

Scottish Women's Convention response to:

The Scottish Government's draft Delivery Plan for Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls

June 2017

The Consultation

In 2016, the Scottish Government (SG) published a revised version of "Equally Safe: Scotland's Strategy to Eradicate Violence against Women and Girls (VAWG)." The strategy envisages a Scotland where women and girls live free from all forms of violence and abuse.

This consultation focuses on the delivery plan of the strategy, which sets out the actions undertaken by the SG, the Convention of Scottish Local Authorities (COSLA), and key partners to make Equally Safe a priority. In responding to this consultation, consideration is given of the actions entailed under each priority and whether they are considered relevant, effective and appropriate.

The Scottish Women's Convention (SWC)

The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of Parliamentary, Governmental and organisational consultation papers at both a Scottish and UK level.

The Scottish Women's Convention engages with women using numerous communication channels including Roadshow events, Thematic Conferences and regional contact groups. This submission provides the views of women and reflects their opinions and experiences in a number of key areas relevant to the SG's plan to eradicate VAWG.

Equally Safe's promise to merge gaps and work at both a national and local level is something that is extremely welcomed. A static flat lined approach to eradicating VAWG is not responsive enough, any approach must take into account the many aspects if it is to be successful.

"Women are the cornerstone of communities – both socially and economically. Their voices and concerns must be a key focus of this process."

PRIORITY 1: Scottish society embraces equality and mutual respect, and rejects all forms of VAWG.

Please tell us about any of the priority 1 actions that you are particularly supportive of:

The SWC supports the actions outlined underneath the first priority. The emphasis on the role played by communities which encourages a coordinated and direct approach is particularly welcome.

Whilst there are a number of reasons for violence to occur, all of these stem back to fundamental and deep rooted gender inequalities. Reconstructing the way this should be tackled is clearly at the heart of the Equally Safe programme. Women are supportive of the holistic approach being undertaken in Scotland around VAWG.

Women have emphasised the need to change gendered attitudes from early on in life.

“We need to rely heavily on it if anything is to be done and the root causes are to be changed”.

Not only will this strengthened approach allow both young men and women to understand VAWG, it will also change societal assumptions concerning what is held to be permitted.

“Clear cut emphasis on the education system should be a key priority that cannot be underestimated.”

Please tell us about any priority 1 actions that you don't agree with:

The sexualisation of young women is being normalised. With the increased use of social media, boundaries are being blurred over what can be taken as consensual.

“It's not just boys. Girls aren't properly taught what consent is. Situations are happening where it's basically sexual abuse carried out on them, and they think it's normal. That's really scary.”

In relation to this, a revised and inclusive approach to sexual education within schools is noticeably absent. Any strategy that attempts to eradicate VAWG must underline its commitment to inclusivity within all aspects of the education system, including in relation to sexual and reproductive education.

“I think teaching kids to recognise abuse is useful in a way. Even if it's just communicating to them 'it's wrong' can be a great thing. It means that if it is going on at home, they can speak out and won't go on to carry it out themselves when they grow up.”

Failure to include a specific framework for this fails to perceive how different aspects of sexual education affect different groups within society. A specific priority focussing on diversifying and improving quality sexual education within schools would be welcomed.

Are there any actions that you think are missing under priority 1?

Greater emphasis should be placed on the media's role in tackling gender inequality within this priority. Given the influence that this outlet plays in our society, the Government should use its unique position to influence what is being portrayed.

"The promotion of responsible journalism by women for women should be the priority."

Failure to advocate the high level of responsibility that the media plays can lead to self blame by victims.

"The media in general presents a really skewed view of sex and sexual relationships."

Gender inequality begins relatively early on in a woman's life and is often seen as the norm. This is implicit in all forms that gendered violence can take. The omission of actions to tackle Commercial Sexual Exploitation (CSE) as a form of VAWG under the priority means that this abuse will continue unchecked.

Effective actioning to combat this under the priority should include heightened awareness throughout society. This issue is often silenced, stigmatised and seen as *"out of sight, out of mind"*. There is no thought for the physical, mental and sexual harm women are exposed to.

In terms of Higher Education Institutions (HEI), women have voiced concern over the lack of a role that these play in terms of tackling VAWG. The University of Strathclyde's "Equally Safe in Higher Education" research noted that only 2 of 19 institutions in Scotland have a formal policy on sexual misconduct. In addition, very few have a policy on domestic abuse despite the increase in this form of VAWG amongst students in further education.

This problem is particularly pressing as the majority of women attending HEI are young and often away from home and family support networks for the first time. Conversely, male students have grown up in an era in which porn culture and sexualisation has become increasingly tolerated.

"More must be done to encourage universities and colleges to challenge gender inequality. It's all well having codes of conduct, but does that do anything? If it's not publicised, the issue is put on the back foot."

PRIORITY 2: WOMEN AND GIRLS THRIVE AS EQUAL CITIZENS: SOCIALLY, CULTURALLY, ECONOMICALLY AND POLITICALLY

Please tell us of any actions under Priority 2 you are particularly supportive of:

The SWC commends the SG for underlining the need for more research, both in academic and economic terms, into gender inequality. Women make up over half the Scottish population however are under-represented in many aspects of society. Therefore, it is crucial that women's views are sought upon implementation of all policy in order that women are identified as equal citizens within Scotland.

