UNITED KINGDOM

1. Discriminatory family code

The legal minimum age of marriage in the United Kingdom is 18 for both women and men, although it is possible to marry from 16 years old with parental consent. In Scotland, the 1929 Age of Marriage act allows for women and men to be married at 16 with no mention of parental consent.¹

In July 2013, the UK Parliament adopted the Marriage Act for Same Sex Couples (HC Bill 126) allowing same-sex couples to legally marry.²

The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. The aim of the Act was to provide civil remedies for victims and potential victims of forced marriage.³ In September 2013, the Government introduced clauses in the Anti-Social Behaviour Crime and Policing Bill which will criminalise both forced marriage and breach of a Forced Marriage Protection Order.⁴ In 2014, the Anti-Social Behaviour, Crime and Policing Act was enacted, which addresses the enforcement of protection orders for victims of forced marriages.⁵

The Forced Marriage Unit of the Home Office reported that between January and December 2013 they gave advice or support related to a possible forced marriage in 1302 cases, of which 82% involved female victims and 18% involved male victims. Where the age was known, 15% of the cases involved victims younger than 16 years.

Under the Children Act of 1989, both the mother and the father have legal rights and responsibility as a parent to look after their children. The mother automatically has parental authority for her child from birth, while the father also has parental authority if he is married to the child’s mother or listed on the birth certificate.⁶

In cases of divorce, parents are encouraged to reach an agreement in the best interest of the child. If this cannot be achieved, the court uses the Welfare Checklist set out in the 1989 Children Act⁷ to settle

---

¹ UK Government (2014), Marriages and civil partnerships in the UK; The Scottish government (2012)
³ UK Parliament (2013), Forced Marriage – Commons Library Standard Note
⁴ UK Parliament (2013), Forced Marriage – Commons Library Standard Note
⁷ The National Archives, Children Act 1989
parental disputes over children. The objective is to safeguard the welfare of the children involved and decide what arrangement is in the child’s best interests.\(^8\)

No discrimination against women was found in terms of inheritance rights.

**More**

The 1996 Family Law Act does not discriminate against women in terms of divorce rights. Both women and men have the same right to initiate divorce.

### 2. Restricted physical integrity

On 8 June 2012, the UK signed the Istanbul Convention (the Council of Europe’s Convention on preventing and combating violence against women and domestic violence); this is still not ratified.\(^9\)

**Domestic violence** is not a criminal offense in the UK; however it falls under various other criminal offenses for which perpetrators can be prosecuted including murder, rape, assault, harassment and threatening behaviour. In addition, there are three Acts under the Civil Code that address domestic violence: the Family Law Act of 1996, the Domestic Violence Crime and Victims Act 2004, and the Protection from Harassment Act 1997.\(^10\)

Under the Family Law act of 1996, someone can be convicted for up to five years for breaching a non-molestation order. However it applies only to married couples and families and does not apply after a divorce.\(^11\) The Domestic Violence Crime and Victims Act 2004 allows for perpetrators to be sentenced to up to five years in prison and to pay a fine. If the act was committed against a child under 16, the prison sentence can be up increased to 14 years.\(^12\) If someone is found guilty of breaking the Protection from Harassment Act 1997, they can be sentenced to up to five years in prison and ordered to pay a fine.\(^13\)

The UK’s definition of domestic violence includes “any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse” to anyone 16 years or older who are or have been family members of intimate partners regardless of sexuality or gender.\(^14\) The definition includes psychological, physical, sexual, financial and emotional abuse.\(^15\)

Domestic violence protection orders were introduced by the Crime and Security Act 2010 to enable protection for the victim by the police in the immediate aftermath of a domestic violence incident. In addition, perpetrators can be prevented from returning to the victim’s residence and from contacting

---

\(^{9}\) Council of Europe (2011)
\(^{10}\) House of Commons Library (2014) Domestic Violence
\(^{14}\) UK Government (2013) Domestic violence and abuse
\(^{15}\) UK Government (2013) Domestic violence and abuse
the victim for up to 28 days. In addition, since March 2014 police forces have the ability to check partners’ past records. This requires every request to be checked by a panel composed of police officers, probation services and other agencies to ensure that information is only provided when it is “lawful, proportionate and necessary”. Trained police officers and advisers are available to support victims through the difficult and sometimes dangerous transitional period.

