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**Overview of Key Concerns Regarding CEDAW in Scotland. Briefing by the SHRC February 2019**

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This briefing provides an overview of key concerns about the real progress of women rights in Scotland, with a particular focus on the adverse impact of social security reforms and the impact of austerity on women’s economic and social rights; the persistent barriers to women’s participation in public life and accessing mental health services and the high prevalence of violence against women.

A complete list of issues, suggested questions for the government and recommendations can be found at <http://www.scottishhumanrights.com/international/international-treaty-monitoring/>

Welfare reforms in the UK have had a disproportionately negative impact on women in Scotland. Women’s economic and social rights has been cumulatively impacted by the various changes to social security since 2010. An analysis of the recent benefit cuts and tax changes have forecasted that by 2020, minority ethnic women in the poorest third of households will lose on average 17% of their net income.

As the Committee knows, limited powers in relation to social security were devolved to the Scottish Parliament in 2016. The Social Security (Scotland) Act 2018 introduced the principles of dignity and respect into legislation. However, the Scottish Government did not incorporate the right to social security into the Act and as such accountability is weakened.

We call on the Scottish government to ensure that the new social security system in Scotland addresses the specific problems experienced by women and continue to mitigate the impacts of welfare reform, particularly on disabled women, black and minority ethnic women and lone mothers who are disproportionately affected.

Significant progressed has been made on gender equality in Scotland, however women continue to be underrepresented in decision-making roles in the political and public sphere in the Scotland. Women’s employment in Scotland is concentrated in the public sector but only 26% of public bodies are headed by women. Although 81% of the NHS workforce is comprised of women, 80% of the NHS Board chairs are men. In Scotland, the gender pay gap sits at nearly 15% when comparing men’s and women’s overall hourly wages, placing Scotland second from the bottom of the 45 EU member states. Furthermore just over 35% of MSPs, are women in Scotland and all of them are white and non-disabled.

So we recommend that the Scottish Government increases their efforts to rise the representation of women in all aspects of political and public life, taking into full account the intersectionality of women’s identities.

Problems remain in Scotland with regard to women’s and girls’ access to gender appropriate physical and mental healthcare. While the situation has improved for women in detention during the last 4 years, questions remain in relation to the appropriateness of mental health services for prisoners, rehabilitation programmes and reintegration of female prisoners into the community.

Young women are more than twice as likely to be depressed as men, a problem which particularly affects women on low incomes, who are also more likely to be disabled or from black and minority ethnic communities. The Commission recommends that the Scottish Government ensures a rights based approach to the SG mental health strategy in order to address the existing barriers that some women experience in health services.

Violence against women and girls more broadly remains a concern. There have been positive steps in combating domestic abuse. New legislation has been introduced which broadens the definition of domestic abuse and provides extra protective measures for victims in Scotland. However, without appropriate training for prosecutors and the police, and a greater awareness of the public and victims, legislation will not be effective. It is essential to ensure that the law is not only robustly enforced but that women and children receive the full support and access to the services they require. We have have called for the Scottish Government to ensure that all relevant agencies are appropriately trained and funded to implement the new Domestic Abuse (Scotland) Act.

We are pleased to see an increase ambition in human rights in Scotland. The First Minister's Advisory Group on Human Rights Leadership, a group set up by Scotland’s First Minister to make recommendations on how Scotland can continue to lead by example in the field of human rights, has recommend a new Act of the Scottish Parliament to enshrine international human and environmental rights in Scotland's domestic laws. This process provides the opportunity to incorporate the rights enshrined in CEDAW into domestic law. However, taking forward these recommendations will need sustained, collective leadership from inside and outside Scotland.

We have a number of fundamental concerns around how human rights standards are protected in the UK – which has been raised by our UK colleagues today. Since the last examination by this Committee, the UK electorate voted in favour of leaving the European Union. This has brought considerable uncertainty in the UK about what implications withdrawal from the EU will have for the protection of human rights and women’s rights, including the future of the Human Rights Act. So we suggest the Committee call on the UK and devolved jurisdictions to affirm their commitment to the highest standards of protection for the rights of women and girls and non- regression in the laws of the UK.

Thank you.