

# Women in the World Today



**Conservative**  
**Women's Policy Group**



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# The next stage: What we need to do differently for women in the world today

This paper is the result of months of work by the Conservative Women's Policy Group (WPG). It outlines the opportunities and challenges that women in the world face today. Our vision of a post-bureaucratic age will provide the tools to meet those challenges and grasp the opportunities.

Over the last century, women's position in society has improved beyond what anyone at the beginning of the era would have believed to be possible. This year, we celebrate women winning the right to vote with the 90<sup>th</sup> anniversary of the Representation of the People Act. In the last thirty years we have seen massive strides being made in women's employment and pay rights. And, having only been admitted to a handful of universities at the beginning of the 20th century, today's women now form the majority of students going to university in Britain. These achievements are substantial. But much more still needs to be done.

In the post-bureaucratic age we need an intelligent, targeted approach to women's issues. This Government has failed to provide this because it has a flawed approach. That is not to say that Labour have not achieved some welcome changes in specific areas – they have. But on the whole, Labour's approach has let women down because they have failed to appreciate the diversity and complexity of the issues that confront women. Their answer has always been to compel, to lecture, and to condescend. Their policies leave new mothers feeling pressured to return to full-time work. Their approach to childcare is to restrict choice. And their attachment to multiculturalism has led them to ignore women's rights in Black and Minority Ethnic communities. The issues that women face today cannot be solved, as this Government has attempted to, by simply throwing legislation at them. To enable choice rather than inhibit it, we need a deeper, more wide-ranging approach.

Our policy needs to be guided by a philosophy that welcomes diversity, promotes choice and recognises that Britain's "women" are not a single monolithic bloc, but thirty million individuals. Moreover, a Conservative approach to gender equality will be based upon a belief in equality of opportunity and equitable legal, commercial, social and political treatment. Our approach will not be based on an unrealistic and undesirable equality of outcome. And we will not champion women's rights at the expense of men's rights, because gender equality is not a zero-sum game. Those who treat it in such a way do the noble cause of equality a disservice.

This paper identifies some of the key challenges that women face today, although it does not pretend to cover every single issue faced by women. In analysing these challenges, this paper provides a fresh base upon which future Conservative policy will be built. That policy will have at its heart the need to give women real choice over their own lives – a choice that remains elusive for too many women in twenty first century Britain.

I would like to take this opportunity to thank all the members of the Women's Policy Group, the many witnesses who gave evidence to the Group, Margot James Vice Chairman of the Conservative Party, and my predecessor as chairman of the WPG, Eleanor Laing MP. Information about the WPG's meetings can be found at the annex at the end of this paper.



**Rt Hon Theresa May MP**  
**Shadow Leader of the House of Commons**  
**And Shadow Minister for Women**

# Executive summary

## Women in the workplace

- *Women still suffer from a gender pay gap:* By all measures of the pay gap, its existence, and extent, is beyond doubt. Using overall, mean, hourly earnings, the pay gap between men and women remains 17.2 per cent.
- *For most women, flexible working and a sensible work/life balance remains elusive:* Around 41 per cent of parents spend two hours or less with their child each day and only one third of families manage to eat together every day.
- *Women are more likely to have smaller pensions and live in pensioner poverty:* One in four single female pensioners lives in poverty. For every £1 a man receives from a pension, a woman receives just 32p.

## Women in their communities

- *Women face a lack of choice for childcare:* Labour's approach to childcare restricts choice for those parents who do decide to work.
- *Female carers suffer from a lack of support and a loss of earnings:* 58 per cent of carers are women, most of whom are of working age. They take time out of paid employment and full-time work, leading to reduced earnings and pensions. Moreover, state support for carers is not always taken up, and the process can be bureaucratic.

## Vulnerable women

- *Homeless women suffer particular problems in their attempts to be housed:* 72 per cent of homeless households include dependent children and/or a pregnant woman. Single women are now estimated to make up between five and fifteen per cent of single homeless people.
- *Female prisoners suffer isolation and self-harm:* Women prisoners are twice as likely as men to be held more than fifty miles from home. Although women comprise only six per cent of the prison population they commit 55 per cent of all reported self-harm incidents in prisons.
- *Women still suffer domestic violence:* Eighty per cent of the victims of domestic violence are women, and one in four women is estimated to experience domestic violence in their lifetime.
- *Victims of stalking are not properly supported by the authorities:* Around 880,000 people in Britain have been victims of stalking or harassment, yet the authorities are ill-equipped to deal with the problem.
- *Women are victims of human trafficking:* The Government has signed the Convention on Action Against Trafficking in

Human Beings but has so far failed to ratify it. Between 5,000 and 8,000 trafficked women are thought to be working in prostitution in Britain.

## Women and ethnicity

- *Women in Britain are being forced into marriage:* There are some 300 cases of forced marriage reported to the Government's Forced Marriage Unit each year, but many more cases come to the attention of the authorities, and even more go unreported.
- *Polygamy exists in some communities in Britain:* Polygamy is illegal, but the Government estimates that there are up to 1,000 permitted polygamous marriages in Britain, and it has no idea of the number of unauthorised polygamous marriages.
- *Women in some communities experience enforced segregation:* In being prevented proper access to society and the wider world, many women in Britain suffer unequal access to education, the labour market, healthcare and legal and political activity.
- *Female Genital Mutilation (FGM) is widespread in the UK:* Although the Female Genital Mutilation Act (2003) made FGM an offence, the practice is widespread in the UK with 74,000 women estimated to have had the procedure, and 3,000 to 4,000 women estimated to have the procedure each year. Despite the prevalence of FGM, not one single person has been prosecuted under the Act.
- *British women suffer 'honour' violence and killings:* The police suggest that there are 12 so-called 'honour killings' in the UK each year, but campaigners and refuge workers say the figure is an underestimate.

## The role of women in international development

*Women bear the overwhelming burden of extreme poverty and deprivation:* They account for seventy per cent of the world's 1.3 billion poorest people, two thirds of the world's one billion people who cannot read or write, and suffer from a disproportionate lack of access to education and health services.

*Using women as recipients of aid can improve development:* Women play an important role not just in a household's survival, but in bigger issues, relating to themselves, their family, their community or the whole society.

# Women in the workplace

## The pay gap

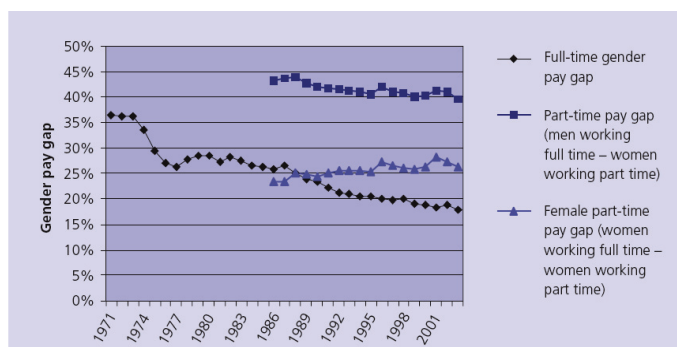
### Evidence of the pay gap

By all measures of the gender pay gap, its existence, and extent, is beyond doubt. Using the international comparable measure of mean, hourly earnings, the pay gap between men and women is 17.2 per cent.

According to the Office for National Statistics, there are three main methodologies for calculating the extent of pay inequality:<sup>1</sup>

- *Full-time, median hourly earnings:* As measured by the median hourly pay, excluding overtime, of full-time employees in 2007, the gender pay gap was 12.6 per cent (compared with the 12.8 per cent recorded in April 2006)
- *Overall, mean hourly earnings:* Mean earnings, which are used for international comparisons, show that women's average hourly pay (excluding overtime) was 17.2 per cent less than men's pay (compared with 17.5 per cent in 2006)
- *Overall, median, weekly earnings:* Median weekly earnings of full-time employees in 2007 for women (£394) were 21 per cent less than those for men (£498), unchanged from 2006.

For the purposes of this paper, the gender pay gap is defined as the difference between what women earn, compared with men, at any stage of their working lives. Yet whatever measure is used to calculate the gender pay gap, its existence is beyond doubt. Moreover, it is just as clear that it has remained stubbornly high. The table below demonstrates vividly the scale of the problem:



Source: New Earnings Survey.

Note: the New Earnings Survey was replaced by the Annual Survey of Hours and Earnings in 2004.

As the table also shows, the gender pay gap is even greater for part-time workers. The gender pay gap for 2005, measured by median earnings, stood at 41.0 per cent; measured by mean earnings, it was 38.4 per cent.<sup>2</sup>

The gender pay gap is greatest for skilled trades (26.9 per cent), managers and senior officials (20.8 per cent), and process, plant and machine operatives (19.9 per cent). These sectors are, respectively the fourth, second and sixth highest paid sectors for men, yet the sixth, second and seventh for women. The smallest gender pay gap of all is in the highest paid sector, professional occupations, where the gender pay gap is just 3.4 per cent, although this is slightly up on the 2004 gender pay gap in this sector by 0.3 percentage points.<sup>3</sup>

Generally, the older the age group, the wider the gender pay gap becomes. This is partly because as women get older, they are more likely to have spent time out of the labour market due to responsibilities of caring for children or elderly dependants. The increase in the gender pay gap by age also reflects the gap in qualification levels between men and women. Although younger women have closed the gender gap in education in recent years, the difference is still more significant between men and women over forty years old. The largest gender pay gap exists for women aged between forty and 49, 19.9 per cent based on median earnings and 21.7 per cent based on mean earnings. They are closely followed by women aged older than fifty (13.8 per cent in median earnings and 18.4 per cent in mean earnings).<sup>4</sup>

The gender pay gap also varies by region from 4.2 per cent in Northern Ireland and 9.1 per cent in Scotland, to 15.89 per cent in the East and 15.9 per cent in the East Midlands. London has the highest full-time hourly earnings, but comes in the middle of the gender pay gap table at 13.9 per cent.<sup>5</sup> The likely cause of these differences is the different nature of the local and regional economies. For example, London's labour force is employed in higher-paying industries and occupations and many employees are entitled to allowances for working in the capital.

In 2006, there was a slight increase of 0.1 per cent in the gender pay gap, using mean earnings.<sup>6</sup> In the same year, according to a study by the Chartered Management Institute, for the first time in 11 years, male earnings grew at a faster rate than female earnings. So the gender pay gap increased, despite the fact that women were found to enjoy faster career progression. The same survey found that the average female team leader is five years younger than her male equivalent; the average female 'department head' three years younger; and the average female director four years younger.<sup>7</sup>

1 Office of National Statistics (ONS), Gender Pay Gap, 2007:

<http://www.statistics.gov.uk/CCI/nugget.asp?ID=167&Pos=&ColRank=1&Rank=224>

2 Part-time work is defined as fewer than thirty hours per week. Women and Equality Unit, The Gender Pay Gap in the United Kingdom, April 2006, p.4:

[http://www.womenandequalityunit.gov.uk/research/genderpaygap\\_apr2006.pdf](http://www.womenandequalityunit.gov.uk/research/genderpaygap_apr2006.pdf).

3 *ibid*, p.8.

4 *ibid*, p.7.

5 *ibid*, p.9.

6 Department for Communities and Local Government, Tackling the Gender Pay Gap, June 2007, p.1:

[http://www.womenandequalityunit.gov.uk/publications/genpaygap\\_facts\\_jun07.doc](http://www.womenandequalityunit.gov.uk/publications/genpaygap_facts_jun07.doc)

7 Chartered Management Institute, National Management Survey, 2006:

[http://www.managers.org.uk/content\\_1.aspx?id=10:539&id=10:347&id=10:138&id=10:11](http://www.managers.org.uk/content_1.aspx?id=10:539&id=10:347&id=10:138&id=10:11)

### *Why is the pay gap worth addressing?*

The Equal Opportunities Commission estimates that the average woman will lose or forego £300,000 over her lifetime as a result of the gender pay gap.<sup>8</sup>

Apart from the obvious consequences for women and their families, bridging the gender pay gap would deliver significant advantages for the UK economy:

- Britain's long-term economic growth relies on the skills and talents of all potential workers – both men and women. The Equal Opportunities Commission calculates that increased women's employment could benefit the economy by up to £23 billion.<sup>9</sup>
- If the UK could achieve the same levels of female entrepreneurship as the US, Britain would gain three quarters of a million more businesses.<sup>10</sup>
- Making better use of women's skills and qualifications would provide a sounder base for long-term economic growth. It would help to finance public spending, including pension provision as the population ages.

### *What are the causes of the pay gap?*

The causes of the gender pay gap are myriad and complex. While discrimination by employers, whether active or passive, is a factor, it is far from a complete explanation of pay inequality. Without an understanding of this complexity, government interventions on equal pay are likely to be ineffective.

Some of the reasons for the gender pay gap, such as explanations behind the variation in the gender pay gap by age, have been examined above. Other research demonstrates the variation more precisely. Outright discrimination happens, but the gender pay gap is largely caused by other factors. Of these, the most important are the interruptions to the labour market, usually caused by motherhood; the subsequent loss of experience relative to other employees; and the types of career women choose to take up. The Government's Women and Equality Unit has quantified the relative effects of these factors:<sup>11</sup>

### **Components of the gender pay gap per hour worked**

<b>Component</b>	<b>% of gap</b>
Years of full-time employment experience	26
Interruptions to the labour market due to family care	15
Years of part-time employment experience	12
Education	6
Occupational segregation	13
Discrimination and other factors associated with being female	29
<b>Total</b>	<b>100</b>

### *Best practice in Britain*

Research indicates that there is an appetite amongst employers to address the pay gap:<sup>12</sup>

- Seven out of ten employers agree that recruiting more young people of the 'non-traditional' sex would help to solve skills shortages.
- At least 36 per cent of girls would have liked to try a work placement more traditionally done by boys.
- In the construction industry, 38 per cent of current vacancies are the result of skills shortages, well above the national average figure of twenty per cent. Only one per cent of employees are female.
- The best employers achieve return rates of over ninety per cent of women returning after maternity leave.
- Flexible working practices significantly increase staff retention and substantially reduce recruitment costs. A five per cent reduction in staff turnover can result in profit increase of between thirty and 85 per cent.
- Ninety per cent of employers with flexible working practices think it is cost effective, 39 per cent think their performance outstrips their competitors
- Managers of flexible workers rated 96 per cent of them as outperforming their traditional full-time colleagues.

Employers that have already grasped the nettle are already making a difference, and seeing positive rewards:<sup>13</sup>

*Case Study One: British Gas.* Doubling the number of female engineers in its workforce to 100 over two years was been no mean feat for British Gas. The company successfully recruited women who had re-trained from other occupations or come back into the workplace after taking a career break, through a Welfare-to-Work initiative – Ambition Energy, as well as encouraging more female apprentices. British Gas offers flexible working to engineers to help them with their parenting commitments, and

8 EOC, Discrimination Law Review Green Paper: Briefing, p.3: <http://www.equalityhumanrights.com/Documents/EOC/PDF/Policy/Submission%20to%20the%20discrimination%20law%20review%20green%20paper.pdf>

9 *ibid.*, p.2

10 Speech by Rt Hon Gordon Brown MP, Advancing Enterprise, 4 February 2005

11 Women and Equality Unit, figures based on British Household Panel Survey data, April 2006.

12 EOC, Britain's Competitive Edge: Women Unlocking the Potential, 2004, p.5.

13 *ibid.*, pp.3-4.



provides up to a year's maternity leave and childcare vouchers. Some of the first female engineers who joined the business have broadened their careers to become technical advisors and the first female service manager has been appointed, leading a team of 30.