A 2014 report undertaken by the Inspectorate of Constabulary (HMIC) to inspect the police response to domestic violence and abuse found that domestic abuse was not prioritized in a majority of the forces in England and Wales and that police response to victims is insufficient. One third of the victims surveyed did not feel they were taken seriously or believed. In some forces there is lack of specialist support and supervision and there is an inconsistent approach to how criminal justice sanctions are pursued.

In 2012, according to the European Agency for Fundamental Rights (FRA), 29% of women in the UK had experienced physical and/or sexual violence by a current and/or previous partner since the age of 15.

Rape is a statutory offence in the UK under the Sexual offenses Act of 2003. Rape is defined as penetration without consent of the victim or if the perpetrator does not believe that the victim has consented. If someone is found guilty of rape, they are liable to life imprisonment. Rape in marriage has been a criminal offense since 1991 in England when a court ruled that a husband no longer had immunity from being persecuted for raping his wife.

In 2010, the Stern Review looked at the bureaucratic process of handling rape complaints from the moment a rape is first reported until the case is concluded and revealed gaps in the implementation of rape and sexual offences legislation. In 2011, the Government published a full response to this review, along with an action plan including a wide range of actions to end violence against women and girls. The action plan was updated in 2012, strengthening areas such as prevention, provision of services, and reducing risk to victims; the 2013 update also looks at challenging attitudes that foster violence; and finally, the 2014 plan includes further protection of victims through early intervention programmes, such as domestic violence protection orders.

The national average "no crime" rate for adult rape is 12%, compared with 2% for all victim-based crime. ‘No-criming’ refers to the police practice of determining whether a reported crime should be recorded

---

16 UK Government (2013), Written statement to Parliament: Domestic violence protection orders and domestic violence disclosure scheme
17 UK Government (2013), Clare’s law to become a national scheme
18 UK Government (2013), Clare’s law to become a national scheme
19 HMIC (2014), Everyone’s business: Improving the police response to domestic abuse
20 HMIC (2014), The police response to domestic abuse is not good enough and must be improved, finds HMIC inspection
21 FRA (2014)
22 The National Archives, Sexual Offences Act 2003
23 UK Government (1992), Criminal law: rape within marriage
24 UK Home Office (2010)
27 UK Government (2014), Ending violence against women and girls in the UK
or not. For some localities, the rate is higher: 20% or more in Leicestershire, Hertfordshire, West Midlands Cleveland, Derbyshire, Northumbria, Lincolnshire.  

The police recorded a total of 53,700 sexual offences across England and Wales in 2011-2012, of which rape and sexual assault accounted for 71%. Of the 9,919 defendants proceeded against at magistrates' courts for sexual offences in 2011: 7,474 (75.4%) were committed for trial at the Crown Court; 1,625 (16.4%) were found guilty at the magistrates' court; and 820 (8.3%) saw their proceedings terminated early, were discharged at committal proceedings, or saw their case dismissed (i.e. the defendant was found not guilty after a summary trial).  

The CSEW is a face-to-face survey in which residents in households in England and Wales are asked about their experiences of crime in the 12 months prior to the interview. In 2012-2013 less than 15% of adult women reported being rape while 7.1% of women and 4.4% of men reported experiencing domestic violence. However, 30% of women and 16.3% of men reported experiencing domestic abuse at some point since the age of 16, while 19.1% of women and 2.7% of men reported experiencing sexual assault since the age of 16.  

The legal definition of sexual harassment changed in 2005 and now includes two types of sexual harassment: unwanted conduct on the grounds of your sex and unwanted physical, verbal, or non-verbal conduct of a sexual nature. The Equality Act 2010 replaces previous anti-discrimination laws, such as the Sex Discrimination Act 1975, the Race Relations Act 1975 and the Disability Discrimination Act 1995, therefore legally protecting people from discrimination in the workplace and in wider society.  

In November 2012, the Protection from Harassment Act 1997 was updated by provisions made in the Protection of Freedoms Act 2012, with two new offences for stalking (sections 2A and 4A) and new police powers to enter and search premises (section 2B).  

