



**Joint Submission to the Committee on the Elimination of Discrimination against Women:
Review of the United Kingdom of Great Britain and Northern Ireland**

January 28, 2019

Submitted by: Sisters of Frida and Women Enabled International

- Eleanor Lisney, Director, Sisters of Frida, hello@sisofrida.org
- Amanda McRae, Director of UN Advocacy, Women Enabled International, a.mcrae@womenenabled.org
- Stephanie Ortoleva, Executive Director, Women Enabled International
President@WomenEnabled.org

[Sisters of Frida](#) is a disabled women's collective in the UK, bringing disabled women together, mobilising and sharing through lived experiences. Focusing on Disabled women's issues, we work intersectionally with Disabled People's organizations and women's organizations in the UK for disability justice.

[Women Enabled International](#) (WEI) works at the intersection of women's rights and disability rights to advance the rights of women and girls with disabilities around the world. Working in collaboration with women with disabilities rights organizations and women's rights organizations Globally, WEI fosters cooperation across movements to increase international attention to and strengthen human rights standards on issues such as violence against women, sexual and reproductive health and rights, access to justice, education, legal capacity, and humanitarian emergencies.

**Joint Submission to the Committee on the Elimination of Discrimination against Women:
Review of the United Kingdom of Great Britain and Northern Ireland**

January 28, 2019

Sisters of Frida and Women Enabled International (WEI) appreciate the opportunity to contribute to the Committee on the Elimination of All Forms of Discrimination against Women's (CEDAW Committee) upcoming review of the United Kingdom of Great Britain and Northern Ireland (UK).

I. Introduction

Disabled women and girls¹ around the world face discrimination and human rights abuses based on both their gender and disability status. In the UK, approximately 23% of women, or 7.6 million people, are disabled women, making up a significant portion of the population.² Despite the UK's international commitments to ensuring the rights of disabled women, these women experience human rights violations that are distinct from and more frequent than those experienced by others. In particular, disabled women in the UK experience gender-based violence at higher rates than other women, due to both discrimination and economic disempowerment, and face greater barriers to accessing justice. Furthermore, disabled women face significant barriers to accessing well-paid employment, and recent benefits cuts have also put a range of their rights at risk. Disabled women also face increased barriers to accessing health services, particularly maternal health services.

During its previous review of the UK in 2013, the CEDAW Committee made several recommendations to the UK about the rights of disabled women. It expressed particular concern about austerity measures and their impact on disabled women, calling on the UK to 'measur[e] and balanc[e] the impact of austerity measures on women's rights.'³ The Committee further expressed concern about the low rates of employment for disabled women and recommended that the UK '[c]reate greater opportunities for women with disabilities to gain access to employment.'⁴ It called on the UK to 'strengthen the implementation of programmes and policies aimed at providing effective access to health care for women, especially women with disabilities...' and 'pay special attention to the health needs of women with disabilities, ensuring their access to prenatal care and all reproductive health services.'⁵ The Committee also called on the UK to take measures to ensure the representation of disabled women in Parliament and the judiciary.⁶

As this submission documents, these recommendations have gone largely unaddressed. This submission first illustrates how human rights abuses against disabled women manifest in the UK, including related to gender-based violence, economic rights and social protection, and access to maternal health care. This submission then provides suggestions for questions and recommendations for the CEDAW Committee to direct towards the UK about these issues during its review in February 2019.

II. Rights Violations against Disabled Women in the UK

A. Recent Legal Background

Rights protections for disabled women are enshrined in several UK laws, many of which are outlined in more detail below. In particular, the Equality Act 2010 provides an overall framework for ensuring the rights of disabled women by prohibiting discrimination in the UK on a number of grounds, including sex and disability, in work, public accommodations, education, and associations.⁷ It also prohibits intersectional discrimination based on multiple protected characteristics.⁸ Furthermore, the Equality Act 2010 recognises that failure to provide reasonable accommodation is itself a form of discrimination,⁹ requiring that both public services and public accommodations, such as support services like shelters for victims of violence, be accessible 'as is reasonable.'¹⁰ Concerning public services, including police and courts, the Equality Act 2010 requires that they anticipate the needs of disabled people in advance of them

accessing services, removing any barriers—whether in policies and practices or physical features—and providing additional aid for access when needed.¹¹

The UK recently underwent a review by the Committee on the Rights of Persons with Disabilities (CRPD Committee). Following this 2017 review, the CRPD Committee issued the following recommendations related to the rights of disabled women:

- Mainstream the rights of disabled women and girls into the gender equality and disability rights agendas;¹²
- Adopt targeted measures and collect statistics to prevent multiple and intersectional discrimination against disabled women in education, employment, health, access to justice, and concerning poverty and violence;¹³
- Ensure equal access to justice, particularly for disabled women, to ensure freedom from abuse, ill-treatment, sexual violence and exploitation;¹⁴
- End forced medical treatment, including forced sterilisation, ensure access to supported decision-making mechanisms, and ensure greater safeguards against violations of bodily integrity, paying special attention to disabled women and girls;¹⁵ and
- Allocate financial resources to support organizations representing disabled women and include them in planning and implementation of all legislation and measures that may affect their lives.¹⁶

Although the UK's foreign policy has recently increased attention to the rights of disabled people worldwide, its domestic efforts to ensure those rights are still lagging behind, even following these recommendations from the CRPD Committee. Indeed, the UK government held a workshop in January 2019 to address issues faced by disabled people, but unfortunately it did not invite key disabled people's organizations (DPOs) to take part and excluded them when these organizations specifically asked to participate.¹⁷

B. Gender-based Violence against Disabled Women in the UK (Arts. 1, 2, General Recommendations No. 19 and 35)

Manifestations of Gender-based Violence

Violence against disabled women worldwide takes many unique forms and has several distinct causes. According to the former UN Special Rapporteur on Violence against Women (SRVAW), Rashida Manjoo, violence against disabled women is perpetuated by stereotypes 'that attempt to dehumanize or infantilize, exclude or isolate [disabled women], and target them for sexual and other forms of violence.'¹⁸ Worldwide, disabled women are more likely to be in unstable romantic relationships that can lead to violence, as due to discrimination they are often considered less eligible for marriage.¹⁹ Indeed, disabled women worldwide experience domestic violence—including physical, sexual, emotional, psychological, and financial abuse—at twice to three times the rate of other women.²⁰

In the UK, while approximately one in four women experiences domestic violence in their lifetime, nearly one in every two disabled women does.²¹ A 2015 review from Public Health England—a government body—indicated that 15.7% of disabled women in England experienced domestic violence in 2012-2013, as compared to 7.1% of non-disabled women, 8.1% of disabled men, and 4% of non-disabled men.²² The review also found that persons with psychosocial disabilities were four times as likely to have experienced violence in the past year and that women with 'anxiety disorder' or 'depressive disorder' were 2-4 times more likely to have experienced domestic violence.²³ The abuse committed against disabled women was also exacerbated by their disability status. For instance, in a 2007 survey of 30 disabled women who were victims of domestic violence, all of them reported that being disabled worsened the abuse and also put up barriers to them leaving abusive homes.²⁴

Women facing violence often experience it in a form directly related to their disability, such as having medicine or care withheld.²⁵ Indeed, the 2015 Public Health England review found that disabled people who experienced greater limitations on their daily activities also experienced violence, including domestic violence, at rates 2-3 times the rate of others.²⁶ Disabled people who were members of other marginalised groups also experienced higher rates of violence. In a study of LGBT persons in Brighton, 51% of LGBT persons with physical impairments and 42% of Deaf LGBT persons reported experiencing domestic violence, as opposed to 36% of LGBT women and 27% of LGBT men overall.²⁷