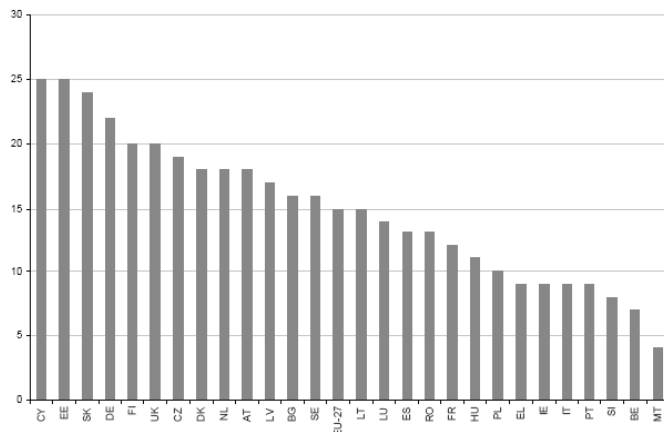
*Case Study Two: Diabetes UK.* "In 2000 our organisation had few women returning to work after their maternity leave. The loss to the organisation was not just the costs of replacing these individuals but also the less visible costs of severed client contacts and loss of skilled organisational knowledge. We therefore set about implementing maternity and family-friendly policies and introducing an open, positive culture so that employees would feel comfortable discussing their pregnancy with us from an early stage. The picture is very different in 2004: ninety per cent of pregnant employees have returned to us after their maternity leave. For the ten per cent (actually one person) that did not return, this was a positive choice."

*Case Study Three: RAC.* Productivity at the RAC increased by eight per cent after introducing a policy to allow staff to work their annual hours flexibly.

*Case Study Four: Nationwide.* Nationwide's current maternity return rate is 91.5 per cent; this represents a thirty per cent increase over the last ten years, a saving of over £3 million. Employee turnover is one of the lowest in the industry at 9.8 per cent compared with an average in the financial services sector of 24 per cent.

*Case Study Five: Farrelly Engineering & Facilities* won the Employer of the Year Family Friendly Award in 2003. Since the firm implemented its new work/life balance policies in 1999 it saw:

- A fivefold increase in sales, from £2 million to £10 million



expected for 2003

- Increased profits
- Improved staff retention, with a turnover rate of five per cent, very low for the sector
- Fewer customer complaints
- More innovation from employees.

### *The international context*

The UK's gender pay gap is high compared to other EU member states:<sup>14</sup>

It is clear that there are considerable differences between the member states, with the gender pay gap ranging from four per cent in Malta to 25 per cent in Estonia and Cyprus. However, the gender pay gap is not an indicator of the overall equality between women and men, as the differences can be explained by other indicators linked to the labour market. This usually reflects the different working patterns of women. In most of the countries in which the female employment rate is low, such as Malta and Italy, the gender pay gap is lower than average, which may reflect the small proportion of low-skilled or unskilled women in the workforce. A high gender pay gap is usually characteristic of a labour market which is highly segregated, such as Cyprus or Estonia, or in which a significant proportion of women work part-time, such as Denmark or the UK. However, as was noted above, this is still only part of the explanation for the UK's gender pay gap.<sup>15</sup>

## The historical legal context

*The Equal Pay Act:* The Equal Pay Act received Royal Assent on 29 May 1970. However it did not come into force until 29 December 1975.

The Equal Pay Act sought to eliminate discrimination in terms of pay and contracts of employment where men and women are doing:

- work that is the same or broadly similar
- work rated as equivalent under a job evaluation study
- work of equal value in terms of the demands made on them under headings such as effort, skill and decision-making

When the Equal Pay Act was passed in 1970, the gender pay gap stood at 37 per cent. By the time the Act came into force in 1975, it had closed to thirty per cent. However, since then the rate of change has been extremely slow (see above).

<sup>14</sup> European Commission, Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee, and the Committee of the Regions: Tackling the Pay Gap Between Men and Women, 2007, p.17.

<sup>15</sup> *ibid*, p.2

*European Equal Pay Law:* Article 141(1) of the EU Treaty provides that ‘Each Member State shall ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied’.

EU directives further state that ‘an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage’ is discriminatory, and therefore unlawful, unless it is ‘objectively justified by a legitimate aim’.

*Defining ‘pay’ in legislation:* In UK and EU law the concept of ‘pay’ is defined broadly. Under Article 141, pay has been held to include voluntary bonuses, travel facilities<sup>16</sup>, occupational pensions<sup>17</sup>, severance payments<sup>18</sup> and compensation for unfair dismissal<sup>19</sup>.

*Material factor defence:* Section 1(3) of the Equal Pay Act (EPA) provides that ‘an equality clause shall not operate... if the employer proves that the variation is genuinely due to a material factor which is not the difference of sex’. This is known as the ‘material factor defence’. In considering such a defence a tribunal is not required to agree that such a factor is reasonable, only that it was the cause of the difference in pay and that it was not discriminatory.

## Labour’s record

*Women and Work Commission:* In 2004 the Government set up the Women and Work Commission ‘to consider how to close the gender pay and opportunities gap within a generation’. It published its report, *Shaping a Fairer Future*, on 27 February 2006.

The report’s recommendations included:

- Government action to tackle gender stereotypes and show women in careers not traditionally taken up by them
- Promoting apprenticeships for women
- Asking schools to consider single sex classes for subjects where girls or boys are under-represented or under-achieving
- Extending the right to request flexible working
- Improving childcare and supporting women returning to work
- Amending the terms of reference of the Low Pay Commission to include a gender impact assessment

*Legislation:* The Government introduced the Equal Pay Questionnaire in 2003 to help an employee gain access to information on a comparator’s wage rates to decide whether to

bring an equal pay case.

It also amended the Equal Pay Act in October 2004 to allow a tribunal to choose to determine the question of equal value itself or to appoint an independent expert to prepare a report on that question. In addition new tribunal rules of procedure were introduced; these were intended to speed up the process of equal value claims.


The Work and Families Act, which came into force last year, extended the right to request flexible working to carers of adults, such as those who look after their elderly parents and those who look after disabled spouses.

*Equal pay audits:* An equal pay review or audit is a systematic examination of how men and women are rewarded in an organisation. The Equal Opportunities Commission’s latest survey (2005) on equal pay review activity found that over two-thirds of organisations had not completed an equal pay review, had none in progress and did not plan to conduct one. However some organisations, e.g. the Inland Revenue, have found that the process of undertaking an equal pay review improves employee morale, loyalty and relations, which in turn have a beneficial effect on productivity. The Women and Work Commission failed to reach agreement on whether to make pay audits mandatory.

*Local government equal pay:* In 1997, local authorities and the trade unions agreed a process for establishing pay equality between white and blue collar workers, and moving towards equal pay across genders for work of equal value. This was known as the Single Status Agreement, and the goal was to implement it by 2004. Some local councils have struggled with the cost and complexity of these changes. Recent legal challenges (no win, no fee claims for back-dated pay) also threaten to unpick the arrangements between unions and councils.

## Conservative proposals

As was discussed above, the causes of the gender pay gap are varied. The policy solutions to overcome them, and the extent to which a government could intervene to address each of these categories, will vary accordingly:

- |  |   |
|--|---|
| 1. Gender pay gap caused by outright discrimination: women earn less than men for the same work        | <br><i>Activism of the state increases</i> |
| 2. Gender pay gap caused by the need for women to seek flexible and part-time work                     |   |
| 3. Gender pay gap caused by differences in human capital, such as education levels and work experience |   |
| 4. Gender pay gap caused by women’s career choices   |   |

<sup>16</sup> Garland v British Rail Engineering Ltd [1982] ICR 420 ECJ

<sup>17</sup> Warringham and Humphreys v Lloyds Bank Ltd C-69/80 [1981] ICR 558 ECJ

<sup>18</sup> Kowalska v Freie und Hansestadt Hamburg C-33/89 [1992] ICR 29 ECJ

<sup>19</sup> R v Secretary of State for Employment ex parte Seymour-Smith and Perez C-167/97 [1999] ICR 447 ECJ

### ***1. Tackling discrimination: compulsory pay audits for employers who discriminate***

We recognise the importance of a transparent and stable regulatory framework, and we believe that the emphasis of equal pay policies should be on incentives to encourage pay equality, rather than punitive measures. However, there will continue to be a need to protect employees from employers who fail to conform to equal pay legislation.

At present, an employee who wins a tribunal case against their employer on equal pay may receive redress, but other employees who have been similarly discriminated against are not automatically helped by the finding. There is no requirement or encouragement for the employer to change its pay policy. If it does not change its policy following a tribunal decision, every employee is forced to launch individual claims against the employer. This may lead to disruption and high costs for both employers and employees.

We would introduce new rules, so that an adverse tribunal decision against an employer would automatically trigger a pay audit. The employer would have to carry this out according to agreed guidelines. This approach is a proportionate measure to protect employees against unscrupulous employers, whilst also minimising the burden on companies following a tribunal decision.

### ***2. Tightening the rules: a ‘reasonableness’ test for the material factor defence***

As was noted above, Section 1(3) of the EPA provides for the ‘material factor’ defence (for cases where “the variation is genuinely due to a material factor which is not the difference of sex”).

Tribunals are not presently required to agree that such a material factor is reasonable, only that it was the cause of the pay difference and that it was not discriminatory. The EPA should be amended to introduce a ‘reasonableness test’ for the material factor defence, which would make it easier to identify cases where pay discrimination is indirect, and not just direct.

### ***3. Extending flexible working to all parents of children aged 18 or younger***

Women are more likely than men to seek to work flexibly, because they are much more likely to have caring responsibilities.

However, jobs currently available on a flexible basis tend to be more poorly paid than jobs with “conventional” hours and working practices. This correspondence between flexible working and low pay has significantly contributed to the gender pay gap.

The right approach to tackling this problem is to extend the option of flexible working as widely as possible. This would broaden the variety of jobs available on a flexible basis, including better paid jobs, and would also help reduce the stigma all too often associated with flexible working.

The Conservative Party will promote flexible working by:

- Working with businesses, both large and small, to make sure that the existing regulations are as simple and easy to implement as possible.
- Extending the right to request to all parents of children aged 18 or younger. At present, the right is available only to parents with children under six or disabled children under 18.
- In government, ensuring that the public sector, as Britain’s biggest employer, becomes a world leader in providing flexible working opportunities.

### ***4. Helping women into work and up the careers ladder***

As the Women and Work Commission concluded, although most Government initiatives have been targeted at women with lower levels of skills and qualifications, highly-qualified and experienced women also experience significant obstacles in returning to work.

This obstacle is particularly acute when women are seeking to return to senior positions and needing to work flexibly or part-time. The flexible working policies set out above are designed to help tackle this issue, but we recognise that additional help is needed to help women who want to return to work after a prolonged absence.

In Australia, Wisconsin (USA) and the Netherlands, the private and voluntary sectors have developed effective and innovative ways of helping people into work – including women following maternity leave – and have achieved great results.

A Conservative government would work with independent providers to replicate these achievements in the UK. We would seek to introduce a bold approach to help women off benefits and

back into work. Under this model, companies and charities would be paid only if they get people back into work, and staying in work.

### **5. Encouraging young women to make broader career choices**

Unambitious and low quality careers advice for young women has contributed to the persistence of the gender pay gap. As successive independent reports have concluded, all too many young women are insufficiently aware of the consequences of particular subject choices at school and university.

The Conservative Party is committed to improving the quality of careers advice given to young women, in order to equip them with accurate and honest information about the implications of career and education choices.

We want women to be empowered to take control of their careers, and make informed choices based on better knowledge of the financial and professional consequences of their decisions.

We will work with teachers and career advisers to ensure that the advice given to young women about their careers is relevant to them as women. Careers advice should inform young women of the material consequences of their decisions about further and higher education as well as the professions they enter.

### **6. Conservatives take action now**

David Cameron's Conservative Party is not content to wait until we win power to make a difference. In order to demonstrate that equal pay policies are good for business, Conservative Campaign Headquarters (CCHQ) has implemented various flexible working initiatives and objectivity in pay policy designed to help tackle the pay gap. As an employer, the Conservative Party is committed to becoming a beacon of best practice for other employers to follow.

Many employers are concerned that equal pay policies will be detrimental to profitability, and will be burdensome to implement and maintain. But as was discussed above, organisations all over the country have found that transparent pay regimes can help with recruitment and retention of staff, and improve morale and productivity.

*Core hours scheme:* In addition to statutory flexible working policies, Conservative Party Headquarters (CCHQ) has introduced a core hours scheme for all employees. Staff are

expected to be present in the work place between 10am and 4pm but otherwise they can agree when they work with their line manager. CCHQ also supports employees working from home when they can; again with agreement from line managers. CCHQ now encourages sabbaticals; one employee has recently returned from almost a year travelling the world while another is currently away for four months. CCHQ invites people to register confidentially any disabilities they may have to ensure that they are meeting their needs as best as they can.

*Objectivity, fairness and best practice:* CCHQ has implemented a rigorous process of job sizing and salary benchmarking to ensure equal pay for equal work. This has been designed to ensure that the organisation does not employ any discriminatory practices relating to age, gender, sexual orientation, ethnicity, disability and/or religious belief.

### **The work-life balance**

In around two thirds of British families, both parents work.<sup>20</sup> 68 per cent of women with children are now in paid employment, and forty per cent work part time.<sup>21</sup>

The hours people work has an obvious impact on their families, and on the work-life balance, particularly for single-parent families. 37 per cent of companies list work-related stress, anxiety and depression as causes of long-term absences amongst manual workers, with 51 per cent reporting it as a cause for non-manual workers.<sup>22</sup> The average working week in the UK stands at about 44 hours for a full-time worker, compared to an EU average of forty hours.<sup>23</sup>

### **Flexible working**

Flexible working is one way of allowing employees a better work-life balance and more control over their lives. Defined simply as meaning flexible working patterns, in practice 'flexible working' can mean compressed hours, flexi-time, term-time working, working from home, job sharing or changes to shift patterns or work location. Flexible working can be beneficial both to employer and employee. It allows for a greater work-life balance, and facilitates participation in the labour market for women and those with caring responsibilities. Employment prospects are increased for those who have traditionally been excluded from the market.

Flexible working allows parents to spend more time with their family. Polling commissioned by the Equal Opportunities Commission shows that more than sixty per cent of people are more

20 Office of National Statistics, The Health of Children & Young People, March 2004, p.18: [www.statistics.gov.uk/children/downloads/child\\_pop.pdf](http://www.statistics.gov.uk/children/downloads/child_pop.pdf)

21 Working Families and Professor Cary Cooper, Time Health and the Family: What working families want, 2005

22 CBI/AXA, Annual Absence Survey, 2007.

23 Office of National Statistics, Working time patterns in the UK, France, Denmark and Sweden, March 2004, p.117: [http://www.statistics.gov.uk/articles/labour\\_market\\_trends/Working\\_time\\_patterns.pdf](http://www.statistics.gov.uk/articles/labour_market_trends/Working_time_patterns.pdf)

concerned about spending enough time with their family than the quality of their local schools and health services.<sup>24</sup> The balance between work and family life is moving up the political agenda.

