increase in the number of women entering the economy, with 18 per cent more working full-time and 23 per cent more working part-time, as well as an increase in self-employed. More were gaining educational and vocational qualifications and entering non-traditional fields including medicine and dentistry, accounting, banking and finance. Women's remuneration was still only 76 per cent of men's on average and there were far too few women in top positions. However, demographic changes, especially the increase in the number of young women entering the labour force, would mean that women would constitute up to 90 per cent of the future growth of the labour force. The Government had begun a campaign to prepare women for re-entry, including public information programmes and the development of child-care grants to trainees. The Government was also taking steps to promote flexible working patterns in the public service, which some private sector employers were following. Particular attention was being given to child care, with a five-point plan being implemented from April 1989.

173. On women's health, she noted that the subject had been specifically assigned to a Minister at the Department of Health since 1989 and the issue had been debated publicly. New services targeted to women had been developed, including a recent concern with AIDS in women and with drug abuse, some of which involved funding programmes by voluntary organizations. Family planning services continued to be available, free of charge, under the National Health Service. Efforts were made to increase the proportion of women on the medical staff and 50 per cent of medical students were now women, although the distribution among specialties was still not balanced. Domestic violence was being considered in the context of a Home Office research study and a report from the Women's National Commission.

174. Education continued to be a focus for promotion of equal opportunities, which was a joint responsibility between national and local levels and the teaching profession. The Education Reform Act of 1988 sought to ensure a standard curriculum to prepare young people for adult life and to ensure that school activities were free of stereotyping and thus promoted equal opportunities. The standard curriculum through age 16 would mean that girls and boys were taught the same courses. Special initiatives have been made to make new technologies like microcomputers available and equally accessible and to encourage girls to study science and technology, the success of which was being reflected in examination results. Programmes existed to encourage mature students with domestic responsibilities to pursue higher education.

175. Under social security, successive changes in the law had made the system more equal. Some differences remained that favoured women, particularly those who were older and had not worked, but which would eventually become redundant. Other provisions protected pension rights of persons unable to work because of a need to care for dependants.

176. Efforts had also been made to achieve equality of opportunity in the civil service and public appointments, including a campaign to identify women candidates for public appointments.

177. Discussing the reservations made to the Convention, the representative noted that many were interpretative and all were being kept under constant review with a view to withdrawing them whenever possible. She noted that a new tax law coming into force in April 1990 would permit the United Kingdom to withdraw its reservation to article 13 and that the Employment Act of 1989 would eliminate most discriminatory legislation, although some occupations would still be prohibited if they would endanger the health of an unborn child. Equal pay was being improved through case law and family law had been modified to eliminate differential treatment of children born outside of marriage.

178. The Committee noted with concern the number and coverage of the reservations entered by the Government as they could contravene the objectives of the Convention. Several experts stated that the number and purpose of the reservations seemed to reflect the unilateral interpretations of the Convention. Clarification was requested of those reservations which were (a) interpretative, (b) likely to be withdrawn on the basis of changes in underlying legislation and (c) permanent. The question was asked whether the reservations were similar to those made on the human rights conventions and, if not, what differences might exist. On specific reservations, information was requested on the relationship of the Convention to national law in general reservation (a), whether reservation (b) was really necessary, and the meaning in reservation (c) of the reference to non-interference in the "affairs of religious denominations". The general reservation to article 2 that "essential and overriding conditions of economic policy" could invalidate provisions of the Convention was questioned since it implied that if the economy was not buoyant, then equality was sacrificed.

179. Further information was requested on the functioning of the national institutions, including the relationship of the Ministerial Committee to the preparation of legislation, the means by which women's activities were mainstreamed in the work of government departments, the size of the secretariat, including the budget of the Ministerial Committee and the Equal Opportunities Commission (EOC), on how the Women's National Commission related to the Ministerial Committee, including the rationalization of differences and the role of women's organizations generally in the effort to achieve equality.