For disabled women in the UK, leaving a violent home environment can prove difficult. Those fleeing abusive homes may be physically unable to leave, particularly where public transportation is inaccessible.²⁸ Disabled women may also be reliant on their abuser to meet personal needs; indeed, when the abuser is also a caregiver, it is frequently impossible for disabled women to get help.²⁹ These factors, combined with discrimination and lack of financial resources that will be described in more detail below, mean that disabled women often experience domestic violence for a longer period of time before attempting to leave their abusers.³⁰ The law also does not always adequately address these cases. For instance, in January 2019, a man who had abused his wife for 16 days by turning off the power to her wheelchair, putting the wheelchair out of her reach, denying her food, and threatening to hit her with a walking stick, avoided jail time for his actions.³¹

Disabled women in the UK are also subjected to sexual violence and harassment at higher rates than other women. Overall, they are twice as likely to be assaulted or raped.³² According to a 2014 report from an advisor to the Metropolitan Police Service, 18% of women who report rape in London are women with psychosocial disabilities, and many more rapes against disabled people go unreported.³³ Disabled women also experience rape, sexual assault, and harassment in situations distinct from other women. For instance, disabled women in the UK are still subjected to assault, abuse, and neglect in residential care homes though this remains a largely hidden problem.³⁴ Disabled people in general also face higher rates of bullying and harassment than do others. A report from the Papworth Trust in 2011 indicated that 66% of people with learning disabilities/difficulties were bullied regularly, while 32% reported that they experienced bullying or harassment on a daily or weekly basis.³⁵ Indeed, young disabled people in England reported higher rates of bullying than other young people, including verbal abuse, harassment, physical attacks, and cyber bullying.³⁶

Financial Constraints and Funding Cuts to Support Services for Victims of Violence

Economic independence has long been recognised as a major factor in preventing and responding to violence against women, particularly domestic violence. In its General Recommendation No. 19 on violence against women, the CEDAW Committee recognised that ‘[I]ack of economic independence forces many women to stay in violent relationships.’³⁷ Concerning disabled women in particular, economic constraints can also lead to violence, and the CRPD Committee has recognised in its General Comment No. 3 that disabled women face multiple and intersecting forms of discrimination in access to education and economic opportunities and may be more susceptible to economic coercion and exploitation.³⁸

Studies worldwide, including in England and Wales, have indicated that the main risk factors for domestic violence for all women are lower education, unemployment, and poverty,³⁹ meaning that disabled women in the UK are particularly at risk. Furthermore, disabled women face several barriers to accessing benefits programs that would otherwise help boost their incomes and ensure their economic independence from potential abusers. These issues will be explored in more detail in Section C below.

Disabled women in the UK who do receive state benefits may face violence in the form of financial coercion at the hands of family and intimate partners. According to a 2014 study conducted by Women’s Aid, disabled women may be particularly at risk of financial abuse both because of their disability and because of the disability benefits they receive.⁴⁰ Indeed, family members and partners often control access

to disability benefits that women are entitled to because of their disability, increasing their isolation.⁴¹ This control not only leads to financial abuse against disabled women but may also make it harder for them to leave abusive relationships because of both safety concerns and lack of financial resources. For instance, disabled women who were not UK citizens or who were returning to the UK after leaving abusive relationships in another country reported that they had no access to their disability benefits.⁴² Furthermore, a disabled woman who had a joint claim with her abusive partner for Employment Support Allowance (ESA) benefits was told she would have to get his permission in order to separate the accounts, a situation that would have alerted him to her intention to leave and possibly led to more abuse.⁴³ Another disabled woman was able to switch to a sole account for disability benefits, but she was only given a two-week window to leave her abuser after filing for this account before he would be notified of the change.⁴⁴ Due to her disability, she needed a lot of help to leave her abuser,⁴⁵ but, as described below, support services for victims of violence are frequently not accessible to disabled women.

Funding cuts to social services that support women who are victims of violence—the result of the UK’s recent financial austerity measures—have had an impact on the ability of disabled women to leave abusive relationships and exercise their right to be free from violence. In her 2014 visit to the UK, former UN Special Rapporteur on Violence against Women, Rashida Manjoo, found that cuts to social support services disproportionately impacted women from marginalised groups, including disabled women, particularly when they experienced violence.⁴⁶ This was because these groups ‘are often subjected to entrenched discriminatory practices in the political, social and economic spheres and are more likely to depend on benefits and support from an increasingly under resourced non-profit sector.’⁴⁷

Funding issues have also affected the accessibility of the support services that do still exist for victims of violence in the UK. A 2018 report by the BBC found that only 11% of domestic violence shelters were accessible to women with physical impairments and that funding for these shelters had decreased by an average of 6% in the last five years.⁴⁸ A 2014 European Union and University of Leeds study found that the accessibility of support services in the UK for disabled women who were victims of violence varied greatly by disability and that many of these services were not fully accessible.⁴⁹ In particular, nearly half of these services—which included shelters, advice centres, helplines, and intervention centres, among others—reported that they were ‘not accessible’ to blind women, women with visual impairments, and women living in institutions.⁵⁰ Nearly half of these services reported they were only ‘partially accessible’ to wheelchair users and women with other physical impairments, while more than half stated they were only ‘partially accessible’ to women with learning disabilities/difficulties or Deaf and hard-of-hearing women.⁵¹ Support services reported that they thought that they would need to make significant and costly changes in order to accommodate more disabled women, and that public and private funding was not available for these updates.⁵²

In a small qualitative study in 2012, women with learning difficulties/disabilities reported particular problems when accessing support services, stating that they received inappropriate or unhelpful responses to their requests for help.⁵³ Because of the unhelpfulness of these services and lack of services targeted specifically for women with learning disabilities/difficulties, two of the five women in the study reported that they had to stay in their abusive homes and felt even more powerless in the face of these barriers.⁵⁴

Access to Justice for Disabled Women following Violence

Effective access to justice is essential to ensuring the respect, protection, and fulfilment of all human rights, including the right to be free from violence. As the CEDAW Committee has recognised, women may face particular barriers to accessing justice because of ‘gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence, which affects women in particular....’⁵⁵ Barriers to accessing justice are compounded for disabled women, based on both their disability and gender. The

CRPD Committee noted in its General Comment No. 3 on disabled women and girls that ‘[w]omen with disabilities face barriers to accessing justice including with regard to exploitation, violence and abuse, due to harmful stereotypes, discrimination and lack of procedural and reasonable accommodations, which can lead to their credibility being doubted and their accusations being dismissed.’⁵⁶ As the SRVAW has recognised, this perception about credibility—as well as the ‘infantilisation’ of and stereotypes about many disabled women—leads to a ‘systematic failure of the court system to acknowledge them as competent witnesses.’⁵⁷ This situation is particularly acute in cases concerning sexual or domestic violence, where courts often rely on victims to provide key evidence.⁵⁸

A 2014 report from the University of Leeds, based on extensive interviews with disabled women in the UK, noted that disabled women who were victims of violence had little knowledge about the law and how it was implemented in practice, sometimes because the perpetrators of violence isolated these women and controlled what information they received.⁵⁹ Disabled women in the study were frequently unaware of or not clear about their formal rights under criminal law and about the criminal prosecution process,⁶⁰ and if they were somewhat aware of their rights, they expressed confusion about which rights applied to them in certain situations based on their gender, disability, or other statuses.⁶¹ As a result, disabled women lacked confidence to engage with the criminal justice process and were also sceptical about its effectiveness.⁶²