Yet flexible working is not just about workers with families, or with caring responsibilities. There are many other reasons why people might want to work flexibly. An employee might suffer from a particular health condition, whether they have children or not, and might therefore need to work in a particular way. Flexible working gives people like that the chance to stay in work, which in turn keeps them happier, healthier and wealthier.

Flexible working is also likely to help Britain to cope with future labour market difficulties. In 2020 there will be 2.7 workers for every non-worker, compared to a ratio of four to one in 1990.<sup>25</sup>

### Advantages of flexible working

- Employers** Enhances their ability to recruit and retain staff.  
Improves motivation, morale and commitment among employees.  
Reduces stress and absence in the workforce
- Employees** Gives opportunity to work to their full potential in better-paid jobs.  
Allows a better work-life balance  
Allows them to remain with their existing employers when they need to change their hours or patterns of work  
Incurs no financial penalties other than pro-rata reductions.  
Allows them to work later in life if they so choose.  
Offers a more prosperous retirement by increasing earnings and savings.
- The economy** Achieves better utilisation of skills, qualifications and talent available.  
Overcomes skills shortages and raises productivity levels.  
Achieves a better match between work and services required and labour resources available.  
Benefits from reduced government spending devoted to stress-related illness and incapacity benefit.

### Part-time working

Part-time working, defined as working thirty hours per week or fewer, has increased dramatically in the UK over the last twenty years. Despite this trend, women who work part-time earn on average 40 per cent less per hour than men working full-time.<sup>26</sup> Moreover, 5.6 million part-timers are estimated to “work below

their potential”. This means that they either hold jobs which require a lower level of skills than the jobs they have previously held, or report that they could “easily work at a higher level”.<sup>27</sup> This has a much bigger impact on women than on men, because while men tend to work part-time at the beginning and end of their careers, for women, part-time work is often long-term.

Part-time work opportunities tend to be concentrated in certain sectors and they are mostly low-paid positions. In 2003, 25 per cent of women part-time workers were shop assistants, care assistants or cleaners. Only four per cent were managers or senior officials, despite the fact that, of full-time working women, 15 per cent take such high-level positions.<sup>28</sup>

### Homeworking

The Office of National Statistics estimates that there are around 0.7 million homeworkers in the UK. Almost three quarters of these homeworkers are women.<sup>29</sup> Appropriately managed, homeworking offers employees many of the advantages of other forms of flexible working.

But homeworking also brings with it significant problems. Many industrial homeworkers work long hours and earn rates of pay well below the National Minimum Wage. They are often incorrectly classified as self-employed for tax and National Insurance purposes, which means that they make lower contributions and there are no employer contributions. This means that if they need to claim out-of-work benefits, or a pension, they do not qualify. Homeworkers often work with little or no health and safety precautions and have little knowledge of their rights and entitlements.

### The availability of flexible working

The Employment Act 2002 gives all parents of children under six (or disabled children under 18) a statutory “right to request” flexible working. The right is only available to those who have been in employment for 26 weeks and it is not available to agency workers. The Work and Families Act 2006 extended the right to include carers of disabled adults.

Employers have a duty to consider an application seriously, but they are under no duty to consider anyone else’s request. The Government’s Work-Life Balance study stated that 81 per cent of employees had access to flexible working arrangements.<sup>30</sup> However, this statistic overstates the choices available to employees. If part-time work is removed then less than one in

24 EOC, *Sex and Power: who runs Britain?*, 2006, p.3.

25 Jones et al., *Work-Life Balance Briefing*, The Work Foundation, 2006.

26 EOC, *Britain’s hidden brain drain – Final report*, Sept 2005, p.5.

27 *ibid*, p.6.

28 *ibid*, p.6.

29 Office of National Statistics, *Social Trends 31*, 2001, p.82.

30 Department of Trade and Industry, *The Second Work-Life Balance Study: Results from the Employers’ Survey*, 2003, p.7: [www.berr.gov.uk/files/file12690.pdf](http://www.berr.gov.uk/files/file12690.pdf)



four employers offer any other kind of flexible working. Employee respondents, on the other hand, were interested in a variety of options: 47 per cent were interested in flexitime, 35 per cent in compressed working week, 26 per cent in part-time work, 25 per cent in term-time working and 16 per cent in job sharing.<sup>31</sup> Additionally, while managers and senior officials who qualify for the right to request flexible work are generally aware of this right, they remain unlikely to make a request due to fear of damage to their career.

Reporting in 2006, the Women and Work Commission found a lack of quality part-time work and flexible working at senior levels, arising from the long-hours culture and ‘presenteeism’ – the need to be seen at work.<sup>32</sup> In their search for flexibility, women often change employers and accept lower pay, benefits and pension entitlements, and poorer training and promotion opportunities.<sup>33</sup> The result is that many female employees work below their skill levels.

### Barriers to flexible working

#### Employers Disruption to business

- Increased managerial workloads
- Fear of ‘opening the floodgates’
- Lack of trust
- Not practical for some jobs

#### Employees Direct opposition from employers

- Perception that requesting flexible work might damage their career options

### Conservative proposals on flexible working

We want to give as many people as possible the chance to work flexibly. But we also want to be fair to employers. So we are committed to extending the right to request flexible working to all parents of children under the age of 18. And, eventually, our ambition is to make flexible working available to as many people as possible.

Of course, it will not always be possible for an employer to allow an employee the flexible work patterns that they want or need. That is why it would be inappropriate to compel employers. So we are limiting the policy to the ‘right to request’, rather than allowing a ‘right to demand’.

And of course, the way to increase flexible working has to be two-fold. First, we need legislative change to extend the right to request flexible work. And second, we need to do more to make

the business case for flexible working to employers.

### Best practice in Britain

There are many examples of good, flexible working practices in Britain. The following examples were taken from a study by the Equal Opportunities Commission:<sup>34</sup>

*Case Study One:* Unilever Foods UK introduced a 24/7 factory operation with annualised hours, seven day continuous shift working and the abolition of overtime. There were dramatic improvements in operational efficiency, from forty to fifty per cent in the first year.

*Case Study Two:* Great success was had at MSN too, with a flexible working scheme resulting in increasing productivity by sixty per cent and customer service levels increasing by eighty per cent.

*Case Study Three:* Ernst and Young found that the introduction of a full flexible working scheme meant that the percentage of women partners more than tripled since the mid-1990s and the downward trend in retention of female workers at every level was reversed.

*Case Study Four:* BT found that flexible working, including using home workers, nomadic workers and annualised hours, resulted in 99 per cent retention of female employees after maternity leave.

### Women’s pensions

Most people would agree that a country as wealthy as Britain should be able to provide security and dignity for its old people. Yet 1,840,000 pensioners in the UK live in poverty<sup>35</sup>, and two thirds of these are women.<sup>36</sup> And for every £1 a man receives from a pension, a woman receives just 32p.<sup>37</sup>

The principal difficulties for women arise because the structure of the pensions system has not reflected the changed role of today’s women. The majority of women are engaged in paid employment but the pattern of that employment does not always fit well with the pensions system. Poor access to pension schemes, high entry thresholds, long qualifying periods, limited portability, and annualised contributions records, have all hindered women trying to purchase pension provision.

The Government’s Pensions Act 2007 addressed some of the

31 Working Families and Professor Cary Cooper, *Time Health and the Family: What working families want*, 2005.

32 Women & Work Commission, *Shaping a Fairer Future*, April 2006, p.32.

33 Women & Work Commission, *Shaping a Fairer Future*, April 2006, p.viii.

34 EOC, *Changing the Way We Work*, 2006

35 Hansard, 29 October 2007, Col.768 WA.

36 Department for Work and Pensions, *Households Below Average Income Survey*, March 2006.

37 Age Concern, *One in Four*, 2003, p.1.

problems faced by women. However as the package of measures introduced in the Act will not come into effect until 2010 many women reaching state pension age today will continue to lose out. According to the Pensions Policy Institute, 45 per cent of the cohort that are addressed by the Pensions Act will continue to have to claim the means-tested Pension Credit in order to stay out of poverty<sup>38</sup>. An estimated two-thirds of this group are women<sup>39</sup>. This is despite Gordon Brown pledging that the Labour Government would ‘achieve what in 50 years of the welfare state has never been achieved - the end of the means test for our elderly people’<sup>40</sup>.

In addition the Pension Credit is so complicated and unpopular that up to 1.7 million pensioners do not claiming the Pension Credit they are entitled to. Over half of these pensioners live in poverty.<sup>41</sup>

One of the reforms in the current Pensions Bill is to introduce a ‘Personal Account’ system. Employees would be auto-enrolled and it is compulsory for employers to make a three per cent of salary contribution to such funds. However, people earning below £5,000 per annum are not be included, contributions to the fund are capped at £3,600 per annum, and many low-earners or those in receipt of other welfare benefits may not get good value from saving in Personal Accounts.<sup>42</sup> The Pensions Policy Institute (PPI) notes that ‘the charging structures may typically have different impacts on men and women, because women are more likely than men to have lower earnings and are currently less likely to save in a private pension’.<sup>43</sup>

The Government argues that these problems affect only those with very chequered work histories and very low incomes.<sup>44</sup> Yet this is the current work-pattern of many women and low earners, so the structural problems which lead to the exclusion of many women from pension schemes remain. The number of people earning below the Personal Account threshold may even increase as employers reduce the number of work hours per week in order to stay out of the system.<sup>45</sup>

The majority of women in the workplace, particularly those with children, choose flexible, part-time working arrangements in order to care for their families. More recently, an increasing number of men have sought more flexible work patterns. Yet while some part-time and flexible working patterns are recognised in the current pension system, not all of them are, and there are still administrative problems in deciding who should and should not be covered.

38 PPI, Response to Government's White Paper, Security in retirement: towards a new pensions system, September 2006, p.3.

39 Pensions Commission, Pensions: Challenges and Choices, October 2004.

40 The Times, 28 September 1993

41 Department for Work and Pensions, Income-related benefits estimates of take-up in 2005-06, May 2007.

42 PPI, Additional case studies for Scottish Widows, September 2006

43 PPI, Changing structures for Personal Accounts, March 2007, p.11

44 Times newspaper, Automatic personal retirement accounts 'could lose savings' 13 December 2006 p.24.

45 Christopher Stern, Farsight Solutions Ltd, at WPG seminar, Cheadle 22/06/07

# Women in their communities

## Family responsibilities

Around 41 per cent of parents spend two hours or less with their child each day.<sup>46</sup> Only one third of families manage to eat together every day.<sup>47</sup> But parents want to spend more time with their children, and the consequences of family breakdown in terms of drug abuse, crime and other social problems are clear for all to see.<sup>48</sup>

The issue of flexible working for parents has already been considered, but parents face another serious problem: Labour's approach to childcare severely limits choice. This manifests itself in two ways.

### *A lack of choice for parents*

First, Labour's approach has been to try to get parents back to full-time work, and in doing so, those parents who want to care for their children often feel discriminated against and penalised for making the choice that suits them.

Research suggests that a full-time parent is worth £29,000 per year.<sup>49</sup> The tax system makes no allowance for families where one parent chooses to stay at home to look after a child. In addition, and as was considered above, by taking the decision to break from their careers to care for their children, many mothers experience reduced future earnings, reduced pension provision and reduced financial security in the future.

Despite universal child benefit and the Child Tax Credit, the tax gap between two-earner families and those with a parent at home has widened. (*KPMG published in The Times 19/03/04*)

### *A lack of choice in childcare*

Conversely, Labour has also restricted choice for those parents who do decide to work and need somebody to care for their children. Women still take the largest share of childcare responsibilities. Mothers do three-quarters of childcare during the week and two-thirds at weekends.<sup>50</sup> In 2004, the majority of mothers with dependent children were working (66 per cent), more than half (52 per cent) of whom were mothers of children under five years old.<sup>51</sup>

All women are entitled to ordinary maternity leave of 26 weeks, no matter what length of service they have. Most mothers

currently take around six months of maternity leave, although official figures show that around 66 per cent of them take less maternity leave than they are entitled to, mainly due to financial pressures.<sup>52</sup> High childcare costs severely limit the choices available to all but the wealthiest parents in the first two to three years of their child's life.

Financial support for childcare is provided to people on low incomes through the Working Tax Credit (WTC). The childcare element is received by over 300,000 families at a public cost of over £800 million per year. The maximum award is capped at eighty per cent of childcare costs, up to a limit of £140 per week for one child and up to £240 per week for two or more children.<sup>53</sup> The average cost for a child under two years old is £152 per week in England.<sup>54</sup> WTC does not take account of the additional costs of care of a disabled child and it is not available to parents who work fewer than 16 hours per week or who are in training. Twenty per cent of low income parents still pay all their childcare costs themselves.<sup>55</sup> Overall, parents still bear around seventy per cent of childcare costs themselves, which comes to some £3 billion per year.<sup>56</sup>

Family members who care for a child in the home cannot register as carers and so cannot be paid through the benefits system or by employer childcare vouchers. A huge amount of care is informal, typically undertaken by relatives<sup>57</sup>. 68 per cent of working families in Britain do not use childcare. Of the 32 per cent of working families that do use childcare, 18 per cent use 'informal' and 13 per cent use 'formal' arrangements.<sup>58</sup>

The Government has put funding into nursery places but it promotes and subsidises state-run nurseries at the expense of those run by the private, voluntary and independent sectors (PVI). Since April 2004, all three and four year-old children have been entitled to a free part-time early education place for 12.5 hours per week, free at the point of delivery, and paid by local authorities. Some local authorities have provided these services for even longer. For example, the London Borough of Merton offered these places in the late 1980s. However, the money allocated for free entitlement is not sufficient to cover the additional costs faced by PVI nurseries. PVI nurseries have to pay business rates, Ofsted inspection fees and VAT whilst the maintained sector does not. PVI nurseries charge a top-up fee to cover these costs but proposals in the Government's 2006 Statutory Guidance on early

46 Working Families and Professor Cary Cooper Time Health and the Family: What working families want. 2005  
47 *ibid*

48 For a detailed analysis of the consequences of family breakdown, see Chapter 2 of 'Breakdown Britain', published by the Conservative Social Justice Policy Commission:

[http://www.centreforsocialjustice.org.uk/client/downloads/BB\\_family\\_breakdown.pdf](http://www.centreforsocialjustice.org.uk/client/downloads/BB_family_breakdown.pdf)

49 Norwich Union press release, March 2004. Calculated from ONS, Social Trends, 33,2000 data: Value of unpaid domestic work at £700bn pa divided by 24m households = £29,166pa

50 Women & Work Commission Shaping a Fairer Future April 2006, p.27.

51 Equal Opportunities Commission, "Sex and power: who rules Britain", 2006, p.10.

52 Department for Trade and Industry, Maternity & Paternity Rights & Benefits – a survey of parents, 2005, p.34.

53 Working Families, Taxation & Benefits, April 2007: [www.workingfamilies.org/research](http://www.workingfamilies.org/research)

54 Daycare Trust, Annual Childcare Costs Survey, 2007.

[www.daycaretrust.org.uk/mod.php?mod=userpage&menu=1003&page\\_id=226](http://www.daycaretrust.org.uk/mod.php?mod=userpage&menu=1003&page_id=226)

55 The Childcare Commission, 5 years on Realising the Childcare Revolution, 2006, p.4:

[http://www.4children.org.uk/uploads/information/RealisingTheChildcareRevolution\\_PolicyLeaflet2006.pdf](http://www.4children.org.uk/uploads/information/RealisingTheChildcareRevolution_PolicyLeaflet2006.pdf)

56 *ibid*, p.4.