The UK introduced a Female Genital Mutilation Act in 2003, which came into effect in March 2004. The act makes it illegal to practice female genital mutilation (FGM) in the UK and includes a penalty of up to 14 years in prison and/or a fine. In 2014, the UK government released a declaration on FGM where they dedicated funding to increased research and prevention of FGM. As of 2011, it is estimated that 137,000 women and girls born in countries where FGM is practiced but currently living in England and Wales had been victims of FGM, representing less than 1% of the female population in the UK. 

---

28 HMIC (2014), Rape Monitoring Group: Digests, data and methodology  
30 Office for National Statistics (2014)  
32 UK Government (2013), Equality Act 2010  
33 UK Government (2013), Ending violence against women and girls in the UK  
34 The National Archives, Female Genital Mutilation Act 2003  
35 UK Government (2013), Ending violence against women and girls in the UK  
36 HM government (2014) International Day of Zero Tolerance to Female Genital Mutilation  
37 City University London (2014)
More

Under the Abortion Act 1967, an abortion can be carried out during the first 24 weeks of pregnancy. Abortions may be carried out after 24 weeks but only if it is necessary to save the woman’s life or if there is a substantial risk that if the child is born he or she may be handicapped. Nonetheless, there are specific differences between the abortion laws that apply in different parts of the UK. For instance, women in England, Wales and Scotland have access to an abortion for pregnancies of less than 24 weeks if two doctors agree that it is necessary to preserve her mental or physical health, or that of her other children. On the other hand, in Northern Ireland, abortion is only available for women whose lives are in serious danger. If they decided to travel to England, Scotland or Wales to have an abortion, they would have to pay for it at a private clinic. Moreover, abortion is only legal in the islands of Guernsey and Alderney if two locally registered Medical Practitioners agree that it is immediately necessary to save the life of the pregnant woman before the 24th week.

According to UK’s National Health Service (NHS), in 2011 there were 189,931 abortions carried out in England and Wales, compared with 189,574 in 2010. This represents an increase of 0.2%.

3. Son bias

No evidence was found to suggest that son bias is relevant in the UK.

For 2013-2014, the male/female sex ratio for the working age population (15-64) in UK was 1.02 while the sex ratio at birth was 1.05. Analysis of sex ratio data across age groups indicates that the UK is not a country of concern in relation to missing women.

More

Gross enrolment ratios at both the primary and secondary levels are approximately equal. According to a 2014 report by UNICEF, gross primary school enrolment ratios (females as a % of males) were 99% at the primary level and 101% at the secondary level.

4. Restricted resources and assets

According to the FAO’s Gender and Land Rights database, there are no legal obstacles to women’s ownership of land or participation in agriculture.

There are some customary norms that persist in rural Northern Ireland, where there is a perception of farming as “a male industry” and patrilineal inheritance patterns persist. As a result, this reduces women’s chances of inheriting agricultural land.

38 The National Archives, Abortion Act 1967
39 Brook NGO
41 National Health Service (n.d.), Abortion - when it is carried out
42 CIA (2013)
43 UNICEF (2014), p. 73
44 FAO (n.d.), Gender and Land Rights Database: United Kingdom
The Northern Ireland Rural Women’s Network (NIRWN) is a rural network that aims to advance rural women’s equality and participation in society by liaising with the Government on policy matters and providing support and policy advice to frontline women’s organizations operating in disadvantaged areas at a sub-regional level. Its activities include, for example: increasing rural women’s capacity and opportunities to influence decision-making and policy formulation and running Northern Ireland-wide communication campaigns with a local focus, highlighting the value of rural women’s contribution.46

Married women have the same rights as men to hold and dispose of property since the Married Women’s Property Act 1882.47

Both husband and wife are allowed to equally inherit each other’s property since the enactment of the 1922 Law of Property.48

There is no discrimination against women in their access to financial services. In the UK in 2011, 96.71% of men and 97.65% of women aged 15 years or older hold bank accounts at a formal financial institution.49

According to a 2011 report “Women and Banks: Are Female Customers Facing Discrimination?”, there is evidence of banks discriminating against pregnant women and women on maternity leave who are seeking mortgages; also, the report gathers evidence in Europe of banks discriminating against women entrepreneurs, for example women being asked for more collateral than men for loans, being charged higher interest rates and being refused loans more frequently than men.50