An unprepared police force and judicial system exacerbate the problem of gender-based violence against disabled women in the UK. In the 2014 University of Leeds study, disabled women, particularly Deaf and hearing-impaired women, commented that they encountered or were afraid of communications accessibility problems when working with the police.⁶³ While improvements in recent years were reported, disabled women also stated that the police were judgmental towards them and applied mistaken assumptions and stereotypes about their mental abilities and living situations.⁶⁴ As a result, disabled women sometimes felt that the police actually hindered their access to justice.⁶⁵

Concerning sexual violence in particular, the 2014 Metropolitan Police Services report found that only 15% of rapes reported to the police in 2013 resulted in prosecutions, but those reported by disabled women were even less likely to be prosecuted.⁶⁶ Women with psychosocial disabilities were 40% less likely than other victims to have their rape cases referred by police for prosecution, while persons with learning disabilities were 67% less likely to have their cases referred.⁶⁷ The decision of a detective to refer a rape case for prosecution was rarely subjected to outside scrutiny.⁶⁸ As the author of the 2014 Metropolitan Police Services report noted, ‘[v]ictim vulnerabilities effectively protect suspects from being perceived as credible rapists,’ indicating that it is often the status of the victim herself as a disabled woman and the stereotypes associated with that disability that leads to these low rates of referral.⁶⁹

Disabled women may also face discrimination, including lack of reasonable accommodation, in courts when they are victims of violence, based on both their gender and disability. In the report of her visit to the UK in 2015, the SRVAW noted that the justice system is ‘widely perceived to be biased in favour of men and is focused on individual incidents of violence, rather than addressing the cumulative nature of domestic violence,’ and disabled women in particular may be subjected to stereotypes that infantilise them.⁷⁰ For instance, disabled women who were victims of violence in the UK have reported that they have had their children taken away from them, because they failed to protect the children from violence⁷¹ or because courts or service providers assumed that they would not be able to take care of children on their own because of their disability, deterring these women from seeking justice.⁷² Recent funding cuts to social services in the UK have also had an impact on the ability of disabled women to access justice and exercise their rights. As the SRVAW noted, legal aid cuts have had a disproportionate impact on marginalised groups in the UK, including disabled women, thereby limiting their access to justice.⁷³

Law and Policy Measures Addressing Gender-based Violence

As noted above, the Equality Act 2010 requires that public services—including criminal justice services—take measures to anticipate the reasonable accommodation needs of persons with disabilities

and make adjustments to ensure that disabled women can access these services. The justice system, however, appears to have inconsistently prioritised this issue, leading to widely varying experiences for disabled women.⁷⁴

UK law includes protections for all victims of violence, including disabled women. In addition to criminal laws prohibiting several forms of violence,⁷⁵ the Domestic Violence, Crime, and Victims Act of 2004 (as amended in 2012) expands protections for victims of domestic violence, including children and vulnerable adults, against not only death but serious harm committed by people within their households due to violence, abuse, or neglect.⁷⁶ A ‘vulnerable adult’ is defined as ‘a person aged 16 or over whose ability to protect himself from violence, abuse or neglect is significantly impaired through physical or mental disability or illness, through old age or otherwise,’⁷⁷ a definition which includes many disabled women. In 2018, the UK government held consultations in view of drafting a new bill on domestic violence and abuse, but so far, measures concerning disabled women in particular have not been included.⁷⁸

Other recent laws and policies adopted by the UK to address violence against women have failed to adequately recognise particular abuses disabled women face. For instance, in 2015, the UK adopted the Serious Crime Act, which includes a prohibition on exercising ‘coercive behaviour’ over another person, a form of violence often used by domestic abusers.⁷⁹ This provision, however, still allows those accused of coercive behaviour to claim that they believed they were acting in the person’s ‘best interests’ and raise this as a defence.⁸⁰ Because disabled women are often reliant upon their partners for some caregiving responsibilities, this provision may allow abusive partners and other caregivers of disabled women to claim this so-called caregiver defence, even when they are engaged in behaviours that undermine the women’s autonomy and would otherwise be forms of abuse. Giving this statutory deference to caregivers means it would be up to the courts to decide whether their actions were reasonable,⁸¹ putting a burden on disabled women to prove, beyond a reasonable doubt, that abusers were not acting in their best interests.⁸²

Furthermore, in March 2016, the UK adopted the ‘Ending Violence against Women and Girls: Strategy 2016-2020.’⁸³ This strategy acknowledges that disabled women may face barriers in accessing services and contains a provision to ‘[p]romote understanding of the needs of BME [black and minority ethnic], LGB&T and disabled women who are victims of VAWG [violence against women and girls] and victims of domestic abuse with multiple complex needs and support commissioners to provide appropriate support.’⁸⁴ The strategy, however, does not define what constitutes ‘appropriate support’ nor does it specifically identify and seek to address the particular barriers that disabled women face, as will be described in more detail below. It also does not contain any targeted provisions as part of its Action Plan to tackle abuses faced by disabled women.⁸⁵

CEDAW Committee Jurisprudence on Gender-Based Violence against Disabled Women

In its General Recommendation No. 19, the CEDAW Committee recognized that States have an obligation to exercise due diligence to prevent and address violence against women committed by non-state actors.⁸⁶ The CEDAW Committee further elaborated on obligations regarding disabled women in particular in its General Recommendation No. 35, which outlined that States must repeal all laws that prevent or deter women from reporting gender-based violence, including ‘guardianship laws that deprive women of legal capacity or restrict the ability of women with disabilities to testify in court.’⁸⁷ The CEDAW Committee has also called on States to provide appropriate and accessible protective mechanisms to prevent further or future violence, including by removing communications barriers for disabled women.⁸⁸ In its concluding observations, the CEDAW Committee has called on several States to ensure that disabled women are included in plans and other efforts to tackle gender-based violence more broadly.⁸⁹ The Committee has recommended that at least one State raise awareness about violence against women as a form of discrimination, in particular as regards disabled women,⁹⁰ and has called on several States to ensure the accessibility of shelters and support services for victims of violence, including disabled women.⁹¹ It has further called on at least one State to ensure that information about justice

measures related to gender-based violence is made available in formats accessible to disabled women⁹² and on at least one State to provide mandatory capacity-building training to law enforcement and judicial officials on gender-based violence and gender-sensitive procedures for dealing with victims, in particular disabled women.⁹³

C. Economic Rights and Social Protection for Disabled Women in the UK (Arts. 10, 11, 13)

Disabled women face substantial barriers to ensuring their economic rights and social protection in the UK. As of 2017, 35% of disabled women in the UK earned less than the national living wage and experienced a pay gap of 22% as compared to non-disabled women.⁹⁴ One-third of disabled people in the UK are considered ‘low income,’ twice the rate of others. Further, it costs 25% more to live with a disability in the UK than without one, considering additional expenses for support services and health care.⁹⁵