180. Noting that the report covered the British Virgin Islands, the Turks and Caicos Islands and the Isle of Man, it was asked whether Monserrat and Anguilla were excluded because they were associated states. One member questioned the assumption of sovereignty over the Falkland Islands (Malvinas) in the light of international developments.

181. The amount of statistics presented in the report was noted and it was suggested that even more gender-based statistics would be helpful, particularly when figures were given only for women rather than comparing the relative situation of women with men. An absence of information about crimes committed by women (as opposed to committed against them) was noted. Integration of the statistics into the text of the report would have been helpful.

182. Regarding article 2, the number of cases heard by the courts under the 1975 Sex Discrimination Act was requested along with an appreciation of the extent to which women availed themselves of that remedy and it was asked what authorities other than the Equal Opportunities Commission (EOC) were empowered to apply sanctions for non-compliance. Details of the role of the Ministerial Group in co-ordinating and commenting on legislative proposals were requested.

183. Further details of the approach of the Government to temporary special measures under article 4 were requested.

184. Regarding article 5, issue was raised about the extent to which existing obscene publication laws could be extended to cover "degrading and insulting" publications, as well as the role of the Equal Opportunities Commission (EOC) in this matter and the extent to which it was felt that existing laws permitted control of pornography. In the context of self-regulation by the media, the percentage of women on governing bodies of mass media institutions as well as in media decision-making generally was requested together with an indication of whether any of the existing bodies performed a monitoring function and an appraisal of the results of the negotiations between the Media Action Group and the Advertising Council. The working of the Sex Discrimination Act with regard to job advertising was requested as well as the likelihood of any code on the portrayal of women in advertising. Information on the existence of any sociological studies on sex roles was requested, as well as the effect of having a woman head of government on the image of women.

185. The specific definition of what constituted "consent" in terms of rape legislation was requested in connection with article 6, noting that "reasonable belief" that a woman is consenting had been used as a defence in rape cases, with particular reference to the legislation of the British Virgin Islands. In addition, it was noted that only half of those prosecuted for the crime were convicted and the reasons for that queried, including what happened to those acquitted, the normal sentence imposed, whether follow-up support programmes for rape victims were provided by the Government, and what the normal composition was of juries in rape cases. More generally, on the question of violence, whether women's organizations could become parties to suits, whether there were cases where women refused to prosecute and the extent to which training in domestic violence was part of regular police training. With regard to prostitution, details on prosecution of those living from their proceeds was requested, including sanctions imposed, and also on the kinds of protection and counselling given to prostitutes, the extent to which there was evidence of trafficking in women from developing countries and government policies on that. Information on whether the revisions proposed by the Criminal Law Review Committee had been put into effect was requested.

186. Noting that little space had been given in the report to implementation of article 7, the question was raised about the paucity of women elected to parliament as the percentage was lower than the average for European countries, including the extent to which women candidates were allowed to run in "safe" districts. Information on the views of women's organizations on that question was requested as well as any measures being adopted by the political parties themselves. The specific proportion of women among government ministers was requested. Regarding public appointments, it was suggested that indirect discrimination might be indicated by the low percentage (7.7) and information on any positive measures to deal with it was requested. The proportion of women in the judiciary was requested as well as information about the prospects for women's upward mobility in public enterprises. Given the low percentage of women in public service (about which information was requested for the British Virgin Islands), it was asked which positions were restricted to men, what steps were being taken to improve the situation, including provision of child-care services to public employees and the functioning of the voluntary child-care scheme, also whether the new appraisal system was working to the advantage of women.

187. Concerning article 8, information on the types of joint postings of spouses in the foreign service was requested, including the nature of individual entitlements in a joint posting, the frequency of men accepting special unpaid leave status to accompany a spouse, the possible duration or frequency of such leave, and the effects on career and social security. Questions were asked about efforts to recruit more women into the foreign service and the time necessary to reach ambassadorial rank as well as the proportion of United Kingdom women in international organizations and their ranks.

188. On article 9, referring to the new Immigration Act, the question was raised whether discriminatory provisions on immigration had been eliminated in 1987 and if that would encourage the Government to withdraw the corresponding reservation. A differential treatment of male and female spouses of students was noted and it was asked whether the Government intended to change that practice. Questions were also asked about the position of migrant women in the United Kingdom.