In 2013, the UK government has devised an action plan with the banking industry to give women the support and confidence needed to apply for a business loan or mortgage through greater transparency, more targeted and tailored information (including for pregnant women, for example), increased collaboration between government, bank and trade associations, and inclusivity.51

5. Restricted civil liberties

No evidence was found of discriminatory practices in access to public space for women. Women can apply for a passport, travel outside her home or country or get a job in the same way as a man. The law also provides for freedoms of assembly and association, and the government respects these rights in practice.52

---

45 FAO (n.d.), Gender and Land Rights Database: United Kingdom (Customary Law section)
46 FAO (n.d.), Gender and Land Rights Database: United Kingdom (Policies/Institutional mechanisms enforcing or preventing women’s land rights section)
47 UK Government(1882), Married Women’s Property Act 1882
48 UK Parliament (n.d.), Marriage: property and children? What is this source?
49 World Bank (2011)
50 Institute for Public Policy Research (2011)
51 UK Government (2013), Independent report: Banking on women: an action plan to open up access to finance for women
52 US Department of State (2013)
There are no legislated quotas for women at the national or sub-national level in the UK. However, there are voluntary quotas adopted by political parties. Women hold 23% of seats in the national parliament. There are currently 148 female MPs out of a total of 650 members of Parliament, following the 2010 general election and subsequent by-elections.

There are 30,000 women’s NGOs in England and Wales. Women’s NGOs make up 7% of registered charities, but only 1.2% of central government’s funding to the voluntary and community sector in England goes to women’s NGOs. The Fawcett Society is a UK charity for women’s equality and rights in the home, in the workplace and in public life. Fawcett is currently running a campaign entitled “Women in Power”, to ensure gender equality in terms of women’s representation in positions of power and influence across public life in the UK.

A 2013 report on the representation of women in politics and public decision-making, written on behalf of the Counting Women In Coalition (CiWD, the Electoral Reform Society, the Fawcett Society, the Hansard Society and Unlock Democracy) shows that progress towards parity in Britain’s democratic institutions continues to be slow, as the level of women MPs has increased by only 3.9% since the year 2000, whilst the percentage of women in the Cabinet has decreased by 4.3%. In terms of political parties, currently women represent 16% of Conservative MPs, 32% of Labour MPs and 12% of Liberal Democrats.

More

In terms of rights in the workplace, the 1970 Equal Pay Act ensures that women and men have equal conditions of employment. The Sex Discrimination Order (Northern Ireland) 1976 does not prohibit unlawful discrimination by public authorities on the grounds of sex in the exercise of their public functions.

Since 2007, women can take up to 52 weeks of maternity leave. The statutory maternity pay can be paid for up to 39 weeks as follows: 90% of the employee’s average weekly earnings before tax for the first 6 weeks and for the remaining 33 weeks £136.78 or 90% of their average weekly earnings (whichever is lower). In the UK, employed fathers can choose to have either one or two consecutive weeks leave, starting from the actual date of birth (or another agreed date after the birth) and it must

---

53 The Quota Project (n.d.)
55 UK Political Info (n.d.), Current Female Members of Parliament
56 Women’s Resource Centre (2008)
57 Fawcett Society (n.d.)
58 Centre for Women and Democracy (2013)
59 The National Archives, Equal Pay Act 1970
60 Equality Commission for Northern Ireland (2013), p.4
61 The National Archives, The Statutory Maternity Pay, Social Security (Maternity Allowance) and Social Security (Overlapping Benefits) (Amendment) Regulations 2006
62 UK Government (2013), Statutory Maternity and Leave: employer guide
finish within 56 days of the birth (or due date if the baby arrives early). The statutory paternity pay is either £136.78 a week or 90% of the employee’s average weekly earnings (whichever is lower).  

For 2012, women reported on average 13 hours of housework and 23 hours of child caring each week. On average, men reported 8 hours of housework and 10 of child caring. This trend has not changed since 2002. 

64 British Social Studies (2013)
Sources


National Health Service (n.d.), Abortion - when it is carried out, http://www.nhs.uk/Conditions/Abortion/Pages/When-should-it-be-done.aspx.