Multiple social and institutional barriers restrict the career options of disabled women and are among the reasons why disabled women have both lower earnings and fewer opportunities in the UK.⁹⁶ For instance, disabled people, including women, have lower education levels, leading to lower earning potential, limiting employment opportunities, and perpetuating the cycle of poverty.⁹⁷ One-third of disabled people have education levels that translate into ‘no qualifications’ for work, as compared to less than 10% of non-disabled people.⁹⁸ Furthermore, disabled people are half as likely to have pursued higher education, due to discrimination and inaccessibility. Indeed, only 11% of disabled people have obtained a university degree, as compared to 22% of non-disabled persons.⁹⁹ Additionally, flexibility in the workplace is essential for disabled women,¹⁰⁰ but as a result of the lack of sufficient support, 61% of disabled women chose to leave a job, and 80% of disabled women felt unable to apply for a job.¹⁰¹

Furthermore, due to lower wages and rates of employment, recent changes to the structure of social protection benefits have disproportionately impacted disabled women. A report by the Equality and Human Rights Commission on the effects of changes to benefits in the UK found that the impact of Universal Credit being paid to the primary earner in a couple instead of split 50/50 between both partners, results in women (in couples) in the lowest income households losing an average £3,850 per year.¹⁰² Men in the lowest income households, on the other hand, are expected to gain slightly more than £1,000.¹⁰³ The report shows that the austerity measures will cause the poorest tenth of households to lose about 10% of their income by 2022.¹⁰⁴

The report also shows that families with a disabled adult and a disabled child will lose more than £5,500/year as a result of tax and benefit changes. Those with only a disabled child will lose an average of £3,300/year.¹⁰⁵ Households with the most serious disabilities (including a range of specific functional difficulties) will lose the most as a result of the tax and benefit reforms, particularly as a result of the cuts under Universal Credit.¹⁰⁶ An intersectional analysis of the effect of the reforms on disability and ethnicity shows that the greatest ‘losers’ are disabled women of ‘mixed ethnicity’ and disabled women of ‘other’ ethnic groups, with average losses of almost £2,300/year and £2,350/year, respectively.¹⁰⁷

The Employment and Support Allowance (ESA) benefit system—which provides financial support for those unable to work—has also proven problematic for persons with disabilities, who report that the application process is difficult, the medical assessments are stressful and often exacerbate impairments, and that their complaints about ‘generalised pain and exhaustion’ are not taken seriously.¹⁰⁸ While these issues affect both disabled men and women, there is a significant impact on disabled women because they face higher rates of unemployment in general.

The result of these benefits cuts is drastic for disabled women. According to a survey done by ComRes, on behalf of the Leonard Cheshire Disability charity, about a quarter of disabled women in the UK missed at least one meal in the last year because they could not afford it.¹⁰⁹ Twenty-two percent reported they were unable to keep their home warm.¹¹⁰ The recent case of Emily Lydon, a 19-year-old with significant

physical and cognitive impairments who requires 24-hour support, illustrates how changes to benefits impact disabled women and their families. Following the move to Universal Credit, her joint benefits for transportation and 24-hour caregiving were cut in half from £720 to £342, ostensibly because Ms. Lydon is no longer a child and no longer in full-time education. Ms. Lydon's family may now have to sell their home in order to provide the support and caregiving Ms. Lydon requires.¹¹¹ This is only one of many examples of the effects of benefits cuts on disabled people.¹¹²

The UN Special Rapporteur on Extreme Poverty and Human Rights, Philip Alston, following a November 2018 country visit to the UK, reported that '[p]eople with disabilities told me again and again about benefits assessments that were superficial and dismissive, and that led to findings that contradicted the advice of their doctor.'¹¹³ He concluded that although social support like Universal Credit should be a way out of poverty, 'many aspects of the design and rollout of the programme have suggested that the Department for Work and Pensions is more concerned with making economic savings and sending messages about lifestyles than responding to the multiple needs of those living with a disability, job loss, housing insecurity, illness, and the demands of parenting.'¹¹⁴

Article 11 of CEDAW requires that States eliminate discrimination against women concerning employment, including by ensuring equal employment opportunities and equal remuneration for work of equal value, as well as access to social security benefits for unemployment, retirement, or when someone is unable to work.¹¹⁵ Furthermore, under Article 13 of CEDAW, States have an obligation to eliminate discrimination against women in all other areas related to social and economic life, in particular concerning benefits.¹¹⁶ In its General Recommendation No. 18 on disabled women, the CEDAW Committee recognized the importance of 'special measures to ensure that [disabled women] have equal access to education and employment, health services and social security, and to ensure that they can participate in all areas of social and cultural life.'¹¹⁷ As noted above, concerning employment of disabled women in particular, the CEDAW Committee in 2013 recommended that the UK create greater opportunities for disabled women to gain access to employment, in order to address a persistently high unemployment rate for this group.¹¹⁸ The CEDAW Committee has also specifically called on other States to review current pension systems to correct any discriminatory gaps in access to social and pension benefits for women,¹¹⁹ and with regard to disabled women specifically, the Committee has affirmed that States have an obligation to protect the rights of disabled women and girls, ensuring that they have equal access to housing, justice, health care and other basic services and social protection, while promoting their autonomy, access to community services and participation in political, public life,¹²⁰ as well as social life and economic opportunities.¹²¹

D. Maternal Health Care and the Right to Parent for Disabled Women in the UK (Arts. 12, 16)

Disabled women in the UK also experience significant barriers to accessing quality sexual and reproductive health services, particularly maternal health services. A 2016 study found that only 19% of disabled women said reasonable adjustments had been made for them in these health services, adjustments that they were legally entitled to receive.¹²² Furthermore, a 2018 study and survey of women with physical and sensory impairments who had gone through the maternal health system in the UK found that several aspects of maternal health care for disabled women were unsatisfactory.¹²³

- With respect to **antenatal care**, participants reported significant dissatisfaction with continuity of care during pregnancy (40% were either dissatisfied or very dissatisfied) and the extent to which women were listened to during the antenatal period (36% of participants were either dissatisfied or very dissatisfied).¹²⁴ These respondents felt that the lack of continuity negatively impacted the overall care they received, while when there was only one carer, the women did not feel that they had to repeat themselves and explain their disability repeatedly.¹²⁵ Several women described the providers lacked an understanding of disability and its impact on pregnancy, childbirth and parenting.¹²⁶

- With regard to **care during labour and delivery**, 39% of the surveyed women also felt dissatisfied with the extent to which providers listened to them.¹²⁷ Some women reported having no control, being unnecessarily restricted, or being bullied into having an epidural.¹²⁸ One woman reported that her caregivers wanted to force her into having a C-section, even though her impairment did not require this measure.¹²⁹
- The surveyed women were even more dissatisfied with **postnatal care**,¹³⁰ including dissatisfaction with the type of postnatal care they received (40%); communication between women and their maternity care providers (39%), and the extent to which women were listened to during the early postnatal period (44%).¹³¹ Some women reported not being able to wash for days and not being able to feed their newborn baby properly due to lack of observation by the caregivers.¹³²

The overarching theme emerging from interviews conducted during the study was that women's rights and dignity were maximized when they were listened to and when their specific needs were understood and acknowledged.¹³³ Based on these findings, the study made several recommendations regarding the improvement of maternity care.¹³⁴

- First, services should adapt to provide continuity of care for all women, particularly disabled women.¹³⁵
- Also, maternity care providers should undergo additional education regarding the care of disabled women to ensure that their rights are respected and their dignity is promoted.¹³⁶ Providers should also allocate additional time to listen to the needs, expectations, abilities, and preferences of disabled women.¹³⁷
- Furthermore, care environments should be audited to ensure that facilities, including antenatal facilities and post-natal wards, are accessible for wheelchair users and, if possible, that accommodation can be made for a personal assistant to remain with a disabled woman.¹³⁸

At the time of writing, it was unclear whether the UK had taken any steps to implement these recommendations.