189. Regarding education, in connection with article 10, the existence of both co-educational and single-sex institutions was noted and it was asked whether there were studies of the relative effects and reasons for the continuation of single-sex schools. Explanation of any differences between the practices of England and Wales in integrating girls in the schools from the practice operative in Scotland was requested. As it was noted that education was compulsory from age 5, information about the existence of nursery schools for younger ages was sought. Questions were raised about education for non-traditional subjects in terms of whether the recommendations of the Cockcroft report on teaching of mathematics had been implemented, results of computer-literacy and other technological studies through single-sex groups and the role of the Department of Trade and Industry in encouraging that, as well as any other new means for encouraging women to take up those subjects. Clarification was requested on any information materials on positive action schemes that might be used by other countries. For the British Virgin Islands questions were raised about efforts to bring more students into school, including assisting girls forced to leave school for pregnancy and the relative percentage of illiterates.

190. Regarding article 11, it was noted that a major feature of economic policy was privatization and the question was asked about the existence of any studies on integration of women in the private sector. It was noted that the unemployment rate for women was lower than men and it was asked whether that was related to deregulation, whether that trend was also true for immigrant women, and whether separate statistics were kept on them. Since much of the 43 per cent participation in the labour market was due to part-time employment, the question was raised whether part-time employees had the same protection as full-time and whether that was related to factors such as enterprise size, and what the reason was for the lack of relative growth in the labour force of women since 1975. It was asked whether there had been any significant changes in the percentage of women considering careers in science and technological fields. Information was requested on measures to apply provisions of the Convention to the agriculture sector, which had been noted as being conservative in orientation. The importance of re-entry in the employment of women was noted and the question of how long a duration of absence was normal and whether it was decreasing was asked together with whether relevant statistics were maintained. Concerning legal protection of working women, it was asked whether full equality had been achieved in social security benefits, including a clarification of how pensions for persons caring for severely disabled people were administered, whether the ban on night work had been lifted, on

circumstances where a dismissal for pregnancy was illegal. Regarding women's unpaid work, figures on how many work in an unremunerated way in family enterprises were requested as well as information on methodological developments that would permit computation of the contribution of domestic work to the gross national product. It was noted that "lack of self-confidence" was given as a barrier to women's advancement in the economy and the question was asked regarding how extensive that was as a problem and what was being done. With regard to support to economic activity, information was requested on who had the main responsibility for providing child care, the state, the enterprise or the individual and the extent to which older persons relied on public services.

191. Concerning article 12, clarification was requested regarding practices of abortion, including whether the requirement of a recommendation by two doctors was contrary to the Convention's view of women's self-determination, whether there were any new laws under consideration, the position of women's organizations on the question, the number of clandestine abortions, the reasons for pregnancies in girls under 16 and whether abortion at that age required family permission, how often the advice of the two doctors was rejected, and who had to pay for abortion. It was asked how contraceptives were distributed and what it meant in practice that family planning services were obtained through general practitioners. With regard to AIDS, the higher death rate for women was noted and the reasons for that were requested. Information was requested on what happened to women whose health had been affected by violence and whether there were available any institutional services. In terms of immigrants, the existence of special programmes for health care of non-English-speaking migrant women was queried as well as the effect of the total ban on female circumcision, including information on who practised it and its real incidence.

192. The change in the tax law in conformity with article 13 was noted and it was asked whether a tax reduction of joint filers with only one income would act as an incentive to stay home, whether the reform implied had been controversial, whether the tax assessments would be completely separate, and whether, under open reception provisions, those changes would apply to the overseas territories.

193. Regarding article 14, information was requested on the outcome of work to fund rural transport, on the incidence and effect of rural enterprises headed by women and on job-creation programmes for rural women. For the Isle of Man, it was suggested that the problems of rural women would be difficult to solve there, and information was requested on the procedure of working through members of the House of Keys, on the role of the EOC and also on the extent to which residents co-operated with police in cases of domestic violence. Information was requested on the measures recommended by the National Commission of Women on the co-operation by the police in cases of domestic violence.