57 Office of National Statistics, Social Trends 37, 2007, Table 8.17, p.111.

58 Definitions used are those used by the Department for Work and Pensions' Family Resources Survey. 'Formal' childcare includes that arranged through childminders, nurseries, crèches, nanny/au pair and employer nurseries.

'Informal' childcare covers close or other relatives and friends, which may or may not be paid for.



years funding seeks to ban top-up fees.<sup>59</sup>

A report by Price Waterhouse Cooper, commissioned by the then Department for Education and Skills, has revealed that the average cost per child per place in a children's centre is £250 per week (£6.25 per hour or £15.63 for a two and a half hour session).<sup>60</sup> However the average level of funding provided to local authorities is only £3.83 per hour or £9.58 per session.<sup>61</sup> Many nurseries reporting to the National Day Nurseries Association (NDNA) reported a much lower level of funding received and even if all of the money went directly to PVI providers, evidence suggests that for many settings it would still be inadequate. There is therefore a fear that the Government's policy will force PVI nurseries to close and diversity of provision will come to an end.<sup>62</sup> In an on-line survey of PVI nurseries conducted by the NDNA, 73 per cent of all respondents said they were not being paid the full cost of delivering the entitlement by their local authority; 33 per cent of respondents said they were losing more than £5 per session.<sup>63</sup>

### Women as carers

There are six million unpaid carers in the UK.<sup>64</sup> They save the State an estimated £57 billion per year in care costs.<sup>65</sup> A quarter of all women aged between 45 and 64 are carers of adults; a quarter of those also care for children.<sup>66</sup> Over 1.4 million male carers and 1.7 million female carers also do paid work.<sup>67</sup> This means periods out of paid employment and periods in part-time, often low-paid employment. This has a knock on effect on earnings and pensions.

Half of all families with a disabled child are living in poverty or are on the margin of poverty.<sup>68</sup> Parents of disabled children face particular challenges of their own when it comes to combining their work role and care role. Finding school places, arranging transport, taking time off work for medical appointments and much more all adds to the strain of the dual role. Moreover, working part-time can be difficult because it can mean that parents lose their entitlement to Carer's Allowance.

Many carers say they just "slipped into" the caring role when the condition of the person they care for deteriorated.<sup>69</sup> Although parents and carers of disabled children are entitled to the Carer's Allowance, many carers do not realise that they are entitled to help and support. Many others, particularly those in the older age group, do not seek the available support because they regard it as charity. For those who do try to claim support, they find the

system and form filling is time-consuming and complicated.

Much of the information carers are required to cite involves listing all the things the person they care for cannot do. Not only do applicants find it difficult to explain what activity or actions cannot be done, they find it demoralising and negative to write it all down. It is often easier for a third party to assist with the form-filling, and organisations such as Citizens Advice do help in this respect. One parent carer who sought the assistance of Citizens Advice asked if they could include a note on the form that the "child was very much loved." She felt that the long list of problems would make it seem as though her child was not being properly looked after.<sup>70</sup> Many carers and organisations involved in the care sector would like to see more focus on access to support rather than on the disability.<sup>71</sup>

The difficulties in accessing support means that many families do not get any respite until they have reached breaking point. By this time, problems that might have been easy to deal with at an early stage become more complex and costly to resolve. It is very difficult to obtain a needs assessment. Even though people have a statutory entitlement to a needs assessment, the difficulties in obtaining one is one of the top ten issues for people contacting Counsel & Care's advice line.<sup>72</sup> A further issue is that the local authority assessors are not seen to be independent because they are also the provider of any services needed.

There are also significant concerns about Government proposals to merge health and social care. One witness to the Conservative Women's Policy Group said, "There are huge numbers of people pushed out of funded hospitals into un-funded community or home care."<sup>73</sup> Other witnesses expressed concerns that merged health and social care would mean that funding would be directed to health services, rather than care services.<sup>74</sup>

Children who are disabled face a number of "cliff edges" when they are between 16 and 19 years old. They cease to be regarded as children and are suddenly deemed to be adults. For example, at the age of 16, Disability Living Allowance (DLA) that had been paid to the carer is paid directly to the recipient of care. They become responsible for their own applications and decisions about care and support, even if they must remain living with their parent or carer. In order to continue receiving DLA the recipient's condition is reassessed. According to Citizens Advice, there are a large number of costly appeals.<sup>75</sup>

59 Department for Education and Schools, A Code of Practice on the Provision of Free Nursery Education Places for 3 & 4 Year Olds, February 2006.

60 Department for Education and Skills, Children's Services: The Childcare Market, August 2006, p.30.

61 National Day Nurseries Association, The Free Early Years Entitlement – The Future, December 2006, p.7.

62 *ibid*, p.7.

63 *ibid*, p.13.

64 Office of National Statistics, Caring and carers, 2001: <http://www.statistics.gov.uk/cci/nugget.asp?id=1336>

65 Carers UK, University of Leeds report, September 2007

66 EOC, If we get it right for women we'll get it right for everyone, 2006, p.1.

67 Women & Work Commission Shaping a Fairer Future, April 2006, p.28.

68 Working Families, Children and Young People Review – support for disabled children and their families, 2006, p.1.

69 Carers speaking at WPG policy seminar, Taunton 21 May 2007

70 Sonia Pike, Bureau Manager, Mendip CAB at WPG policy seminar, Taunton 21 May 2007

71 Carers & Care organisation representatives at WPG policy seminar, Taunton 21 May 2007

72 Stephen Burke, CEO Counsel & Care reporting to WPG 19 October 2007

73 Sheila Scott, CEO National Care Association, at WPG seminar, Taunton 21 May 07

74 Sheila Scott, CEO National Care Association, at WPG seminar, Taunton 21 May 07

75 Sonia Pike, Mendip CAB speaking at WPG seminar, Taunton 21 May 07

At 16, a child who is unable to work is entitled to claim the Incapacity in Youth benefit (IY). If they do so, they must end their formal education and can only attend 'life skills' courses, which usually do not qualify for free transport. The application forms for Job Seekers' Allowance do not include questions that would identify people entitled to IY.

# Vulnerable women

## Women and body image

Problems connected to body image, for girls and women of all ages, are well-documented. The belief that appearance is linked to popularity and self-esteem is making girls younger than ten years old feel pressured.<sup>76</sup> Girls who are slim and pretty are seen as more likely to be happy, popular, clever and friendly. Girls who are overweight or less attractive are viewed as more likely to be unhappy, lonely, picked on for their appearance, or victims of bullying.<sup>77</sup>

Eating disorders are widely misunderstood conditions and they are serious mental illnesses. It is estimated that there are more than 1.1 million people in the UK directly affected by eating disorders.<sup>78</sup> Eating disorders include Anorexia Nervosa (11 per cent) Bulimia Nervosa (43 per cent), Diabulimia (in which diabetics skip vital injections in order to lose weight), binge eating disorder and atypical eating disorders (46 per cent).<sup>79</sup> Access to specialist eating disorders treatment is dependent on where people live. In a survey by the Royal College of Psychiatrists in 2002, there were no specialist services in fifty per cent of UK health authorities.<sup>80</sup>

Anorexia Nervosa has one of the highest rates of mortality for any mental illness, at around thirteen to twenty per cent per annum.<sup>81</sup> While eating disorders can affect anybody of any age it is predominately girls between the ages of 15 and 25 who are most at risk.<sup>82</sup> It is estimated that around 83 per cent of females with eating disorders are aged between twelve and twenty.<sup>83</sup>

Eating disorders obviously bring great pain and emotional trauma to individuals and their families. Their financial consequences have never been properly estimated but it is likely to be substantial.<sup>84</sup> For those admitted to NHS hospitals, the average length of stay is 51 days.<sup>85</sup>

One of the most common triggers for an eating disorder is bullying because of weight or shape.<sup>86</sup> In a nationwide survey of young women conducted by Girlguiding UK, more than half of 16 to 25-year olds and a quarter of ten to 15-year olds said that what they see and hear in the media makes them feel that the most important thing is to be pretty and thin.<sup>87</sup> In 2004, another survey conducted by *Bliss* magazine sixty per cent of teenage girls

thought they would be happier if they were thinner. While only 19 per cent of teenage girls are defined as overweight, 67 per cent think they need to lose weight.<sup>88</sup>

According to Dr Susie Orbach, a psychotherapist and visiting professor at the London School of Economics, “around the world, research shows that the worlds of beauty, fashion and media have powerful, and often damaging, impacts on young people’s experience of themselves. Consequently, body image issues affect nearly all girls, undermining confidence and wasting emotional energy.”<sup>89</sup>

## Homeless women

There are 89,510 homeless households in “priority need” and living in temporary accommodation in England. Of these households, 73 per cent include dependent children and/or a pregnant woman.<sup>90</sup> Additionally, many families with children live in unsuitable and insecure temporary accommodation which is not included in the official statistics.<sup>91</sup> Homelessness among single women has been steadily rising over the last ten years and they are now estimated to make up between five and fifteen per cent of single homeless people.<sup>92</sup>

According to one study commissioned by Shelter, domestic violence was the single most quoted reason for a homeless woman leaving her home.<sup>93</sup> And many more young women than men cite conflict with their parents or a relationship breakdown as their reason for becoming homeless.<sup>94</sup>

The problem of homelessness is worsened by the fact that many women find that tenancy agreements are in their husband’s name. When a relationship breaks down they are left with no entitlement to their home and are forced to leave. Support and accommodation for single women fleeing violence is extremely limited. For example, women-only hostel spaces account for just five per cent of all hostel beds.<sup>95</sup>

The local housing authority is the first point of call for someone who becomes homeless. Research commissioned by Shelter shows that housing authority staff have a high degree of discretion in deciding who does and does not fall under “statutory” status;

76 Connie Wessles, Girlguiding UK commenting on report Under Ten & Under Pressure, October 2007

77 Girlguiding UK report Girls Shout Out: Under Ten & Under Pressure October 2007, p.1.

78 Eating Disorders Association publication Time to Tell 2006, p.1: www.edauk.com

79 Fairburn & Harrison study Aetiology of Eating Disorders 2003 published in Lancet Vol 361 Issue 9355 p. 407-416.

80 Royal College of Psychiatrists Eating Disorders in the UK: Policies for Service Development & Training 2000 in Parliamentary Office of Science & Technology Postnote number 276 July 2007

81 Howlett, M., McClelland, L., & Crisp, A.H., The cost of the illness that defies, Postgraduate Medical Journal, 71, 1995, 705-711.

82 BEAT, About Eating Disorders, December 2007: <http://www.beat.co.uk/AboutEatingDisorders/WhatisanEatingDisorder>

83 Parliamentary Office of Science & Technology Postnote number 287 July 2007

84 Simon J et al Psychological Medicine 35(2005) in Parliamentary Office of Science & Technology Postnote number 287 July 2007

85 UK Hospital Episode Statistics, Dept Health 2004 in Parliamentary Office of Science & Technology Postnote number 287 July 2007

86 Eating Disorders Association publication The Hidden Cost of Eating Disorders, p.2.

87 Girlguiding UK, Girls Shout Out: Under Ten & Under Pressure, 2007.

88 Reported on BBC News, 6 Jan 2004 (quoted in Girlguiding UK & Dove Self Esteem Fund, Looking at Me, 2007).

89 Girlguiding UK & Dove Self Esteem Fund, Looking at Me, 2007.

90 Department for Communities and Local Government, Live tables on Homelessness:

<http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/homelessnessstatistics/livetables/>

91 John Reacroft, Do my kids have to live like this forever?, Barnardo’s, December 2005, p5

92 Helen Cramer with Mary Carter Homelessness: what’s gender got to do with it? Shelter, 2002.

93 ibid

94 ibid

95 ibid

that is, that the person in question must be put into accommodation.<sup>96</sup> This means that the way people are helped can vary significantly.

Late payment of housing benefit often means that tenants are served with eviction notices by their landlords. These landlords might be private owners, but in some cases they are the same local authority which administers the payment of housing benefit. In these circumstances, as well as other difficult situations, women often leave their property immediately and stay with friends or relatives. However, in so doing, the tenant is classified as “intentionally” homeless and therefore not eligible for housing.<sup>97</sup>

### *The problem of temporary accommodation*

Women who have children are eligible for local authority housing but they are often placed in unsuitable ‘bed and breakfast’ accommodation on a long-term basis. Local authorities describe such accommodation as temporary but in reality many families stay for many years, or can be caught in a cycle of temporary moves. The 89,510 homeless households noted above is now more than twice the number (41,250) it was when Labour took office in 1997.<sup>98</sup> In London, the problem has deteriorated at a faster rate than in the rest of the country. In 1998, only two per cent of London households in priority need living in temporary accommodation had spent more than two years homeless (one per cent for England as a whole). By the end of 2006, the figure was 44 per cent (15 per cent for England as a whole).<sup>99</sup>

The uncertainty caused by time spent in temporary accommodation, which is often of poor quality, impacts both physically and mentally on families. In turn, this often results in more visits to doctors or hospitals, and falling levels of self-esteem and activity.<sup>100</sup>

For the children involved, the disruption caused by living in temporary accommodation makes it difficult for them to keep school places, maintain their attendance and do well at school. The stresses associated with living in temporary accommodation affects their mental and emotional well-being. A survey conducted by Shelter in 2004 found that children in temporary accommodation missed an average of 55 school days per year, and two thirds of respondents said their children had problems at school.<sup>101</sup>

The estimated additional expenditure associated with the use of temporary accommodation is around £500 million per year, including:

- around £300 million rent-related spend & housing benefit dependency;
- around £90 million additional out-of-work benefits (income support);
- around £50 million out-of-school provision for children;
- around £30 million additional sickness benefits (incapacity); and
- around £10 million additional visits to GPs.<sup>102</sup>

### *Women leaving prison*

Forty per cent of female prisoners lose their housing and, on leaving prison, have nowhere to stay.<sup>103</sup> Amongst the prison population overall, one third of those leaving prison – around 28,000 people every year – have nowhere to stay.<sup>104</sup> For some, repossession of a property can mean losing all their furniture and possessions too. They not only lose their homes but everything they owned.

Unlike family liaison officers for the armed forces, resettlement officers in prisons and probation officers do not have nomination rights with housing authorities. Many ex-prisoners initially stay with friends or relatives and when it is time for them to move on they are deemed by housing authorities as having made themselves “intentionally” homeless. This means that the local authority does not have a duty to house them.

Female prisoners who lose their homes run the risk of also losing their children. A “catch-22” situation often arises upon release. Women will qualify for local authority housing if they have their children with them, but their children will not be returned to them until they have housing.