Under Article 12 of CEDAW, States have an obligation to 'ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, including free services where necessary...'.¹³⁹ The CEDAW Committee has interpreted this provision to require that States provide maternal health services that are available, accessible, acceptable, and of good quality, including provided free from discrimination.¹⁴⁰ Concerning disabled women in particular, the CEDAW Committee in its General Comment No. 24 on the right to health has called on States to ensure that health services are accessible and sensitive to their needs, while respecting their human rights.¹⁴¹ In its concluding observations, the CEDAW Committee has recommended that States ensure sexual and reproductive health for disabled women by eliminating prejudices,¹⁴² training health providers,¹⁴³ and providing information on sexual and reproductive health to disabled women,¹⁴⁴ including in accessible formats,¹⁴⁵

III. Conclusions and Recommendations

Since the CEDAW Committee's review of the UK in 2013, the UK has not addressed the multiple rights violations experienced uniquely or disproportionately by disabled women and girls. Indeed, as this submission shows, high rates of gender-based violence against disabled women and girls persist, while inadequate services are available to them in the health care system, and economic factors and social protection cuts have had a disproportionate impact on their rights.

With the upcoming review in mind, we recommend that the CEDAW Committee raise the following questions and issue the following recommendations to the UK:

Questions for Interactive Dialogue:

- How will the UK implement its March 2016 national strategy on combating violence against women to address the specific issues faced by disabled women and girls, including economic disempowerment, inability to access justice, and reliance on abusers as caregivers?
- What actions has the UK taken or will it take to reverse funding cuts to benefits programs and support services that assist victims of violence against women, particularly disabled women?
- What is the UK doing to combat stereotypes about disabled women in the police force and courts and to provide reasonable accommodation, so as to ensure that disabled women can access justice mechanisms when their right to be free from violence is violated?
- How is the UK addressing the disparities faced by all disabled people, but particularly disabled women, that are occurring as a result of changes to its social protection scheme, as identified by recent reports and the visit of the Special Rapporteur on Extreme Poverty and Human Rights?
- What steps is the UK taking to address disparities in maternal health care for disabled women, due to lack of continuity of care and lack of training for maternal care providers on the rights and experiences of disabled women?

Recommendations to the UK:

Violence against Disabled Women

- Amend the March 2016 national violence against women strategy to explicitly include and address the particular issues faced by disabled women—including dependence on intimate partners and caregivers, economic disempowerment, and barriers to accessing justice.
- Ensure that proposed legislation on domestic abuse includes reference to disabled women, is developed in consultation with disabled women, and includes a definition of domestic abuse that includes forms of violence disproportionately experienced by disabled women, including violence by caregivers and financial or economic abuse.
- Amend the Serious Crime Act 2015 to remove the so-called caregiver defence to the crime of coercive behaviour, as this defence disproportionately impacts disabled women who are more likely to be in the care of a caregiver or whose abusive partners may take on some caregiving responsibilities.
- Ratify the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and take special measures to ensure that it is implemented in a way that addresses the issues faced by disabled women.
- Undertake a public awareness campaign to tackle stereotypes about disabled women—including those that infantilise disabled women and portray them as reliant on public benefits programs—and instead portray disabled women as rights holders and contributors to society. Use this campaign to also raise awareness about and stigmatise violence against disabled women.
- Restore state funding for rape crisis centres and domestic violence shelters, and ensure that some of this funding is specifically allocated to ensuring that these support services are available and accessible to all disabled women.
- Create accessible ‘know your rights’ programmes targeted at disabled women to ensure that they have the information they need to be confident in accessing justice mechanisms when they are victims of violence.
- Train the police force, other emergency responders, and other justice system actors on how to assist victims of violence who are disabled people. This training should be targeted to ensure that violence and abuse against disabled women is appropriately investigated and prosecuted and that the needs of disabled women are reasonably accommodated in police investigations and in legal proceedings.

Economic Rights and Social Protection

- Create targeted programs for continuing education and employment of disabled people, particularly disabled women.

- Ensure that the process for applying for social protection benefits is easy and accessible, including to those without internet access, and that benefits are not stripped from disabled women in contravention of recommendations by their doctors. In particular, reform the ESA and Personal Independence Payment (PIP) benefit systems to make the application process simpler. Improve the quality of medical assessments, and allow ‘generalised pain and exhaustion’ to be considered as part of the determination for eligibility.
- Reverse policies that are leading to the decrease in benefits available to disabled people, particularly disabled women, including the part of the Universal Credit scheme that provides benefits only to the head of the household.

Maternal Health Care

- Adapt maternal health services to ensure continuity of care for disabled women.
- Ensure additional training for maternal health care providers on the rights and experiences of disabled women and how to ensure them quality care.
- Audit maternal health facilities to ensure that they are accessible to wheelchair users and other disabled women.

¹ This report will address the situation of disabled women throughout the life cycle. Any reference to ‘disabled women’ should be interpreted to include disabled girls unless otherwise indicated.

² Her Majesty’s Government, *Family Resources Survey 2016/17* (Mar. 2018), available at <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-201617>.

³ CEDAW Committee, *Concluding Observations: United Kingdom of Great Britain and Northern Ireland*, ¶¶ 20-21, U.N. Doc. CEDAW/C/GBR/CO 7 (2013).

⁴ *Id.*, ¶¶ 46-47.

⁵ *Id.*, ¶ 53.

⁶ *Id.*, ¶ 43.

⁷ See Equality Act 2010 (U.K.).

⁸ *Id.*, § 14.

⁹ *Id.*, § 20; Anna Lawson, *Reasonable Accommodation and Accessibility Obligations: Towards a More Unified European Approach* 11 EUROPEAN ANTI-DISCRIMINATION LAW REVIEW 11, 17 (2010).

¹⁰ Equality Act 2010, § 20 & Schedule 2 (U.K.).

¹¹ *Id.*, § 29(7), § 20 and Schedules 2 & 13.

¹² CRPD Committee, *Concluding Observations: United Kingdom of Great Britain and Northern Ireland*, ¶ 19, U.N. Doc. CRPD/C/GBR/CO/1 (2017).

¹³ *Id.*

¹⁴ *Id.*, ¶ 39.

¹⁵ *Id.*, ¶ 41.

¹⁶ *Id.*, ¶ 11.

¹⁷ John Pring, “Shock and anger at government’s failure to invite DPOs to disability workshop,” DISABILITY NEWS SERVICE, January 17, 2019, <https://www.disabilitynewsservice.com/shock-and-anger-at-governments-failure-to-invite-dpos-to-disability-workshop/>.

¹⁸ UN Special Rapporteur on Violence against Women, *Report of the Special Rapporteur on violence against women, its causes and consequences*, ¶ 32, U.N. Doc. A/67/227 (2012) [hereinafter SRVAW, *Report on Women with Disabilities*].

¹⁹ World Health Organization and United Nations Population Fund, *Promoting sexual and reproductive health for Persons with Disabilities: World Health Organization/United Nations Population Fund Guidance Note* (2009).

²⁰ SRVAW, *Report on Women with Disabilities*, *supra* note 18, ¶ 31.

²¹ Women’s Aid, *What is Domestic Violence/Forms of Domestic Violence* (2007), <http://www.domesticviolence.london.nhs.uk/1-what-is-domestic-violence-/21-domestic-abuse-perpetrated-against-people-with-disabilities.html>.