194. With regard to article 16, the extension of domestic violence legislation to co-habitees was noted and it was asked whether that would also be extended in the same way regarding property; similarly whether children born outside a marriage could inherit from their fathers and under what conditions. Concerning the British Virgin Islands and the Turks and Caicos Islands, it was asked whether those legislative changes were effective there through the open-reception provision. In view of the increase in families headed by women, the percentage of those families was requested as well as the extent to which they relied on support payments from former spouses or partners or on transfer payments and whether counselling was available to families. Concerning judicial separation rather than divorce, the

differences in legal status implied was requested, as was information on how property acquired during a marriage was divided at dissolution, including rights of non-working spouses and the extent of poverty among older women who had been divorced. As there were options in choosing a family name upon marrying, information on the proportion of choices made was requested.

195. The representative of the United Kingdom of Great Britain and Northern Ireland, in replying to questions raised, stated that where statistics disaggregated by gender had not been presented, an effort would be made to incorporate them into the second periodic report.

196. She stated that the number of reservations made should not be taken as a lack of commitment as they reflected the country's practice for all instruments in which detailed declarations of understanding were necessary when, in the view of the Government, the wording of the Convention was imprecise because ratification occurred only when the United Kingdom was in a position to implement it in domestic law. Where implementation was not possible, it was reflected in a reservation, kept under review with a view to withdrawal when possible. Organizations were not consulted on the reservations, but the intention to make them was made known during the debate on the Convention in Parliament and in any case were similar to those found in the Sex Discrimination Act of 1975. The reservations were not similar to those made on the International Covenant on Civil and Political Rights as the purposes of the Convention and the Covenant were somewhat different, but there was no inconsistency between the two sets of reservations.

197. The Ministerial Group on Women's Issues included as members 13 ministers, with the Home Office Minister as chair. The vice-chair was currently the Minister of Education who was also the co-chair of the Women's National Commission and as such reported the Commission's views even when they differed from those of the Government. As each ministry had its own specific responsibility, the Ministerial Group dealt with inter-departmental issues, based on the agenda drawn up by it, to which other ministries were invited as necessary. The secretariat of the Group was located in the Home Office, where it had been given new posts and extra staff. The Home Office responsibilities went beyond those found in the typical ministry of the interior as it retained a number of policy areas including that of equal opportunities for women and ethnic minorities. It made use of a network of officials in other ministries concerned with women's issues, including the Women's National Commission. One outcome was the model guidelines intended to raise awareness of de facto discrimination, which were widely disseminated.

198. The Equal Opportunities Commission (EOC) was a publicly funded non-governmental organization maintaining operational independence, both in Great Britain and Northern Ireland. The Home Secretary appointed commissioners for Great Britain and the Secretary of State for Northern Ireland for that territory. Both commissions reviewed equality legislation and submitted proposals for reform as a public document that could be used by any Member of Parliament to introduce legislation, although in practice the channel was the appropriate ministry. In 1988 the EOC for Great Britain proposed changes in law to cover private clubs and the number and coverage of offices was being considered for expansion.

199. Regarding article 2, employment cases were heard by industrial tribunals while non-employment cases were channelled through County or Sheriff Courts (according to the jurisdiction) and could be appealed. Legal aid was available. Historical statistics were not available but those for 1987-1988 revealed in Great Britain

1,043 equal pay claims in industrial tribunals plus 691 sex discrimination claims with varying results. A number of cases were also heard on appeal. Similarly in Northern Ireland, from 1976 to 1989, 55 equal pay and 157 sex discrimination cases were heard, also with varying results. The EOC itself had limited power to sanction in relation to systemic discrimination derived from its investigation powers, and they could be appealed in the courts, which bore the major responsibility for enforcing legislation. Complaints about education were referred to the Secretary of State for Education for investigation. However, in 1989 a Women's Legal Defence Fund was launched, with government support, to help more women to bring complaints under the legislation. Crimes committed by women differed somewhat from those by men and there were also differences between women and men in terms of processing in the legal and penal systems. There were efforts under way to study and remove those differences.