## **Female prisoners**

There are 4,700 women in British prisons, which is about six per cent of the total prison population.<sup>105</sup> The most common offences for which women are sent to prison are theft and handling stolen goods.<sup>106</sup> For many, the crime is committed in order to feed a drug habit. For example, sixty per cent of the women prisoners at HMP Send are drug or alcohol addicts.<sup>107</sup> The campaigning organisation, “Women in Prison”, estimates that seventy per cent

96 *ibid*

97 Judith Maizel-Long, *Housing Justice*, policy seminar 13 March 2007, Colchester

98 Dept for Communities & Local Government, Table 624: Homeless households in temporary accommodation, Q1 1997 & Q4 2006 (Statistical release 2007/0040)

99 *ibid*, Table 636.

100 Shelter report: *Sick and Tired*, Sarah Credland & Helen Lewis, December 2004

101 Shelter report *Living in Limbo* 2004

102 Shelter report: *Living in Limbo*, 2004

103 Rachel Halford, *Women in Prison*, WPG seminar 13 March 07, Colchester

104 John Reacroft, *Barnardos*, WPG seminar 13 March 07, Colchester

105 Howard League for Penal Reform, *Women & Girls in the Penal System*, PIB2 2006.

106 Home Office *The Corston Report* 2007, p.18.

107 Governor Ritchie at WPG Seminar HMP Send, October 2006

of women prisoners have mental health problems and 37 per cent have attempted suicide. Some twenty per cent have been in the care system as children and at least fifty per cent report being victims of childhood abuse or domestic violence.<sup>108</sup>

Although women comprise only six per cent of the prison population, they commit 55 per cent of all reported self-harm incidents in prisons. In the community at large women are three times less likely than men to take their own lives. In prison, they are twice as likely as men to do so.<sup>109</sup>

When women are given a custodial sentence, it is not just they who are punished but their children as well. Of these women, 66 per cent are mothers and 46 per cent had children living with them at the time of imprisonment<sup>110</sup>. Approximately 8,000 children a year have their living arrangements altered as a consequence of their mother going to prison<sup>111</sup>.

Women prisoners are twice as likely as men to be held more than fifty miles from home, creating logistical problems for visits. Almost half the women in one study said they had received no visits at all.<sup>112</sup>

There are currently seven ‘mother and baby’ units in UK prisons. New Hall and Holloway keep babies with their mothers up to the age of nine months. Bronzefield, Peterborough, Styal, Eastwood Park and Askham Grange accommodate babies with their mothers up to the age of 18 months. Askham Grange is the only open prison with a mother and baby unit. There is no automatic eligibility and each application for admission is assessed on an individual basis by a multi-disciplinary team.<sup>113</sup>

There is only one long-term, intensive, abstinence-based, treatment programme for women. This is at HMP Send where there is a twenty-bed unit run by a charity called RAPt. The 12-week programme seeks to address the issues behind an individual’s drug use and to empower the drug user to change their life.<sup>114</sup>

Prisoners who complete a sentence plan can be released under license but some prisoners are prevented from doing this because of the slow administration of the Multi Agency Public Protection Programme (MAPPA), which assesses prisoners’ risk to the public. As part of the sentence plan, a prisoner often needs a job

to go to. In order to get a job, the prisoner needs an assessment, but because it takes around eight weeks to complete, by the time it is ready, the vacancy they applied for has often been filled. Without the job, the prisoner fails to complete the sentence plan and so cannot be released under licence.<sup>115</sup>

## Domestic violence

According to the British Crime Survey, there were 363,000 incidences of domestic violence in 2005/06. These constitute 15 per cent of all violent incidents reported.<sup>116</sup> Eighty per cent of the victims of domestic violence were women.<sup>117</sup> One in four women is estimated to experience domestic violence in their lifetime.<sup>118</sup> Victims and abusers come from all walks of life. The estimated cost of domestic violence to society in monetary terms is £23 billion per year.<sup>119</sup>

These figures are almost certainly under-estimates. It is thought that over half of domestic violence incidents are unreported. There are many reasons why women do not report to the police or other agencies. These include lack of awareness about or access to services available, concern that agencies will not be sympathetic or sensitive, fear of retribution from the perpetrator, and fear that their children will be taken into the care of social services. According to the BBC’s *Hitting Home* campaign, less than 35 per cent of actual domestic violence is reported to the police, and some surveys put it as low as 12 per cent.<sup>120</sup>

Domestic violence does not just affect the adults at its centre, but can have a damaging effect on the children who witness it and live in a household where it occurs. The Government estimates that at least 750,000 children a year witness domestic violence,<sup>121</sup> while about a quarter of young adults report that physical violence sometimes took place between those caring for them during childhood.<sup>122</sup> A child living in a household with domestic violence is likely to exhibit similar psychosocial outcomes to a child that has been physically abused;<sup>123</sup> the effects can include increased likelihood of bed wetting, nightmares or flashbacks.<sup>124</sup>

‘Supporting People’ is the main funding source for the provision of domestic violence refuge services. Anecdotal feedback suggests that these services are not universal or consistent across the country. Local authorities in some areas have found it bureaucratic and difficult to apply. Due to the implications of

108 [www.womeninprison.org.uk](http://www.womeninprison.org.uk)

109 Women & Girls in the Penal System, Howard League for Penal Reform PIB2-2006

110 Home Office, Women prisoners: a survey of their work and training experiences in custody and on release, 2004, p.9.

111 Hansard, 13 December 2007, Col. 450 WA.

112 Prison Reform Trust, Lacking Conviction: The Rise of the Women’s Remand Population, (2004)

113 [http://www.hmprisonservice.gov.uk/adviceandsupport/prison\\_life/femaleprisoners/](http://www.hmprisonservice.gov.uk/adviceandsupport/prison_life/femaleprisoners/)

114 WPG visit to HMP Send, RAPt unit October 2006

115 Evidence given by prisoner at HMP Send to WPG members October 2006.

116 Home Office, British Crime Survey 2005/06: <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/domestic-violence/>

117 *ibid.*

118 *ibid.*

119 Department of Trade and Industry, The Cost of Domestic Violence, Prof. Sylvia Walby (Leeds) September 2004, p.12.

120 Home Office, A new deal for victims and witnesses: National Strategy, 2003, p.14.

121 Department of Health, Women’s mental health: Into the mainstream, 2002, p.16.

122 Cawson, Child Maltreatment in the Family, NSPCC, 2002, p.37.

123 Kitzmann, K.M., Gaylord, N.K., Holt, A.R. and Kenny, E.D., 2003, Child witnesses to domestic violence: a meta-analytic review, *Journal of Consultative Clinical Psychology*, 71(2), pp. 339-52.

124 [www.nspcc.org.uk/whatwedo/mediacentre/mediabriefings/policy/domestic\\_violence\\_wda45647.html](http://www.nspcc.org.uk/whatwedo/mediacentre/mediabriefings/policy/domestic_violence_wda45647.html)

domestic violence, children make up roughly two thirds of the refuge population, yet the ‘Supporting People’ funding regime does not include funding for children’s services. As highlighted above, domestic violence is a key cause of homelessness for women and children.<sup>125</sup>

There is a particular problem with domestic violence for female immigrants. The ‘no recourse to public funds’ rule, which means that immigrants are not allowed access to statutory support available to full citizens, restricts the help that these women are entitled to. Such women are therefore unable to access protection, safety and support services because they have no access to statutory help for housing or related public funds for housing costs and living expenses. Even shelter places are unavailable because they are maintained through rental income mainly funded by housing benefit. As a result many women are trapped with a violent partner. The ‘Domestic Violence Immigration Rule’ currently allows women who enter as spouses to apply for residency if they can prove the relationship broke down due to domestic violence. However, the ‘no recourse’ rule means that many women cannot make use of it because they cannot establish safety for long enough to process their application, obtain legal representation. They are not able to stay at refuges.<sup>126</sup>

An important step in tackling domestic violence was the passing of the Domestic Violence, Crimes and Victims Act of 2004. A key provision of the Act will allow for the use of restraining orders to be extended to any offence, rather than only those committed under the Protection from Harassment Act 1997, as was previously the case. This provision, found in Section 12 of the Act, would have allowed restraining orders to be put in place in

cases of domestic violence that did not fit the particular stipulations of the Protection from Harassment Act. This would be an important step in protecting the victims of domestic violence. The Government promised on several occasions that this crucial part of the Act would be brought into force during 2007, yet four years on from the original legislation Section 12 has still not come into force.<sup>127</sup> The Government’s target date of 1<sup>st</sup> July 2007 sailed by without anything happening. Women’s charities and independent experts have indicated their suspicions that this has been delayed because of the lack of capacity in prisons. The Government has offered no official explanation and has not indicated when it will be implemented.

## Rape

It is estimated that a minimum 47,000 women in England and Wales are raped each year and the majority are committed by someone the victim knows, often a partner or ex-partner.<sup>128</sup>

### Conviction rates

The conviction rate for rape has decreased from 33 per cent (one in three) of cases reported in 1977 to (one in thirteen) cases in 1999 to 5.7 per cent (one in twenty) in 2005. The conviction rate also varies widely, from 13.8 per cent in Northamptonshire to just 1.6 per cent in Suffolk and 0.86 per cent in Gloucestershire.<sup>129</sup>

Just five per cent of rape cases reported to the police result in conviction:<sup>130</sup>

		1998	1999	2000	2001	2002	2003	2004	2005
<b>Rapes recorded</b>	<b>Total</b>	7,636	8,409	8,593	9,734	12,295	13,272	14,042	14,449
	<b>Proceeded against</b>	2,185	2,169	2,046	2,651	2,945	2,790	2,689	2,826
	<b>% of recorded rapes</b>	28.61	25.79	23.81	27.23	23.95	21.02	19.15	19.56
<b>Found guilty</b>	<b>Total</b>	675	659	598	572	655	673	751	796
	<b>% of recorded rapes</b>	8.84	7.84	7.00	5.88	5.33	5.07	5.35	5.51
<b>Sentenced</b>	<b>Total</b>	675	656	596	571	655	673	751	795
	<b>% of recorded rapes</b>	8.84	7.80	6.94	5.87	5.33	5.07	5.35	5.50
<b>Immediate custody</b>	<b>Total</b>	655	632	573	552	632	654	719	747
	<b>% of recorded rapes</b>	8.58	7.52	6.67	5.67	5.14	4.93	5.12	5.17

125 Housing for Women Annual Review 2005/06.

126 Heather Harvey, Amnesty International reporting case studies to CWO seminar, House of Commons October 2007

127 Hansard, 3 Sep 2007, Column 1837W

128 S Walby and J Allen, Domestic violence, sexual assault and stalking: Findings from the British Crime Survey,

HORS 276, 2004, p. 11.

129 Fawcett Society, The Facts: <http://www.fawcettsociety.org.uk/documents/Rape%20-%20The%20Facts.doc>  
130 Crime in England and Wales, 2005/06, July 2006, Table 2.04, p.27; written answer to Theresa May, 12 April 2007, Table E. NB. Total recorded crime refers to financial years; other information refers to calendar years.



Victim withdrawals count for a third of cases lost at the police stage. Key contributory factors are the fear of not being believed and fear of the criminal process. The 2005 Home Office report *A Gap or a chasm? Attrition in reported rape cases*<sup>131</sup> found that whilst there are many reasons why victims withdraw their co-operation, fear of the trial process and discouragement by the police featured strongly<sup>132</sup> (the report referred to a “culture of scepticism” among the police).<sup>133</sup>

Victims may withdraw charges for other reasons. However, with regards to false allegations, research suggests the rate of false allegations of rape is no higher than those of other crimes.<sup>134</sup> Other reasons for withdrawal include lack of forensic evidence. The Home Office’s consultation paper, *Convicting Rapists and Protecting Victims – Justice for Victims of Rape*, recognised that one of the main difficulties with rape prosecutions is that there is often no forensic evidence.

After increasing slightly between 2000 and 2004, the average sentence length for rape fell in England and Wales for the last three years for which there is published data:

#### Average custodial sentence length for rape offences in months, England and Wales, 2003 to 2005\*

Region	2003	2004	2005
England	86.3	84.0	81.8
Wales	88.9	90.7	79.3

\* = Excludes life and indeterminate sentences. Source: RDS-NOMS, Ministry of Justice.

#### Support for rape victims

Rape crisis centres offer long-term support to survivors of sexual violence, including women dealing with historic experiences, such as child or early adulthood sexual abuse.

Due to decreases in funding, the number of rape crisis centres has been declining. Out of the 37 remaining rape crisis centres that are members of the rape crisis network, compared to 68 in 1984, none have stable statutory funding, and six closed in the last three years due to funding problems.

In July 2007 rape crisis centres were informed that their grants from the Government’s Victims’ Fund would not be renewed for the next financial year. Rape Crisis, the charity that provides

long-term counselling and a helpline for victims, has estimated that half of its 32 centres could close within 12 months unless other sources of finance can be found immediately. Several centres are surviving hand-to-mouth and face the threat of imminent closure.

The National Council for Voluntary Organisations (NCVO) said delays in administering the £1.25m Victims Fund – a Ministry of Justice funding settlement distributing cash to organisations working with victims of sexual violence and abuse – had left many rape crisis centres “in limbo”, not knowing whether they would be able to continue to operate or whether to make staff redundant.

Sexual Assault Referral Centres (SARCs), the first of which was established in 1986, provide care and assistance to rape victims. They are local partnerships between the police, health services and voluntary organisations set up to focus on the immediate support needs of victims. They are independent “one-stop centres” where victims of sexual assault can receive medical care and support while at the same time having the opportunity to assist any police investigation.

The two imperatives to service provision given by SARCs are forensic examination for the collection of evidence in the investigation of rapes and victim care to minimise the risk of subsequent physical and mental difficulties and promote recovery.<sup>135</sup> Rape victims can use SARCs anonymously.

Another key finding of the 2005 Home Office report on attrition in rape cases (mentioned above) was that in areas with integrated SARCs, fewer complainants declined to complete the initial process, and two SARC areas had slightly higher conviction rates. This suggests that it is important to provide the necessary guidance and support to rape victims in a co-ordinated and sympathetic manner.

Additional funding of £1 million has been announced to further extend the network of SARCs in 2007/2008.<sup>136</sup> There are only 18 SARCs in England and Wales, with three based in London.

#### Conservative proposals

A Conservative government will introduce stable long-term funding cycles for rape crisis centres. We will end the process of

<sup>131</sup> L Kelly, J Lovett & L Regan, *A Gap or a chasm? Attrition in reported rape cases*, Home Office, 2005, pp. 83-4.

<sup>132</sup> It found that police tend to filter out cases involving alcohol and drugs at an early stage, advising women who admit that they were drunk at the time of the alleged incident to drop the complaint because they stand little chance of being believed in court.

<sup>133</sup> See also [http://www.guardian.co.uk/uk\\_news/story/0,,1424915,00.html](http://www.guardian.co.uk/uk_news/story/0,,1424915,00.html)

<sup>134</sup> Kelly, Lovett, and Regan, 2005, p.47.

<sup>135</sup> Home Office, *Sexual Assault Referral Centres, Getting Started Guide*, July 2005, p.3.

<sup>136</sup> <http://www.crimereduction.homeoffice.gov.uk/sexualoffences/sexual09a.htm> See also - <http://police.homeoffice.gov.uk/news-and-publications/publication/operational-policing/sarcs-getting-started?view=Binary>

short-term annual funding decisions and introduce three-year funding cycles for rape crisis centres.