²² PUBLIC HEALTH ENGLAND, *DISABILITY AND DOMESTIC ABUSE: RISK, IMPACTS AND RESPONSE* 9 (2015), http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480942/Disability_and_domestic_abuse_topic_overview_FINAL.pdf [hereinafter PHE, *DISABILITY AND DOMESTIC ABUSE*].

²³ *Id.* at 10.

²⁴ Gill Hague, Ravi Thiara, Pauline Magowan, and Audrey Mullender, *Making the Links: Disabled Women and Domestic Violence* 33, 42 (2007), <http://wwda.org.au/wp-content/uploads/2013/12/hague1.pdf> (joint project)

conducted by Women’s Aid, the Gender and Violence Research Group at the University of Bristol, and the Centre for the Study of Safety and Well-being at the University of Warwick).

²⁵ Frances Ryan, “Domestic Violence and disabled women: an abuse of power,” THE GUARDIAN, Nov. 19, 2012, <https://www.theguardian.com/society/2012/nov/19/domestic-violence-disabled-women-abuse>.

²⁶ PHE, DISABILITY AND DOMESTIC ABUSE, *supra* note 22, at 11.

²⁷ Dr. Kath Browne, COUNT ME IN TOO: LGBT LIVES IN BRIGHTON AND HOVE iii-iv (2007), http://www.realadmin.co.uk/microdir/3700/File/CMIT_DV_Report_final_Dec07.pdf.

²⁸ Gill Hague, Ravi Thiara, Pauline Magowan, and Audrey Mullender, *Making the Links: Disabled Women and Domestic Violence* 33, 42 (2007), <http://wwda.org.au/wp-content/uploads/2013/12/hague1.pdf>.

²⁹ Gill Hague, Ravi Thiara and Audrey Mullender, *Disabled Women and Domestic Violence: Making the Links, a National UK Study* in 18(1) PSYCHIATRY, PSYCHOLOGY AND LAW 117, 124 (2010).

³⁰ See, e.g. John Baker, “Revealed: the shocking truth of domestic abuse against disabled women,” PETERBOROUGH TELEGRAPH, Aug. 11, 2011, <http://www.peterboroughtoday.co.uk/news/revealed-the-shocking-truth-of-domestic-abuse-of-disabled-women-1-3004746>

³¹ Charlie Bayliss, “Pensioner, 76, who turned off the power to his 80-year-old disabled wife’s wheelchair so she couldn’t move around because he resented being her carer avoids jail,” DAILY MAIL, Jan. 25, 2019, <https://www.dailymail.co.uk/news/article-6631537/Pensioner-turned-power-disabled-wifes-wheelchair-avoids-jail.html>.

³² Women’s Aid, *What is Domestic Violence/Forms of Domestic Violence* chp. 4ix (2007), <http://www.domesticviolencelondon.nhs.uk/1-what-is-domestic-violence-/21-domestic-abuse-perpetrated-against-people-with-disabilities.html>.

³³ Melanie Newman, *Rape has been ‘decriminalised’ for the most vulnerable says senior Met advisor*, THE BUREAU OF INVESTIGATIVE JOURNALISM, Feb. 28, 2014, <https://www.thebureauinvestigates.com/2014/02/28/rape-has-been-decriminalised-for-the-most-vulnerable-says-senior-met-adviser/>.

³⁴ See, e.g., Steven Morris, “Care homes ‘imprisoned vulnerable people in bare rooms,’ court told,” THE GUARDIAN, Feb. 23, 2016, <https://www.theguardian.com/uk-news/2016/feb/23/care-homes-imprisoned-vulnerable-people-bare-rooms>; Crown Prosecution Service, *Crown Prosecution Service statement on James Watts* (2009), http://www.cps.gov.uk/news/latest_news/cps_statement_on_james_watts/; John Bingham, “Disabled still facing ‘unforgivable’ abuse in care homes, charities warn,” THE TELEGRAPH, Aug. 7, 2012, <http://www.telegraph.co.uk/news/health/news/9456603/Disabled-still-facing-unforgivable-abuse-in-care-homes-charities-warn.html>.

³⁵ PAPWORTH TRUST, DISABILITY IN THE UNITED KINGDOM 2011: FACTS AND FIGURES (2011), http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

³⁶ PLAN INTERNATIONAL UK, THE STATE OF GIRLS’ RIGHTS IN THE UK 96 (2016), http://www.plan-uk.org/assets/Documents/pdf/Plan_2016_UKGirlsRights_.pdf.

³⁷ CEDAW Committee, *General Recommendation No. 19: Violence against women*, ¶ 23, U.N. Doc. CEDAW/C/GC/19 (1992).

³⁸ CRPD Committee, *General Comment No. 3: Article 6 (women and girls with disabilities)*, ¶¶ 2, 31 & 34, U.N. Doc. CRPD/C/GC/3/ (2016).

³⁹ PHE, DISABILITY AND DOMESTIC ABUSE, *supra* note 22, at 11.

⁴⁰ WOMEN’S AID AND TUC, UNEQUAL, TRAPPED AND CONTROLLED: WOMEN’S EXPERIENCE OF FINANCIAL ABUSE AND UNIVERSAL CREDIT 56 (2014), https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2015/11/Women_s_Aid_TUC_Financial_Abuse_Report_March_2015.pdf.

⁴¹ *Id.* at 20.

⁴² *Id.* at 6.

⁴³ *Id.* at 49.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ UN Special Rapporteur on Violence against Women, *Mission to the United Kingdom of Great Britain and Northern Ireland*, ¶ 93, U.N. Doc. A/HRC/29/27/Add.2 (2015) [hereinafter SRVAW, *UK Mission Report*].

⁴⁷ *Id.*

⁴⁸ “Why disabled women can’t access all refuges,” BBC NEWS, Nov. 28, 2018, <https://www.bbc.com/news/uk-46371441>.

⁴⁹ EUROPEAN UNION AND UNIVERSITY OF LEEDS, ET AL, ACCESS TO SPECIALIZED VICTIM SUPPORT SERVICES FOR WOMEN WITH DISABILITIES WHO HAVE EXPERIENCED VIOLENCE: FINAL SHORT REPORT 23 (2014), http://www.gla.ac.uk/media/media_394354_en.pdf.

⁵⁰ *Id.* at 26.