200. Positive action called for under article 4 existed but was restricted because the Sex Discrimination Act of 1975 prohibited any discrimination against women and men. But in order to allow special measures to encourage women to enter areas of non-traditional work, it permitted special access training for such work, targeted advertising and single-sex training for people returning to work after a period of discharging domestic responsibilities.

201. On article 5, the Government had supported tightening the Obscene Publications Act 1959 to cover material grossly offensive to a reasonable person, although the outcome would partly depend on a review of research evidence on the effects of pornography. The term "corrupt" as a test for obscenity was not defined in the act but the courts had held that it referred to the mind and the emotions as well as to any physical sexual activity. A major study on women in advertising was about to be published by the Advertising Standards Authority on the issue. The EOC's power to bring legal cases on advertising was limited, but it emphasized education, and films were reviewed by the British Board of Film Classification that would not classify films that breached the criminal law. Detailed information was not available on the percentage of women in the broadcasting authorities, which were independent and made their own judgements on content, although the British Broadcasting Corporation programme guidelines included guidance for procedures on the portrayal of women. EOC had taken cases to court on job advertisements and had produced leaflets. A number of sociological studies were regularly produced on attitudes towards gender equality.

202. Relating to article 6, sex education programmes in the schools were provided within the limits of the 1986 Education (No. 2) Act, which gave school authorities the responsibility for determining whether to provide it and if so within a clear moral framework. In funded schools the national curriculum on science required that pupils understood the process of reproduction in human beings and the need for a responsible attitude to sexual behaviour. On rape, the figures indicated an increase although that might reflect improved reporting. Efforts were being made to deter and reduce opportunities for such crimes. Women's organizations had no standing in rape trials, jurors were selected randomly and those found not guilty were acquitted. There were shelters receiving support from local-level authorities and a national rape counselling and research project had been funded centrally. In Scotland a circular of guidance had been issued to police to help them treat complaints of sexual assault tactfully and sympathetically. On prostitution, the Criminal Law Revision Committee had recommended combining current separate offences for men to three gender-neutral offences and other reforms had been proposed that were under consideration. There was no evidence of trafficking for prostitution, which would be illegal, and no figures existed on the extent of prostitution, nor

any rehabilitation programmes. The legal status of the husband of a prostitute living off her earnings was not clear.

203. Regarding article 7, a study had been published on 23 January 1990 entitled "Women at the Top", examining the barriers faced by women in public life. For Parliament, major party candidates were approved centrally and selected by the local party, but women had not put themselves forward as often as they might although that was increasing and there was a group that set themselves a target of getting over 300 members of Parliament (i.e. 50 per cent). In Parliament there currently were 41 women MPs (6.3 per cent), which explains why there were only 7 ministers out of 84 (8.3 per cent). No information was immediately available on the positive discrimination approach of the major political parties who, in any case, were in the selection process for the next election. In the public sector, among senior judges there were none in the highest appeals court, one in the next level, one High Court Judge, 17 Circuit Judges and 25 recorders, although that was expected to improve as more women entered lower levels of the judiciary and the legal profession. Over half of the law students currently were women, as were 43.8 per cent of magistrates. The Civil Service Action Programme begun in 1984 had had the effect of slow but steady improvement that was expected to accelerate during the next 10 years, as 46 per cent of new appointments in the mainstream management grades, 41 per cent of the new entrants in the fast stream administrative grades, among others, were women and improvements were beginning to be registered at the top levels. The proportion of Civil Servants working on a part-time or job-share basis was small but increasing, and efforts were being made to provide child-care and job-return services, as well as expansion in maternity benefits. Although women's promotion rates had been slower than men's, recent changes in seniority factors affecting promotion were expected to improve equality in that process; the appraisal system emphasized actual achievements and further work was expected on that aspect. The number of gender-restricted posts had been greatly reduced since 1986, leaving only the Royal Fleet Auxiliary and Royal Navy Supply Transport Services, the Scottish Prison Service and mining inspection as restricted posts. The percentage of women obtaining public appointments was rising, in part thanks to efforts encouraging women to put their names forward and guidelines had been issued to departments with a view to encouraging their selection.