As well as helping the victims of rape, it is important to tackle the causes of rape. A recent Amnesty International UK study of young people in the UK found that 27 per cent think it is acceptable for a boy to “expect to have sex with a girl” if the girl has been “very flirtatious”.

A Conservative government will therefore make it compulsory for the teaching of sexual consent to be a compulsory element of the sex education curriculum. Where sex education is taught in schools, it will be mandatory that sexual consent is discussed – including an emphasis on empowering young people to say no to sex and resist peer pressure regarding sexual matters.

As with the perpetrators of all crimes, it is important that rapists receive an appropriate punishment. As part of the Conservative Party’s review of the prison system, we will conduct a review into rape sentencing. This review will consider whether current rape sentences are appropriate, and will make recommendations in due course.

## Stalking and harassment

The British Crime Survey estimates that around 880,000 people in Britain have been victims of stalking or harassment.<sup>137</sup> Around 5,000 people a year are prosecuted.<sup>138</sup> Eighty per cent of the victims are women; eighty per cent of stalkers are men.<sup>139</sup> 36 per cent of victims experience unwanted attention between three and ten times before contacting the police; 24 per cent between 11 and 25 times. This is usually because they fear that their complaint will not be taken seriously.<sup>140</sup>

The impact of stalking can be devastating with victims finding their whole lives controlled by the stalker. It is not a one-off crime but can be a way of life. Victims can often be too terrified to do the most mundane things: going outside, staying at home, answering the phone, opening the post, or talking to people. Victims can be under constant watch or are followed wherever they go. Homes can be burgled or bugged, workplaces monitored and colleagues approached for information about the victim. Ultimately, in some cases, stalking has led to murder. Crime statistics for stalking are skewed because it is the principal crime, such as murder, that is recorded, rather than the stalking that

preceded it.

The effects on the victim are physical and psychological, and can be severe and long-lasting. The effects include anxiety, sleep disturbance, anger, distrust, suicide attempts, depression, paranoia, appetite disturbance, agoraphobia, self-harm, injuries inflicted by the stalker, rape by the stalker, and post-traumatic stress disorder.<sup>141</sup>

There is a general lack of understanding of the impact of stalking, the consequence of which is that it is not taken seriously enough. Victims can be told “not to be paranoid”, “you should be flattered”, “stalking only happens to celebrities”, or “he hasn’t physically attacked you so why can’t you just put up with it?”<sup>142</sup>

There are several tragic examples of how the police and the criminal justice system have let down the victims of stalking. Following the murder of Claire Bernal at Harvey Nichols in London, her inquest found glaring mistakes: the wrong charge was brought against the stalker, solid evidence was not used, only one police statement was taken, and the stalker was allowed to leave the country – only to return with the gun he used to kill her.<sup>143</sup>

Following the murder of Rana Faruqui, the Independent Police Complaints Commission found that nothing meaningful was done by Thames Valley Police to protect her. This was despite the fact that she had reported that her car brake pipes had been tampered with. Ten days later, Rana was stabbed by her stalker 14 times with a hunting knife and died.<sup>144</sup>

The conclusions of the report into Rana’s death highlight the root of the problem we have in tackling stalking in Britain. It is simply not seen as a serious issue. It is often labelled as a ‘domestic violence issue’, and the police do not have appropriate policies in place to directly target stalkers and protect those being stalked.

The 1997 Protection from Harassment Act was the first serious attempt to legislate against stalking. Even then, although one of the Act’s aims was to tackle the problem of stalking, it failed to define stalking. Indeed, it is regarded more as a type of harassment rather than an offence in its own right. A Home Office guide for Metropolitan Police officers states that stalking is a ‘description rather than a legal term.’<sup>145</sup>

<sup>137</sup> ‘Evaluation of Findings from the British Crime Survey 1998’ (Home Office Research Study 210) by Tracey Budd and Joanna Mattinson.

<sup>138</sup> Paul Infield (barrister) reporting Home Office figures to CWO policy seminar, House of Commons 27 February 2007

<sup>139</sup> Paul Infield (barrister) reporting Home Office figures to Conservative Women’s Organisation policy seminar, House of Commons 27 February 2007

<sup>140</sup> Stalking/Harassment Survey 2002, DCI Linda Dawson, Hampshire Police

<sup>141</sup> University of Leicester & Network for Survivors of Stalking research.

<sup>142</sup> Tracy Morgan, Network for Survivors of Stalking reporting case studies to CWO policy seminar, House of

Commons 27 February 2007

<sup>143</sup> Inquest findings into the murder of Claire Bernal widely reported including at: <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2005/11/16/npech16.xml&Sheet=/portal/2005/11/16/ixportal.html>

<sup>144</sup> Carol Faruqui, reporting to Conservative Women’s Organisation policy seminar, House of Commons 27 February 2007.

<sup>145</sup> Hamish Brown, Stalking and other forms of harassment: An investigator’s guide, Metropolitan Police Service 2000, p. iii.



By refusing to treat stalking as a serious crime, the Government and the police fail to recognise a dangerous and widespread personal crime. Analysis of the 2004-05 British Crime Survey shows that stalking was the most commonly reported ‘intimate crime’ (defined as partner abuse (non-sexual), family abuse (non-sexual), sexual assault and stalking). And yet since 2005 there has been no Government or police initiative to deal with this issue. The 2005-06 British Crime Survey did not provide any detailed information on stalking.

Stalking is a difficult issue to define, to prevent and to formulate policies on, but the same was once true of domestic violence too. Less than a decade ago those who suffered from domestic violence were offered little help or protection. In 2004, Parliament passed the Domestic Violence, Crime and Victims Act which not only gives support and protection to victims but also gives the police and other agencies the tools to get to the heart of domestic violence crimes. Since then a Domestic Violence National Action Plan has been developed by the Home Office. Yet no such initiative has ever been launched for the problem of stalking.

### Human trafficking and prostitution

The Home Office defines trafficking as “the movement of a person by coercion or deception into a situation of exploitation.”<sup>146</sup> It includes recruiting, harbouring, obtaining, and transporting people by use of force, fraud, or coercion for the purpose of subjecting them to involuntary acts, such as prostitution and other involuntary labour. Deception is used by traffickers to entice victims in source countries who want to work in legitimate employment in the UK. Once trafficked into the country, victims are kept under control by violence, debt-bondage and the removal and retention of identity documents.

Human trafficking is the third fastest growing criminal activity in the world.<sup>147</sup> There were an estimated 4,000 victims of trafficking for prostitution in the UK during 2003 at any one time.<sup>148</sup> It is not only immigrants who are trafficked: the NSPCC and Barnardo’s highlight growing evidence of vulnerable British people, especially young women leaving the care system, being trafficked for sex within Britain.<sup>149</sup>

Recent research published by UNICEF showed that in an 18 month period, 330 children were believed to have been trafficked into the UK – and over half of them went missing from social services care.<sup>150</sup> There is no safe accommodation providing 24

hour care for trafficked children, and as a result many end up in foster care, hostels or bed and breakfast accommodation.<sup>151</sup>

The Sexual Offences Act 2003 created the specific criminal offence of trafficking people into the UK for the purposes of sexual exploitation. This has now been supplemented by the Asylum and Immigration (Treatment of Claimants, etc) Act 2004, which creates an offence of trafficking people into the UK for non-sexual exploitation. Both offences carry a maximum penalty of 14 years’ imprisonment. The Council of Europe Convention on Action Against Trafficking in Human Beings expands the scope of the UN definition of trafficking to expressly include internal trafficking within the borders of one state and trafficking not necessarily involving organised criminal groups. The UK has agreed to sign the Convention, which seeks to treat victims of trafficking as such, not as criminals or illegal immigrants.<sup>152</sup>

Women are often duped into coming to Britain for work or study. They are not entitled to call upon public funds when they enter as students, illegally or as refugees. They are too frightened to go to the police because of the risk of deportation and false warnings from their traffickers, and can’t turn to their families at home for help because of what they are now involved in.

Research by Eaves Housing has found that in 2004, between 5,000 and 8,000 women were working in prostitution of this kind. Women of all ages and nationalities are involved. They work in ‘hot spots’ including Worthing, Birmingham, Manchester and Glasgow. In London, such areas include Westminster and Kensington and Chelsea. The rate for full sex with a female prostitute can be as little as £15. It is thought that a trafficker can earn £100,000 for one woman over a four-month period.<sup>153</sup>

Of course, women would not be trafficked without demand. The profile of the average user of prostitutes is aged thirty, married, with a mortgage and is white. Many use the reviews in publications such as Macoy’s Guide or internet sites to identify clubs and other licensed premises, where they can meet such women.<sup>154</sup>

In a recent study by the Child and Woman Abuse Studies Unit at London Metropolitan University, researchers asked men arrested for kerb-crawling to pick from a list of factors which might deter them from buying sex. Some agreed that large fines or being publicly shamed would do so. None cited knowing that the woman was forced into prostitution would deter them.<sup>155</sup>

<sup>146</sup> Home Office, UK Action Plan on Tackling Human Trafficking, March 2007

<sup>147</sup> Conservative Party Human Rights Commission, Stop Slavery. Full Stop., 2007.

<sup>148</sup> Conservative Party Human Rights Commission, Stop Slavery. Full Stop., 2007.

<sup>149</sup> Nick Kinsella, Head of UK Human Trafficking Centre (at WPG policy seminar, House of Commons, 24 January, 2007).

<sup>150</sup> UNICEF, Rights Here, Rights Now, 2007 p. 2.

<sup>151</sup> UNICEF, Rights Here, Rights Now, 2007.

<sup>152</sup> The full text is available at:

[http://www.coe.int/T/E/human\\_rights/trafficking/PDF\\_Conv\\_197\\_Trafficking\\_E.pdf](http://www.coe.int/T/E/human_rights/trafficking/PDF_Conv_197_Trafficking_E.pdf)

<sup>153</sup> Eaves Housing & The Poppy Project report Sex in the City [www.eaves4women.co.uk](http://www.eaves4women.co.uk)

<sup>154</sup> Denise Marshall, CEO Eaves Housing, reporting to WPG policy seminars, Coventry, September 2006 and House of Commons, January 2007

<sup>155</sup> Reported in Guardian, 10 September 2007

The issues surrounding human trafficking are complex, and include policing Britain's borders, policing streets and policing commercial premises; but they also include social attitudes to sex and women, poverty, and how we protect those in care.

## Conservative proposals

The Government's approach in 2007 was been ad hoc and piecemeal. In contrast, the Conservative Party spent last year further developing its analysis and practical policy recommendations. We are now proposing a further series of practical measures that would make a real difference to the victims of trafficking and send a clear message to traffickers that they cannot operate with impunity in the UK:

### ***Establish a UK Border Police Force***

The Government has announced it will amalgamate existing border authorities into a new Border Service. Critically, its vision of a border service would not include the police and therefore any additional law enforcement impact will be limited. In contrast we introduce a dedicated border police force with responsibility for protecting the UK's borders. It will integrate all the existing agencies with responsibility for border control. Our force will include the police and have real power to protect our borders. Officers will have full powers to stop, search, detain and prosecute.

### ***2. Introduce tougher border controls***

We would introduce separate interviews at all airports for women and children travelling alone with an adult who is not a parent, guardian, or husband. This practice, implemented successfully in the United States, will help identify potential victims. Checks would be carried out by immigration officials on the dates of return tickets where such adults accompany a minor, to enable any discrepancies to be clarified.

### ***3. Mainstream human trafficking as a "core" police priority***

To date, police operations have comprised ad hoc operations, such as Pentameters I and II. A Conservative Government would make Pentameter permanent.

### ***4. Prosecute more Traffickers***

Robust law enforcement is required punish and deter traffickers. The Government says law enforcement is a priority, but

prosecutions are down 40% on last year. A Conservative Government would reverse this trend, making human trafficking a prosecution priority. Focused prosecutions are necessary to tackle supply and demand. In addition to prosecuting traffickers for sexual exploitation, we need to see a renewed focus on employers and those profiting from trafficking for forced labour (for which there have been no convictions to date).

### ***5. Increase the number of places at safe houses for victims of trafficking***

It is vital to make full use of the Poppy Project's capacity. A Conservative Government would focus on maximising the number of places available for victims in safe accommodation and making sure the available places are fully used.

### ***6. Allow 16 to 18 year olds to be admitted to Poppy Project places.***

Whilst half of the places available at the Poppy Project are left empty at any one time, those under 18 are excluded from its care. Conservative policy is to revise the regulatory framework so that 16 to 18 year olds can be admitted to the Poppy Project consistent with the regulation applicable to child protection and care.

### ***7. Set up a helpline for victims of trafficking***

We would establish a helpline to provide information for women who have been trafficked, and for those who suspect exploitation. We will also introduce measures to promote social responsibility, including campaigns targeted at both potential 'consumers' and 'employers', highlighting the suffering of victims.

### ***8. Ratify the Council of Europe Convention on Action against trafficking in Human Beings 2005 International Action***

We would do what Labour has so far failed to do and ratify the European Council Convention on Action Against Trafficking 2005 into British law.

## Women and ethnicity

Immigrants have filled skills gaps, strengthened our economy, and enriched the nation in social and cultural terms. Immigration has been, remains, and will continue to be, a good thing for Britain. But in modern, multicultural Britain there is a very specific challenge of protecting the rights of women from minority, ethnic backgrounds.

The challenge is clear to see. On a regular basis, there is a news story about forced marriage and so-called ‘honour’ killings. But there are many other challenges that are harder to see including unequal access to education and healthcare, and social exclusion.

Many black and minority ethnic (BME) families benefit from an entrenched work ethic, strong community ties, and a close sense of family. These are some of the advantages of communities that have what academics call ‘social capital’. But there can be difficulties associated with social capital.

First, people can form networks or affiliations to pursue sectional interests that undermine the efficient functioning of markets and national economic or social welfare. This is normally expressed in economic terms – about cartels and price fixing agreements – but the same is true in social terms. When social capital becomes a ‘club’ good rather than a ‘public’ good, one group can use it at the expense of another.

Second, there can be high levels of social capital within particular communities but low levels between them. In Britain’s often segregated, multicultural society, the result can be that the different communities do not engage with one another. As a result, women in some minority communities do not appreciate nor expect the sort of civic freedoms that other women enjoy. This lack of ‘bridging’ social capital also means that women – and also men – from minority communities can suffer in the labour market. This is because while they might have strong ties to their own families and communities, they lack contacts or networks with the wider community that could give them better access to jobs.

The nature of social capital within BME communities can contribute to some of the disadvantages faced by many BME women in Britain. In particular, limited access to economic and educational opportunities, and the strong pressure to conform to social norms. But the situation is more complicated because social capital is also a factor in some of the advantages that women in ethnic minority communities hold over their white counterparts, for example, the strong support of relatives and local community.

Many BME women have strong ‘club’ social capital, which brings some advantages but it also reinforces many of the disadvantages – barriers to integration with other communities such as an inability to speak English, and cultural norms that refuse women the liberties that are available in Britain.

### Forced marriage

Marriage underpins life in Britain’s South Asian communities. So much so that it is almost a necessity for South Asian women to marry. Failure to do so can often mean shame for a woman’s family. Equally, failure to marry well can bring just as much shame. For these reasons the market for arranged marriages has grown amongst South Asian families in Britain. In many circumstances, these matches can be mutually beneficial. Many young people, both male and female, put their trust in their parents to find them a suitable match, and in many cases these marriages are long, successful, and happy.