-
- ⁵¹ *Id.*
- ⁵² *Id.* at 23.
- ⁵³ Alison Walter-Brice *et al*, *What do women with learning disabilities say about their experiences of domestic abuse within the context of their intimate partner relationships?*, 27(4) *DISABILITY AND SOCIETY* 503, 510 (2012).
- ⁵⁴ *Id.* at 512.
- ⁵⁵ CEDAW Committee, *General Recommendation No. 33 on women's access to justice*, ¶ 8, U.N. Doc. CEDAW/C/GC/33 (2015).
- ⁵⁶ CRPD Committee, *General Comment No. 3: Article 6 (women and girls with disabilities)*, ¶ 52, U.N. Doc. CRPD/C/GC/3/ (2016).
- ⁵⁷ SRVAW, *Report on Women with Disabilities*, *supra* note 18, ¶ 41.
- ⁵⁸ *Id.*
- ⁵⁹ UNIVERSITY OF LEEDS, ET AL, ACCESS TO SPECIALISED VICTIM SUPPORT SERVICES FOR WOMEN WITH DISABILITIES WHO HAVE EXPERIENCED VIOLENCE: NATIONAL REPORT, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND 27 (2014), <http://www.sociology.leeds.ac.uk/assets/files/research/cds/vadw/Empirical-Report-UK.pdf> [hereinafter UNIVERSITY OF LEEDS, ET AL, ACCESS TO SPECIALISED SERVICES].
- ⁶⁰ *Id.* at 24.
- ⁶¹ *Id.*
- ⁶² *Id.* at 26.
- ⁶³ *Id.* at 72.
- ⁶⁴ *Id.*
- ⁶⁵ *Id.*
- ⁶⁶ Melanie Newman, *Rape has been 'decriminalised' for the most vulnerable says senior Met advisor*, THE BUREAU OF INVESTIGATIVE JOURNALISM, Feb. 28, 2014, <https://www.thebureauinvestigates.com/2014/02/28/rape-has-been-decriminalised-for-the-most-vulnerable-says-senior-met-adviser/>.
- ⁶⁷ *Id.*
- ⁶⁸ *Id.*
- ⁶⁹ *Id.*
- ⁷⁰ SRVAW, *UK Mission Report*, *supra* note 46, ¶¶ 66 & 98.
- ⁷¹ *Id.*, ¶ 98.
- ⁷² UNIVERSITY OF LEEDS, ET AL, ACCESS TO SPECIALISED SERVICES, *supra* note 59, at 43.
- ⁷³ SRVAW, *UK Mission Report*, *supra* note 46, ¶ 51.
- ⁷⁴ UNIVERSITY OF LEEDS, ET AL, ACCESS TO SPECIALISED SERVICES, *supra* note 59, at 72.
- ⁷⁵ Domestic violence is not itself a statutory criminal offence, but there is a range of possible offences for which a perpetrator could be prosecuted depending on the crime, which include assault and harassment or threatening behaviour (The Crown Prosecution Service, *Domestic Abuse Guidelines for Prosecutors: Annex C - Examples of domestic violence offences*, www.cps.gov.uk/legal/d_to_g/domestic_abuse_guidelines_for_prosecutors/#a92). The domestic nature of the crime may also be an aggravating factor, leading to potentially harsher sentence (Sentencing Council, *Overarching Principles - Domestic Violence: Definitive Guidelines 3-7* (2006) www.sentencingcouncil.org.uk/publications/item/overarching-principles-domestic-violence-definitive-guideline/).
- ⁷⁶ Domestic Violence, Crime and Victims (Amendment) Act of 2012 (U.K.), <http://services.parliament.uk/bills/2010-12/domesticviolencecrimeandvictimsamendment.html>
- ⁷⁷ *Id.*, § 5(6).
- ⁷⁸ See Pat Strickland & Grahame Allen, *Briefing Paper: Domestic Violence in England and Wales* (Nov. 21, 2018), <http://researchbriefings.files.parliament.uk/documents/SN06337/SN06337.pdf>.
- ⁷⁹ Serious Crime Act 2015, § 76 (U.K.).
- ⁸⁰ *Id.*, § 76(8) (2015) (U.K.); Karen McVeigh, *Women with disabilities excluded from domestic abuse law, say campaigners*, THE GUARDIAN, Jan. 28, 2015, <https://www.theguardian.com/society/2015/jan/28/coercive-control-women-carers-disability-serious-crime-bill>.
- ⁸¹ Serious Crime Act 2015, § 76(8) (U.K.).
- ⁸² *Id.*, § 76(9).
- ⁸³ Her Majesty's Government, *Ending Violence against Women and Girls: Strategy 2016-2020* (Mar. 2016), available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF.
- ⁸⁴ *Id.* at 10, 34.
- ⁸⁵ *Id.* at 52-58.

-
- ⁸⁶ CEDAW Committee, *General Recommendation No. 19: Violence against women*, ¶ 9, U.N. Doc. CEDAW/C/GC/19 (1992).
- ⁸⁷ CEDAW Committee, *General Recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19*, ¶ 29(c)(iii), U.N. Doc. CEDAW/C/GC/35 (2017).
- ⁸⁸ *Id.*, ¶ 31(a)(ii).
- ⁸⁹ CEDAW Committee, *Concluding Observations: Bolivia*, ¶ 19, U.N. Doc. CEDAW/C/BOL/5-6 (2015); *Poland*, ¶ 25, U.N. Doc. CEDAW/C/POL/CO/7-8 (2014); *Italy*, ¶ 27, U.N. Doc. CEDAW/C/ITA/CO/6 (2011); *Zambia*, ¶ 40, U.N. Doc. CEDAW/C/ZMB/CO/5-6 (2011).
- ⁹⁰ CEDAW Committee, *Concluding Observations: Austria*, ¶ 25, U.N. Doc. CEDAW/C/AUT/7-8 (2013).
- ⁹¹ CEDAW Committee, *Concluding Observations: Albania*, ¶ 22, U.N. Doc. CEDAW/C/ALB/4 (2016); *Argentina*, ¶ 21, U.N. Doc. CEDAW/C/ARG/CO/7 (2016); *Armenia*, ¶ 23, U.N. Doc. CEDAW/C/ARM/4 (2009); *Australia*, ¶ 45, U.N. Doc. CEDAW/C/AUL/7 (2010); *Canada*, ¶ 30, U.N. Doc. CEDAW/C/CAN/7 (2008); *Germany*, ¶ 44, U.N. Doc. CEDAW/C/DEU/CO/6 (2009); *Iceland*, ¶ 22, U.N. Doc. CEDAW/C/ISL/CO/7-8 (2016); *Macedonia*, ¶ 23, U.N. Doc. CEDAW/C/MKD/CO/4-5 (2013); *Solomon Islands*, ¶ 25, U.N. Doc. CEDAW/C/SLB/CO/1-3 (2014).
- ⁹² CEDAW Committee, *Concluding Observations: Argentina*, ¶ 13, U.N. Doc. CEDAW/C/ARG/CO/7 (2016).
- ⁹³ CEDAW Committee, *Concluding Observations: Mongolia*, ¶ 19, U.N. Doc. CEDAW/C/MNG/CO/8-9 (2016).
- ⁹⁴ SISTERS OF FRIDA, *DISABLED WOMEN: FACTS AND STATS* (2017), http://www.sisofrida.org/resources/disabled-women-facts-and-stats/#_ftn14.
- ⁹⁵ PAPWORTH TRUST, *DISABILITY IN THE UNITED KINGDOM 2014: FACTS AND FIGURES 14* (2014), <http://www.papworthtrust.org.uk/sites/default/files/UK%20Disability%20facts%20and%20figures%20report%202014.pdf>.
- ⁹⁶ ALL PARTY PARLIAMENTARY GROUP FOR WOMEN AND WORK, *WOMEN RETURNS ANNUAL REPORT 2016*, 7, <https://connectpa.co.uk/wp-content/uploads/2016/03/Women-and-work-Annual-report-low-res.pdf>.
- ⁹⁷ WOMEN'S RESOURCE CENTER, *WOMEN'S EQUALITY IN THE UK – A HEALTH CHECK, APPENDIX 36: GENERAL RECOMMENDATION 18 - DISABLED WOMEN 13-14* (2013), available at http://thewomensresourcecentre.org.uk/wp-content/uploads/Appendix-36_General-Recommendation-18_Disabled-women_FINAL2.pdf [hereinafter WRC, *WOMEN'S EQUALITY IN THE UK*].
- ⁹⁸ National Equality Panel, *An Anatomy of Economic Inequality in the UK* 103 (2010), available at http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/27_01_10_inequalityfull.pdf.
- ⁹⁹ WRC, *WOMEN'S EQUALITY IN THE UK*, *supra* note 97, at 14.
- ¹⁰⁰ ALL PARTY PARLIAMENTARY GROUP FOR WOMEN AND WORK, *WOMEN RETURNS ANNUAL REPORT 2016*, 18, <https://connectpa.co.uk/wp-content/uploads/2016/03/Women-and-work-Annual-report-low-res.pdf>.
- ¹⁰¹ COMRES & LEONARD CHESHIRE DISABILITY, *UK DISABLED ADULTS SURVEY: SOCIAL Care 97, 100* (2018), http://www.comresglobal.com/wp-content/uploads/2018/04/Leonard-Cheshire-Disability_GB-Disabled-adults_Social-care_Tables_April-2018.pdf.
- ¹⁰² EQUALITY AND HUMAN RIGHTS COMMISSION, *THE CUMULATIVE IMPACT OF TAX AND WELFARE REFORMS* (2018), <https://www.equalityhumanrights.com/sites/default/files/cumulative-impact-assessment-report.pdf>.
- ¹⁰³ *Id.* at 103.
- ¹⁰⁴ Patrick Butler, "Women and disabled people hit hardest by years of austerity, report confirms," *THE GUARDIAN*, Nov. 17, 2017, <https://www.theguardian.com/society/2017/nov/17/women-and-disabled-austerity-report-tax-benefits-reforms>.
- ¹⁰⁵ *Id.*
- ¹⁰⁶ *Id.*
- ¹⁰⁷ EQUALITY AND HUMAN RIGHTS COMMISSION, *THE CUMULATIVE IMPACT OF TAX AND WELFARE REFORMS* (2018), <https://www.equalityhumanrights.com/sites/default/files/cumulative-impact-assessment-report.pdf>.
- ¹⁰⁸ CITIZENS ADVICE BUREAU, *NOT WORKING: CAB EVIDENCE ON THE ESA WORK CAPABILITY ASSESSMENT 5* (2010), available at https://www.citizensadvice.org.uk/Global/Migrated_Documents/corporate/not-working-march-2010-final.pdf; WRC, *WOMEN'S EQUALITY IN THE UK*, *supra* note 97, at 9-10.
- ¹⁰⁹ COMRES & LEONARD CHESHIRE DISABILITY, *UK DISABLED ADULTS SURVEY: INCOME AND RELATED COSTS* (2018), http://www.comresglobal.com/wp-content/uploads/2018/04/Leonard-Cheshire-Disability_UK-Disabled-adults_Income-and-Disability-Related-Costs_April-2018.pdf.
- ¹¹⁰ *Id.* at 196.
- ¹¹¹ Daniel Binns, "Benefits cut leaves mad cow victim's home at risk," *METRO*, Nov. 19, 2018, <https://www.metro.news/benefits-cut-leaves-mad-cow-victims-home-at-risk/1315966/>.
- ¹¹² Marsha de Cordova, "Disabled People Remain Unequal In Almost Every Part Of Life – Universal Credit Will Only Make Things Worse," *THE HUFFINGTON POST*, Dec. 12, 2018, https://www.huffingtonpost.co.uk/entry/international-day-of-disabled-people_uk_5c050e28e4b04fb21169e452?