204. On article 8, information was provided on steps to enable diplomatic couples to continue their foreign service careers by sending them to the same duty stations, often split between embassy, consular and mission functions, providing types of leave, including special leave without pay, which could be counted towards promotion. The operation of the Special Unpaid Leave programme was described and it was noted that efforts were being made to recruit women in the Diplomatic Service that had yielded a higher percentage of women recruited over the preceding four years, varying from 16 to 46 per cent. Figures were not available on United Kingdom women serving in international organizations.

205. Regarding article 9, all nationality and immigration provisions that might have discriminated against women had been eliminated. One rule continued to discriminate in favour of women in terms of the transmission of citizenship to children. The difference between having spouses of male and female students admitted was due to a need to restrict access of immigrants to the job market and was not being considered. In the time available, figures on the number of women refugees could not be obtained, although figures were presented on the total number of refugees.

206. Regarding article 10, about 45 per cent of three to four year olds currently attended funded schools and about 85 per cent participated in some organized educational or care provision. There was no policy in England and Wales to reduce single-sex education, nor was there any research on the effect of those schools, although EOC had sponsored some projects dealing with science and engineering that were being followed up, especially in the teaching of mathematics. There was a concern that teaching methods might have unintentional discrimination (the so-called "hidden curriculum") and that was being approached through teacher training. With regard to ethnic minorities, the national curriculum should help assure equal standards and access, but there might be a need to provide for specific needs of minorities in such areas as language training.

207. Concerning article 11, the high incidence of part-time work for women was partly caused by the fact that many women in the United Kingdom did not wish to work full-time in view of their family responsibilities and it was a question for which women should be able to exercise free choice. The Government was concerned that part-time jobs would be low-level and low-pay. The Civil Service was trying to set an example. Protection for part-time workers included coverage by equal pay and anti-discrimination legislation but entitlement to other protections depended on the number of hours worked per week and years of service. Contribution to social security was based on threshold earning levels rather than hours worked and some aspects were unrelated to remunerated work. On earning differentials, there had been a slight improvement in 1989, but that was affected by hours worked and thus reflected the part-time work phenomenon and lower seniority of women. Several major steps were taken to encourage girls' career choices away from traditional areas, including examination of curriculum, information programmes and specific training programmes designed with women's needs in mind. An effect of various programmes was the increase in the number of women in professional and related occupations in science, engineering, technology and similar fields (from 95,000 in 1985 to 108,000 in 1988). Studies had been done on women in the private sector, programmes to increase women's self-confidence and on women's re-entry to the job market, for which statistics were provided, indicating a more rapid return than previously after childbirth. The responsibility for child care was said to rest principally with the parents but employers had a part to play. Women's unemployment, like men's, had been falling, specific figures were not available on the rural informal sector and government policy was to reduce unemployment. Deregulation had impacted favourably on women's employment, minority women were less unemployed than minority men and all anti-discrimination measures applied equally to agricultural employment. Dismissal for pregnancy could be litigated under existing law. The EOC voluntary codes were considered to be working well, labour union membership was not a basis for job advertising and would gradually not be a requirement for hiring, but 32 per cent of trade union members were women and six unions were led by women. The relationship between drugs and employment had not been studied. Night work restrictions had been lifted; statistics on unpaid work in family enterprises were not immediately available and the value of domestic work in the gross domestic product was difficult to calculate. In terms of pension rights, the remaining gender differences were in the main favourable to women. The social security budget had increased over time in real terms, including funding of the National Health Services.