Systems for arranged marriages have become very sophisticated and have evolved in a British context. Specialist agencies exist for this sole purpose, and although tradition dictates that the bride and groom should not meet until their wedding day, families often agree to extended engagements to allow the couple to get to know one another before their wedding. Crucially, an arranged marriage is entered into freely by both bride and groom. Arranged marriages are not forced marriages and they should not be confused.

But forced marriages are a problem in Britain’s ethnic minority communities – so much so that the Foreign Office and Home Office have established a joint Forced Marriage Unit. This describes forced marriage as a “marriage conducted without the valid consent of one or both parties and is a marriage in which duress – either physical or emotional – is a factor.”<sup>156</sup> The Unit says that “forced marriage is an abuse of human rights, and a form of domestic violence and child abuse, when it involves young people.”<sup>157</sup>

There are some 300 cases of forced marriage reported to the Forced Marriage Unit each year.<sup>158</sup> Most involve girls of school age. Many more cases come to the attention of the police, social services, health, education and voluntary services. But many more continue to go unreported.<sup>159</sup>

The Forced Marriage Unit reports of cases involving families from South-East Asia, the Middle East, Europe and Africa, though

<sup>156</sup> Foreign & Commonwealth Office and Home Office, *Forced Marriage: A Wrong not a Right*, p.4.  
<sup>157</sup> *ibid*

<sup>158</sup> *ibid*  
<sup>159</sup> Foreign & Commonwealth Office Forced Marriage Unit leaflet: *What is a Forced Marriage?* p.5.

the majority of examples of forced marriage in Britain involve South Asian families.<sup>160</sup> This cannot be justified on either religious or cultural grounds: no major world religion supports or justifies the practice.

When it was taking evidence, the Conservative Party's National and International Security Policy Group uncovered some quite horrifying stories. One witness, from the West Yorkshire police constabulary, described a disturbing practice involving kidnap and false imprisonment. Girls are taken out of school aged 14; the parents tell social services and the education authority that she is going to live in Pakistan. She is then brought back into Britain a few weeks later, and imprisoned in a cellar or attic. One case only came to the attention of the police when a girl's family attempted to forge documents for a visa for a husband to come from Pakistan.<sup>161</sup>

This is not a one-off example. A study by Bradford City Council demonstrates that it is part of a wider problem. This study tracked 1,000 boys and 1,000 girls with Muslim names as they moved through school. At primary school, there were 1,000 boys and 989 girls on roll. By secondary school, there were still 1,000 boys on roll, but the number of girls had dwindled to 860. The report's author wrote: "Where have all the girls gone?" Philip Balmford, former inspector with West Yorkshire police, and who is now Bradford District's vulnerable persons officer responsible for Asian females, believes the girls are taken out of the country for forced marriages.<sup>162</sup>

In 2005, some 250 girls did not return to Bradford schools. A teacher who followed up on a pupil who did not return cites the "obsession" with league tables as adding to the problem. She says the constant drive on attendance figures provides no incentive for education authorities to check on pupils who do not return to school. If they are regarded as being on the school roll their numbers would contribute to the truancy measure.<sup>163</sup> There is clearly a potential role for teachers to bring to the attention of the appropriate authorities that pupils might be in danger.

Article 16 of the Universal Declaration of Human Rights says: "Marriage shall be entered into only with the free and full consent of the intending spouses."<sup>164</sup> Forced marriage is not a 'cultural' issue that cannot be broached; it is a contravention of basic human liberty.

Nearly all of the methods used to force women into marriage are

already crimes in themselves. They include rape, kidnap, assault, intimidation, and illegal detention and imprisonment. More needs to be done to ensure these very serious crimes are detected, and the perpetrators arrested, charged and prosecuted.

Despite many people's understandable misgivings about legislating in this very private sphere, other legislation can still help. The Forced Marriage (Civil Protection) Act 2007, a private member's act sponsored by Lord Lester of Herne Hill, attracted cross-party support. Whilst the criminal law already covers the activities which force people into marriage, victims will often not report, or press criminal charges against, their parents. However, civil prosecutions might be more likely. Measures such as the criminalisation of 'aiding and abetting' forced marriages and third party injunctions against such marriages clearly give more weapons against this evil practice.<sup>165</sup>

Whatever the legal weapons, the major challenges are education, discovery, and successful prosecution. Brides may be subject to intimidation and violence to go through with a wedding. They may not know what rights they have, or what help they can get. More help needs to be offered to them.

## Polygamy

A related problem is that of polygamous marriages in Britain. Polygamy is illegal, but the Government estimates that there are up to 1,000 legal, polygamous marriages in Britain, and it has no idea of the number of unauthorised polygamous marriages.<sup>166</sup>

Under British law, husbands and wives can have only one spouse at a time, and multiple marriages constitute bigamy – a criminal offence. The Government's stated policy is to prevent the formation of multiple marriages by refusing to allow second wives entry into the country. There are reasons for these rules. Many women who enter polygamous marriages do so unwittingly. They can end up stuck in oppressive relationships with no escape, and they are often vulnerable. They can end up being abandoned by their 'husbands' with no legal or financial protection.

However, Britain does recognise polygamous marriages that have taken place in countries where the custom is legal, such as Pakistan, Nigeria and India. The Home Office allows multiple wives in polygamous marriages into the country as students or tourists. Officials have been advised to allow extra wives entry

<sup>160</sup> Foreign & Commonwealth Office and Home Office, *Forced Marriage: A Wrong not a Right*, p.4.

<sup>161</sup> Conservative Party, *Conservative Policy Review Report: An Unquiet World*, National and International Security Policy Group, 2007, p.128

<sup>162</sup> *The Times*, 12 June 2007.

<sup>163</sup> Radio 4, "File on 4", 26 June 2007

<sup>164</sup> Universal Declaration of Human Rights, Article 16

<sup>165</sup> Conservative Party, *Conservative Policy Review Report: An Unquiet World*, National and International Security Policy Group, 2007, p.128.

<sup>166</sup> HC Hansard, 21 Jan 2008, Column 1510W

into Britain – even when they suspect that a husband is trying to cheat the system by obtaining bogus divorces. The immigration rulebook says: “Entry clearance may not be withheld from a second wife where the husband has divorced his previous wife and the divorce is thought to be one of convenience. This is so, even if the husband is still living with the previous wife and to issue the entry clearance would lead to the formation of a polygamous household”.<sup>167</sup>

Benefits rules do nothing to prevent the practice. A husband may claim housing benefit for each wife even if she is abroad, for up to 52 weeks, as long as the absence is temporary and for pressing reasons. If a man lives with two valid wives, his household is paid the rate for a couple, plus an amount for the extra spouse. Moreover, a polygamous marriage is the only circumstance in which an adult dependency is payable in income-related benefits; in any other circumstances an adult ‘dependent’ would have to make a separate claim.<sup>168</sup>

Since the law itself does not permit polygamous marriages in Britain, why does the British state recognise such marriages that are entered into in a foreign jurisdiction? Why does the benefit system discriminate in favour of men in polygamous marriages? Why does the immigration rule book tell officials to ignore bogus divorces and allow second, third and fourth wives into Britain? All of these issues need to be addressed to send a clear message: polygamous marriages are bad for women, and for that reason, should not be permitted in Britain.

## Enforced segregation

Restrictive attitudes towards women’s freedoms do not begin at marriage. They begin during childhood, or to be more precise, at the beginning of adolescence. One young British woman, with a white English mother and a Pakistani father, wrote of her childhood in *The Guardian*: “Then I hit 13, and it was as if my gender had become something I should be ashamed of. My friends started organising social lives but my dad banned me from going to a single one of these events. I was not allowed out after school at all, not to the cinema, the youth club, and most definitely not to parties, where there would be a danger of me mixing with boys. So I never went to any of my friends’ birthday parties, even though they were invariably overseen by their parents. Every time I was invited, my dad would rage about bad influences, boys, alcohol and permissive western ways.”<sup>169</sup>

Too many young Asian British girls, often despite their own inclination, are excluded from participation in normal British society – due to their parents’ preconceptions. Many of these preconceptions are based on an unenlightened view of a woman’s place in the world, but they are also based on parents’ perceptions of British culture. If they see British culture as being inherently promiscuous, then parents will try to protect their daughters from Western society. Whilst promoting women’s rights to minority communities, there must also be recognition of the impact of some of the behaviour to be found in the majority culture.

Enforced segregation has ramifications for the ability of women to get on in the world of work. Many girls do receive an excellent education, often including university, but are unable to build a career because of family or societal pressure. Conversely, there are many girls who are offered only a limited education in the first place so they do not have appropriate skills for the labour market. According to official figures, 84.3 of Chinese girls achieved five good GCSEs. The figure for Indian girls is 76.5 per cent. For white girls, it is 62 per cent. Despite some recent improvements, the figure for Bangladeshi girls is 61.8 per cent, and for black girls, it is 52.4 per cent.<sup>170</sup> More needs to be done to help children from those communities who are not achieving their potential.

According to an investigation by the Equal Opportunities Commission, women from Pakistani, Bangladeshi and Black Caribbean communities face serious problems in the labour market. The report found that, in areas with above-average numbers of black and Asian women in the local labour market, women are entirely absent from three in ten workplaces and under-represented in almost three in five workplaces. The Equal Opportunities Commission says: “women are being employed at a lower level than they are qualified for. They’re more likely to go into certain sectors. They may be training themselves as lawyers but they can’t be absorbed into the labour market.”<sup>171</sup>

This is not just important to the women themselves or the communities they come from; it is important to Britain as a whole. Between 2001 and 2020, ethnic minorities are expected to account for over seventy per cent of the growth in the UK population aged between 16 and 59.<sup>172</sup> With Britain’s employers facing skills shortages, it is crucial to tap into this pool of talent.

The Equal Opportunities Commission report suggests that employers are uncertain on the issue. Thirty per cent said they

<sup>167</sup> The Times, 28 May 2007

<sup>168</sup> Department for Work and Pensions, Housing Benefit Guidance Manual, Part C1, December 2007: [http://www.dwp.gov.uk/housingbenefit/manuals/hbgm/parts/ptc\\_01b.asp](http://www.dwp.gov.uk/housingbenefit/manuals/hbgm/parts/ptc_01b.asp)

<sup>169</sup> Zenab Eve Ahmed, Chastity and Choice, *The Guardian*, 4 October 2006:

[http://commentisfree.guardian.co.uk/zenab\\_eve\\_ahmed\\_/2006/10/is\\_britain\\_too\\_promiscuous\\_for.html](http://commentisfree.guardian.co.uk/zenab_eve_ahmed_/2006/10/is_britain_too_promiscuous_for.html)

<sup>170</sup> Office of National Statistics, National Curriculum Assessment, GCSE and Equivalent Attainment and Post-16 Attainment by Pupil Characteristics in England 2005/06, Table 8:

<http://www.dfes.gov.uk/rsgateway/DB/SFR/s000693/index.shtml>

<sup>171</sup> EOC, *Moving on Up?* September 2006.

<sup>172</sup> EOC, *Moving on Up? The Way Forward?* March 2007 p.3.



planned to introduce steps to improve the recruitment and progression of black and Asian women. But the same percentage said they were unsure of what to do. More needs to be done to educate employers.<sup>173</sup>

Where BME women do participate in the labour force, many face discrimination. Misconceptions about their dress, or presumptions about their ability to combine family and career often work against them. An Equal Opportunities Commission report found that one fifth of Black Caribbean and Pakistani women have experienced racist or sexist comments in employment and one fifth has experienced negative comments about their dress.<sup>174</sup>

More also needs to be done to encourage academic attainment in schools. As Jenny Watson, then Chair of the Equal Opportunities Commission, says: “Government policy also needs to meet the needs of a new generation of ethnic minority women. Rather than focusing on young women themselves gaining additional skills, or tackling a resistance to women from some communities working outside the home, our investigation suggests that better careers advice at school and into adulthood, more work experience choices, and help with childcare costs for larger families would be of the most practical benefit.”<sup>175</sup>

First and foremost it is about changing cultural expectations. As one young, British Asian woman has written: “My dad told me it was a matter of pride for him that I should not need to earn my own living. This notion of ‘izzat’ – women not working so as to not bring shame on the family – made me feel powerless.”<sup>176</sup>

This attitude to women’s place in their families, communities and the economy has consequences elsewhere too. It means that women often have limited access to wider society, to their legal rights, and to healthcare. For instance, one female Muslim GP has said: “I have had Muslim women with mental health issues which they’ve been unable to talk about with their families. Within the framework of the doctor-patient relationship they’ve been able to say a lot more.”<sup>177</sup>

## Female genital mutilation

Many women in Britain’s ethnic communities also suffer from more violent problems including female genital mutilation (FGM), often known as ‘female circumcision’. The practice involves partial or total removal of the external female genitalia or other injury to the female genital organs. It is typically

performed on girls before they reach the age of 15. The procedure is typically carried out in non-sterile conditions which increase the risk on infection and the results have a long term impact on women’s reproductive and urinary functions.

In 2003, Parliament passed the Female Genital Mutilation Act. This made it an offence for the first time for UK nationals or permanent UK residents to carry out mutilations abroad, or to aid, abet, counsel or procure the carrying out of mutilations abroad – even in countries where it is legal. Conviction can lead to up to 14 years in jail. But not a single person has been prosecuted under the Government’s legislation.<sup>178</sup>

The complete lack of prosecutions is startling considering that the practice is widespread in the UK. Official estimates indicate that 74,000 young women in the UK have undergone the procedure.<sup>179</sup> Worryingly, leading FGM charity Forward UK estimates the figures to be much higher with the number of girls under 15 who were estimated to have undergone the procedure or be at risk of it in the UK at 98,376, with 3,000 to 4,000 new cases each year.<sup>180</sup>

Mutilation is not an act of hate: it is carried out on girls because their parents believe it is in their best interest. There are many reasons why parents allow their daughters to be mutilated in this way. It might be to prevent sexual desire, maintain chastity, ensure virginity before marriage and fidelity during marriage, and increase male sexual pleasure. It might be for reasons of cultural heritage and social integration. It might be for reasons relating to hygiene and aesthetic appeal. It might be due to cultural myths relating to fertility and child survival. Or it might be for mistaken religious reasons. For instance, some Muslim communities continue the practice believing that it is demanded by their faith, when in fact, the practice predates Islam.

Internationally, the majority of cases of FGM are carried out in 28 African countries. In some countries, (e.g. Egypt, Ethiopia, Somalia and Sudan), prevalence rates can be as high as 98 per cent. In other countries, such as Nigeria, Kenya, Togo and Senegal, the prevalence rates vary between twenty and fifty per cent. It is more accurate however, to view FGM as being practised by specific ethnic groups, rather than by a whole country, as communities practising FGM straddle national boundaries<sup>181</sup>. In this culture, an uncircumcised woman will stand very little chance of marriage and will not be accepted by her community.<sup>182</sup>

173 EOC, *Moving on Up The Way Forward?* March 2007 p.9.

174 EOC, *Moving on Up The Way Forward?* March 2007 p.24.

175 EOC Press Release, 15 March 2007

176 [http://commentisfree.guardian.co.uk/zenab\\_ave\\_ahmed/2006/10/is\\_britain\\_too\\_promiscuous\\_for.html](http://commentisfree.guardian.co.uk/zenab_ave_ahmed/2006/10/is_britain_too_promiscuous_for.html).