guccounter=1.

¹¹³ Special Rapporteur on Extreme Poverty and Human Rights, “Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights” (Nov.16, 2018), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881&LangID=E>.

¹¹⁴ *Id.*

¹¹⁵ Convention on the Elimination of All Forms of Discrimination against Women, adopted Dec. 18, 1979, art. 11, G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, U.N. Doc. A/34/46, U.N.T.S. 13 (entered into force Sept. 3, 1981) [hereinafter CEDAW].

¹¹⁶ *Id.*, art. 13.

¹¹⁷ CEDAW Committee, *General Recommendation No. 18 on disabled women*, U.N. Doc. CEDAW/C/GC/18 (1991).

¹¹⁸ CEDAW Committee, *Concluding Observations: United Kingdom of Great Britain and Northern Ireland*, ¶ 47, U.N. Doc. CEDAW/C/GBR/CO/7 (2013).

¹¹⁹ CEDAW Committee, *Concluding Observations: Liechtenstein*, ¶ 43 (b), U.N. Doc. CEDAW/C/LIE/CO/5 (2018); *State of Palestine*, ¶ 41 (c), U.N. Doc. CEDAW/C/PSE/CO/1 (2018); *Turkmenistan*, ¶ 43 (b), U.N. Doc. CEDAW/C/TKM/CO/5 (2018); *Fiji*, ¶ 48 (a) - (c), U.N. Doc. CEDAW/C/FJI/CO/5 (2017); *Saudi Arabia*, ¶ 50 (b), U.N. Doc. CEDAW/C/SAU/CO/3-4 (2017); *Norway*, ¶ 41, U.N. Doc. CEDAW/C/NOR/CO/9 (2017).

¹²⁰ CEDAW Committee, *Concluding Observations: Kenya*, ¶ 47, U.N. Doc. CEDAW/C/KEN/CO/8 (2017).

¹²¹ CEDAW Committee, *Concluding Observations: Nauru*, ¶ 41, U.N. Doc. CEDAW/C/NRU/CO/1-2 (2017).

¹²² SISTERS OF FRIDA, DISABLED WOMEN FACTS AND STATS (2017), http://www.sisofrida.org/resources/disabled-women-facts-and-stats/#_ftn14.

¹²³ Bethan Collins et al. *The Human Rights & Dignity Experience of Disabled Women during Pregnancy, Childbirth and Early Parenting* (2018), https://livrepository.liverpool.ac.uk/3003302/1/Interim%20Report%20for%20Birthrights%20Sept%202016_final.pdf.

¹²⁴ *Id.* at 15.

¹²⁵ *Id.* at 36.

¹²⁶ *Id.* at 36.

¹²⁷ *Id.* at 16.

¹²⁸ *Id.* at 16-17.

¹²⁹ *Id.* at 19.

¹³⁰ *Id.* at 17.

¹³¹ *Id.* at 17.

¹³² *Id.* at 20.

¹³³ *Id.* at 31.

¹³⁴ *Id.* at 56.

¹³⁵ *Id.* at 56.

¹³⁶ *Id.* at 56.

¹³⁷ *Id.* at 56.

¹³⁸ *Id.* at 57.

¹³⁹ CEDAW, *supra* note 115, art. 12(2).

¹⁴⁰ CEDAW Committee, *General Recommendation No. 24: Article 12 of the Convention (women and health)*, U.N. Doc. CEDAW/C/GC/24 (1999).

¹⁴¹ *Id.*, ¶ 25.

¹⁴² CEDAW Committee, *Concluding Observations: Serbia*, ¶ 33, U.N. Doc. CEDAW/C/SRB/CO/2-3 (2013).

¹⁴³ CEDAW Committee, *Concluding Observations: Mongolia*, ¶ 29, U.N. Doc. CEDAW/C/MNG/CO/8-9 (2016); *Serbia*, ¶ 33, U.N. Doc. CEDAW/C/SRB/CO/2-3 (2013).

¹⁴⁴ CEDAW Committee, *Concluding Observations: Mongolia*, ¶ 29, U.N. Doc. CEDAW/C/MNG/CO/8-9 (2016).

¹⁴⁵ CEDAW Committee, *Concluding Observations: Liechtenstein*, ¶ 38, U.N. Doc. CEDAW/C/LIE/CO/4 (2011); *Montenegro*, ¶ 31, U.N. Doc. CEDAW/C/MNE/CO/1 (2011).