208. On article 12, abortion was generally permitted in only a limited number of circumstances when certified by two medical doctors, including threat to the mother's life, physical or mental health, the physical and mental health of existing children, probable abnormality in the foetus or emergencies. The issue

was considered to be a medical question but social factors were also taken into account. Figures on abortions referred to those that were effected legally and there were no figures on clandestine abortions. Although the medical profession believed the current law was working, opinion was divided among women's and other groups. Abortions were free when performed in National Health Service hospitals and while elsewhere there were charges, some financial aid sources existed. For girls under 16, abortion was possible without parental consent if the doctor agreed. Some statistical evidence existed of success in the reduction of deaths from illegal abortions. Family planning was free and some 70 per cent of women in the fertile age range used some form of contraception. It was available to those under 16 with parental consent or sometimes without. Studies were being made of the relationship between prostitution and AIDS but the main vector was thought to be drug users, of whom some were prostitutes. There was a number of local initiatives to prevent the spread of HIV and AIDS. Of those who had died from AIDS 10 per cent were women. Some efforts were made to meet the specific health needs of ethnic minorities, including use of languages, preparation of special material and special outreach programmes. The United Kingdom had made female circumcision illegal, but there had been no prosecutions under the Act with a reliance instead on education and information.

209. On personal taxation, regarding article 13, some 70 different organizations, including 12 women's organizations, had commented on the Government's Green Paper that had led to taxation reform. The new allowance for joint filing was not sufficiently large to encourage women to opt out of the workforce. A number of Sports Council initiatives to encourage wider participation were described and it was noted that women's participation in sport was a priority for the Sports Council's new campaign starting in 1988.

210. On article 14, programmes of rural transportation to ease economic participation were under way, but no gender figures were available on participation in rural development training.

211. Concerning article 16, judicial separation rather than divorce seemed to be chosen for a number of reasons, including when the marriage had been of short duration, when there were religious reasons or personal reasons. There were no differences in status when a judicial separation was used. There was no central information on the extent to which divorced women relied on maintenance from an ex-husband, but one third of divorced single mothers and two thirds of all single parents needed to rely on Income Support. The maintenance system was thus under review. Property division upon divorce was made by the courts based on a number of factors, with first consideration being given to the needs of the children. The basis for family breakdown according to the statistics were unreasonable behaviour, adultery and separation with consent. Those figures masked class and other factors and no clear judgement of causes of family breakdown were possible, although it was noted that the figures did not show that a greater number of marriages had broken down, merely that a greater number of divorces were taking place. A number of reforms were being considered, emphasizing conciliation. Programmes were available to older women who had not worked, including single parents, to endure re-entry, maintenance and child-care services, as well as aspects of the pension scheme. On how many women keep their own name at marriage, it was noted that naming was a matter of custom rather than law and therefore no statistics were kept. No particular term had been identified to refer to children born outside marriage, the law of inheritance did not discriminate against those children and under some circumstances a co-habitant could apply for benefits arising from the death of a

partner, but no effort had been made to extend maintenance and property distribution rights to co-habitants since that would be hard to determine and would, in any case, remove much of the significance of the institution of marriage.

212. Concerning the dependent territories, the United Kingdom had no doubt about its sovereignty over the Falkland Islands (Malvinas). Reporting had only been made on those dependent territories that had opted to ratify the Convention, which did not include Montserrat and Anguilla, and the remit of the EOC did not extend to those territories. Because of differences, the adjustment of law and practices to the Convention proceeded at a different pace in the territories. On specific points, regarding article 6, there were few cases of rape in the British Virgin Islands and prosecutions were difficult when the victims, often visitors, were unwilling to return for the trial, and there had been no cases of prostitution brought to court in 20 years. The proportion of women in the Government of the Turks and Caicos Islands was given. Regarding loss of education for pregnant girls in the territories, in the Isle of Man opportunities were offered to continue education, in Turks and Caicos a new system was being developed but no services were yet available in the British Virgin Islands. Third-level education was now available in the British Virgin Islands. Regarding maternity leave, new provisions had come into force in both Turks and Caicos and British Virgin Islands. The Finance Act of 1988 would not be extended to the territories as for different reasons there was no need. Information on other questions was not immediately available.

213. Members expressed the hope that the reservations made by the Government on various articles would be re-examined. Despite the evident progress, the general impression remained that more effort was required to achieve a better sharing of responsibilities at home.