“Izzat” means “honour”, or the reputation of a group.

177 See Conservative Party, *Conservative Policy Review Report: An Unquiet World*, National and International Security Policy Group, 2007, p. 131

178 HC Hansard, 8 Feb 2007, Column 1084W

179 BMA, *Prevention of Female Genital Mutilation in the UK*, 2006

180 ForwardUK, *A statistical study to estimate the prevalence of Female Genital Mutilation in England and Wales*, 2007, p.25.

181 ForwardUK, *Female Genital Mutilation*: <http://www.forwarduk.org.uk/key-issues/fgm>

182 Abdalla, R. H. D. (1982) *Sisters in Affliction: Circumcision and Infibulation of Women in Africa*, Zed Books, London.

## Honour violence and killing

Home Office statistics suggest there are 12 so-called ‘honour killings’ in the UK each year.<sup>183</sup> Campaigners and refuge workers say the figure is under-estimated.<sup>184</sup> The majority of victims are women of Asian origin, and the perpetrators are often male family members. It is culture, not religion, which leads to the violence, though the guilty often try to use religion as justification for their actions. Reefat Draboo of the Muslim Council of Britain, says the violence and murders are “nothing to do with Islam but to do with misguided notions of family honour”.<sup>185</sup>

Such violence occurs in families that continue to practice Asian tribal customs that pre-date the Prophet Mohammed. Honour killings have been carried out by Hindu, Sikh and Christian Asians. Here are just a few, tragic, examples:<sup>186</sup>

- Yasmin Akhtar: a 35 year old woman, who was kidnapped, strangled to death and then set on fire, after she filed for a divorce from her husband, Mohammed Jamil.
- Anita Gindha: a 22 year old, pregnant woman from London, who was garrotted by Palwinder Dhillon at home in front of her toddler son. A Sikh, she had fled Pakistan from an arranged marriage.
- Sahjda Bibi, a 21 year old woman, who was murdered by her cousin, Razaqat Hussain. She was stabbed to death as she dressed for her wedding to an older divorcee.

In many Asian families, honour is vested in the female members and the male members seek to demonstrate their protection of the family’s honour through strict control over the lives and decisions of the girls and women in the family. When girls and women seek to make their own choices and decisions they can become subject to extreme violence often at the hands of male relatives - including their own fathers and brothers.

A girl or woman might be deemed to have brought shame on the family for something as simple as wearing make-up, or wearing western clothing, but in most cases it is when a young woman refuses to accept a forced marriage.

The true figure for the number of women murdered to preserve a family’s honour is difficult to establish because some deaths are disguised as suicide. One young woman, too scared to be identified, told the *Sunday Telegraph*, that after she had been badly beaten up by her brothers, she was handed lighter fuel and matches to use to commit “suicide”. She was told “You know what you have to do. Do it or we will do it for you.” The suicide

rate of young women of Asian origin (aged between 16 and 24 years old) is three times the national average. The police are now re-examining hundreds of deaths and murders that occurred between 1996 and 2006. So far, 19 have found to be “honour” murders, and a further twenty involved some sort of ‘honour’ violence.<sup>187</sup>

The communities involved can appear to turn a ‘blind eye’. In the recent case of murdered Banaz Mahmoud, not one member of her family reported her missing. Contract killers can be hired to commit the crime. ‘Bounty hunters’ within the community are paid for information on the whereabouts of women who have fled their families. There is a desperate need for better education amongst the resident community as well as those working for public services.

Domestic violence and crimes of passion exist across all cultures. But ‘culture’ is often used an excuse for it. At one murder trial at the Old Bailey, Judge Neil Denison said that he would take cultural customs into consideration in the sentencing of the killer.<sup>188</sup> The killer on trial had claimed that the balance of his mind had been altered by the great shame she had brought to the family. The plea was accepted and the judge sentenced him to just three years in prison – for manslaughter, not murder.

In this case, ‘culture’ became an excuse for murder. Perversely, the sensitivities of ‘multiculturalism’ have led the legal establishment to give women from ethnic minorities less protection by the state. The establishment can fail to protect women because of multicultural sensitivities. One woman who has worked for years on behalf of domestic violence victims – Marai Larasi – tells the story of policemen in Hackney: “The police often ask women why they’ve come to complain at all because they believe such violence is normal in their culture.”<sup>189</sup>

The police, health services and education authorities have been slow to recognise the seriousness of the threat to young women from these backgrounds. Before being murdered by her father and uncle, Banaz Mahmoud had sought help from the police four times. She had been forced to drink alcohol and told to wait for others to arrive. When her father returned to the room wearing gloves, she feared for her life. She managed to escape from the house by breaking a window. However, the police constable in charge of the case dismissed Banaz as being “melodramatic” and even considered charging her with criminal damage for breaking the window. A few days later she was murdered.<sup>190</sup>

<sup>183</sup> Sunday Telegraph Revealed: rising toll of deaths before dishonour, 17 June 2007

<sup>184</sup> Jasvinda Sanghera, founder of Karma Nirvana charity, reporting to CWO Muslim Group seminar, House of Commons, October 2007

<sup>185</sup> Quoted in Sunday Telegraph Revealed: rising toll of deaths before dishonour, 17 June 2007

<sup>186</sup> Patrick West, The Poverty of Multiculturalism, Civitas: Institute for the Study of Civil Society, 2005, p.44.

<sup>187</sup> Sunday Telegraph Revealed: rising toll of deaths before dishonour, 17 June 2007

<sup>188</sup> Patrick West, The Poverty of Multiculturalism, Civitas: Institute for the Study of Civil Society, 2005

<sup>189</sup> Observer, 21 December 2003

<sup>190</sup> Times newspaper report 12 June 2007

# The role of women in international development

Not all women in minority communities suffer these problems and we must not paint a distorted or exaggerated picture. However, the scale of the problem does need to be recognised and addressed. Southall Black Sisters, a help group for women from ethnic minorities, receives 2,000 inquiries every year from women concerned with domestic violence.<sup>191</sup> Jasvinder Sanghera, at Karma Nirvana,<sup>192</sup> helps almost 1,000 women a year who have been threatened with death, been beaten, starved, kidnapped and brutalised by their families.

It needs to be recognised that there is no honour in ‘honour’ violence. Such violence is a complex and specific form of pre-meditated, domestic violence. ‘Honour’ killing is nothing less than murder.

Previous chapters of this report have examined issues of equality for women in Britain. This chapter explores issues women face further afield in developing countries, and in countries emerging from conflict. It looks at how women can be, and often are, agents for positive change in disadvantaged societies.

## Poverty amongst the world’s women

Women bear the overwhelming burden of extreme poverty and deprivation. They account for seventy per cent of the world’s 1.3 billion poorest people, two thirds of the world’s one billion people who cannot read or write, and suffer from a “disproportionate lack of access to education and health services”. Girls also constitute two-thirds of the 130 million children that lack access to basic education.<sup>193</sup>

Developing countries’ health systems are rarely designed to respond equally to the needs of women and men. Inadequate care for women during pregnancy and childbirth can lead to unnecessary suffering and deaths. Women are now infected with HIV at a faster rate than men. Violence severely impacts on the physical and psychological health of many women.<sup>194</sup>

Eliminating gender inequality and achieving women’s empowerment are essential to the achievement of all the Millennium Development Goals (MDGs) and the upholding of human rights. The elimination of poverty can only be achieved by addressing the disproportionate burden of poverty, lack of access women have to education and vital health services and lack of productive services which are borne by women.<sup>195</sup>

Gender equality is also a rights issue. Human rights treaties, as defined and agreed by the international community, both reinforce

and complement the MDGs and are based on the equal worth and dignity of men and women.<sup>196</sup>

Addressing gender equality is also important for a country’s economic development. Educated girls have better opportunities to earn higher wages, participate in community life and decision-making. They tend to have fewer children, and be better informed about health risks that may be relevant to both themselves and their families, such as HIV and AIDS. They also tend to marry later, have fewer, healthier, better-nourished children and are more likely to send their own children to school.<sup>197</sup>

## Women and post-conflict reconstruction, aid and trade

Women’s difficulties in times of both peace and war have featured more prominently on the international agenda than their positive contributions to peace-building and post-war reconstruction. While women may be particularly vulnerable to the impact of war and traditionally less active and visible in public life, they are not disengaged and passive in the rebuilding process. They are active participants in almost every aspect of post-war recovery and rebuilding.<sup>198</sup>

Even where women have been acknowledged as having more than a passive role, most people seem to take a minimalist view of their role in post-conflict reconstruction. Yet many studies have shown that women play an important role not just in their household’s survival, but in bigger issues, relating to themselves, their family, and their community, or their society as a whole. For example:

- In the former Yugoslavian republic of Srpska, some women responded to the massive influx of refugees by organising informal self-help groups to provide refugees with food, shelter and clothing, or to take them to hospital for treatment. Some of women involved established an NGO called Duga (Rainbow) to continue this work, which in addition to relief now includes psychological and legal counselling;<sup>199</sup>
- In a project to reconstruct village water supplies and sanitation in Chad, women were involved as rural ‘animatrices’, or facilitators, dispensing information on domestic hygiene. The activity built on work women did in this sector while in exile; and their skills were further extended by training into midwifery and veterinary medicine;<sup>200</sup> and
- In Argentina, El Salvador and Guatemala, which have played

191 Daily Mail, 9 October 2003.

192 Karma Nirvana, a charity supporting women escaping “honour” violence.

193 Select Committee on International Development, Seventh Report: Women and Development, 9 November 1999

194 DFID, Gender Equality, November 2007, p.2.

195 *ibid.*, p.2.

196 *ibid.*, p.2.

197 *ibid.*, p.2.

198 B. Sorensen, Women and Post-Conflict Reconstruction: Issues and Sources, June 1998, p.44.

199 *ibid.*, p.33

200 *ibid.*, p.27.



host to ‘disappearances’ have accompanied armed violence, women have formed NGOs which urge state authorities to investigate human rights violations, address the issue of impunity, and assist victims with compensation claims.<sup>201</sup>

The equal participation of women across all spheres of society is crucial to economic growth and development. However, as was noted above, there are many barriers to women’s participation which must first be overcome: access to water and basic services; access to education and training; violence against women; the increased feminisation of poverty; a lack of gender awareness; education and gender mainstreaming; the violation of rights in the workplace; and laws that discriminate against women.

This is not just a question of what is fair for women. Using women as recipients of aid can improve development. As the Women’s National Commission argues, “government institutions are not always best placed to plan, promote and deliver development programmes. Domestic and international civil society, including women’s organisations, often have untapped expertise which could be utilised to ensure local contexts are not lost in strategic aims”.<sup>202</sup>

Research has identified that when women have an independent income, there is a positive impact on the health and wellbeing of their families. Paid employment and a reduction in female workers’ time burdens can result in higher productivity and output, leading to economic growth. Women’s literacy is also associated with: lower birth rates, the improved health of women and children, reduced incidence of HIV/AIDS and domestic violence, improved employment opportunities and higher pay for women, higher family incomes, and women’s greater contribution to community life. Training for women, specifically in Information and Communication Technology, contributes to these benefits, as access to information brings opportunities for better employment and an awareness of legal and political rights. These changes improve human capital and strengthen local and national governance. A more educated and informed population and a broader distribution of wealth promote political stability and democracy.

## Women and education in the developing world

Education is a fundamental right that we take for granted in the UK. Yet, in the developing world, girls’ prospects for education are diminished as a result of gender discrimination. According to UNICEF, “62 million of the estimated 115 million children in

the world who are not in school are girls. In Sub Saharan Africa, 24 million girls were out of school in 2002. 85 per cent of all girls out of school live in Sub-Saharan Africa, South Asia, East Asia and the Pacific. Two-thirds of the world’s 781 million illiterate adults are women”.<sup>203</sup>

Education is the key to socially and economically empowering women. Educated women tend to marry later, have fewer children, and are more likely to understand what they must do to protect themselves and their families against various difficult odds. If one takes HIV/AIDS as an example, it is estimated that women represent 62 per cent of the 15 to 24 year-olds living with HIV and AIDS globally.<sup>204</sup> Improving girls’ access to education can help to fight HIV/AIDS, protect children from abuse and exploitation, promote immunisation, and ensure a child’s right to survive and thrive in the early years.

Target Four of the Millennium Development Goal Three is to “eliminate gender disparity in primary and secondary education, preferably by 2005, and to all levels of education no later than 2015.”

The UK Government supports specific activities to promote the rights of women and girls, including the areas of girls’ education, maternal mortality and reproductive health. The Government pledged to “take the lead internationally” to accelerate actions on girls’ education in its strategy paper *Girls’ Education: towards a better future for all* (2005). This included: supporting countries in their efforts to reduce the costs of primary education (a significant factor in affecting girls’ access to school); teacher training, curriculum development; tackling abuse and violence towards girls, and providing clean water supplies and sanitation facilities. The UK Government is working with UNICEF as a part of the UN Girls’ Education Initiative (UNGEI) to ensure stronger collaboration and coordination among donors at the international and country level.<sup>205</sup>

Yet as UNICEF has said, progress on the Millennium Development Goals and the ‘Education for All’ objectives has stalled, and many countries missed the 2005 MDG target to get as many girls as boys into primary and secondary education. The world community has not fulfilled its commitments to out-of-school children, since 115 million children worldwide remain out of primary school. The majority of these children are girls and the number of orphans and vulnerable children is on the rise.<sup>206</sup>

201 *ibid*, p.8.

202 Women’s National Commission, Response to ‘Eliminating World Poverty’, 7 April 2006, p.2.

203 [http://www.unicef.org/girlseducation/index\\_bigpicture.html](http://www.unicef.org/girlseducation/index_bigpicture.html)

204 [http://www.unicef.org/girlseducation/index\\_bigpicture.html](http://www.unicef.org/girlseducation/index_bigpicture.html)

205 <http://www.dfid.gov.uk/pubs/files/mdg-factsheets/genderfactsheet.pdf>

206 [http://www.unicef.org/girlseducation/index\\_bigpicture.html](http://www.unicef.org/girlseducation/index_bigpicture.html)

## Annex: WPG Regional Seminars 2006 & 2007

### “Women and Security” September 14 2006, Coventry

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**Clare Sawdon**, Magistrate

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#### **Anne Forder**

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#### **Kay Swinburne**

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### “Welfare and Family Policy” September 22, 2006 Edinburgh

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#### **Sue Robertson**

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### “Equal Opportunities” October 11, 2006 Cardiff

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#### **Milada Williams**

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#### **Sandrine Wilson**

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### “Hospital and Care Homes Closures” October 19, 2006 Cheltenham

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## “Paths in and out of Prison” October 24, 2006 Woking

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## “Women, Work and Family” January 29 2007, London

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**Rt. Hon Theresa May MP** – Shadow Leader of the House of Commons

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## “Women, Housing and Homelessness” March 13, 2007 Colchester

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## “Education, Training & Career Segregation” April 23, 2007 Stockton-on-Tees

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## “Childcare & Caring Responsibilities” May 21, 2007 Taunton

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**Sue Owen**

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## “Pensions” June 22, 2007 Cheadle

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**Brigid Benson** – Director, GAEIA Partnership

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