Whilst Government should effectively engage, this should not be done in a vacuum. Given the SG's past experience of collaborating with third sector organisations, this should continue in the future. By working together, key actions can be developed and implemented.

The actions listed under this specific priority in relation to maternity rights are of particular mention. In relation to ensuring all women thrive as equal citizens, the SG recognises that this begins even before birth. With child poverty set to rise, the creation of the Best Start Grant (BSG) to support the formative years is essential in order to curtail some of the inequalities that occur in early childhood.

Please tell us about any Priority 2 actions that you don't agree with:

Subjects available for high school study are still very stereotypical. Young women are encouraged into arts while young men are encouraged into science subjects. There are particular issues in rural Scotland where subject choice may not be as varied due to lack of teachers.

Modern Apprenticeships (MAs) are also very stereotypical. Young women are clustered in caring, admin, beauty and hairdressing. This limits their ability to be trained and progress in STEM jobs. These issues should be taken into account when laying out the proposal for a strategy to eradicate inequality.

Are there any actions you think are missing under Priority 2?:

When discussing equality in economic terms, women have noted that this can often be related back to a number of root causes. This includes: lack of flexible working; inadequate return to work programmes and the absence of opportunities for older and disabled women. These should be given serious consideration when analysing economic inequality.

The SWC welcomes the establishment of refreshed guidelines for employers concerning maternity rights, with a renewed focus on post-natal development. Women have indicated that employers often successfully implement maternity legislation before the birth of a child, but that this can change afterwards.

When issuing guidance around maternity best practice, statutory practices for paternal leave should also be included. There has been insignificant uptake of the UK Government's Shared Parental Leave (SPL) at present.

There is a social stigma attached to working mothers and stay at home fathers. There needs to be a strong plan to tackle discrimination in terms of the “motherhood penalty” in Scotland.

Strategies must also recognise that women face discrimination due to many factors. Flexibility is required by all employees in the workplace for the likes of unpaid caring responsibilities or higher education.

Without secure policy that enforces companies to implement living wages; flexible working and returner’s programmes, economic inequality will persist. So long as women continue to be clustered in part-time work in low-paid private sector jobs due to inadequate government pressure; women will continue to face discrimination.

PRIORITY 3: INTERVENTIONS ARE EARLY AND EFFECTIVE, PREVENTING VIOLENCE AND MAXIMISING THE SAFETY AND WELLBEING THE SAFETY AND WELLBEING OF WOMEN, CHILDREN AND YOUNG PEOPLE

Please tell us about any of the Priority 3 actions that you are particularly supportive of:

Women throughout Scotland have welcomed the victim-centred approach that the SG has committed itself to in combating VAWG as a cause and consequence of gender inequality.

Strengthening of the health services is undoubtedly one of the main sources in tackling women’s mental health issues and VAWG as a whole. The SG’s use of both the World Health Organisation’s gender based violence resolution and the National Trauma Learning Framework is welcomed. It is hoped this will highlight Scotland’s place as a leader in tackling gender inequality, both internationally and domestically.

“It always comes back to being the fault of the woman. Either our skirts are too short, we’ve had too much to drink, we were ‘asking for it’.”

Expansion of public services in terms of abuse against women is commendable. This specific issue should be highlighted in relation to making rural locations throughout Scotland more accessible. Many women from these areas face additional barriers when reporting domestic abuse. This is due to a number of factors such as rural isolation from more urban services and a lack of anonymity due to perceived “*small town mentalities*”.

Additionally, whilst the prioritising of specialist services is vital to tackle VAWG, individualised strategies should be set out clearly depending on locality. In many rural settings, women are familiar with police officers and may perceive this as impinging on their anonymity.

“I wouldn’t be where I am today without the support and assistance I’ve had from these services. They saved my life.”

Many women have spoken of the huge impact that abuse has on mental health. A commitment to improving the experience of vulnerable witnesses is extremely welcomed. Severe bouts of prolonged mental health issues are common long after court cases, even if perpetrators are brought to justice.

“Too many vulnerable women are frightened of the legal system and do not know where to turn for help.”

Women have voiced concern over the loopholes and inadequacies they have found in their experiences of reporting abuse to both the police and healthcare system throughout Scotland. Effective training of health specialists to spot signs of abuse, including psychological effects, and to intervene in a sensitive and informed way should be key within any strategy. A refocusing on these two sections is a welcome step forward in eliminating VAWG and ensuring that victims are put first.

“People use words like ‘bitch’ and ‘whore’ as insults. Nobody seems to realise that the more they say these things, then the more it’s deemed acceptable for women to be called them.”

Further action should focus on the legal aspects of legislation and making this wholly accessible to women who may not be familiar with the rights they possess. Non-harassment orders and the right to review in cases of acquittal are often underused by victims. Women have commented that making these more public will allow victims to come forward without fear of the consequences of pressing charges.

“It’s important for women to be able to provide context in cases of domestic abuse. Just because it’s an accused’s first time in court doesn’t mean the abuse hasn’t gone on for a long time.”

In accordance with maximising the safety and wellbeing of women and children, the SWC commends the “Equally Safe” strategy for engagement in the “Safe and Together” model for children in domestic abuse situations.

“Lack of information and the length of time it can take to process a case means women often drop charges. They have to think about themselves and their children.”

Please tell us about any priority 3 actions that you don’t agree with:

The training of local authorities and homelessness hubs on VAWG is welcomed. It does, however, not go far enough. At present, women who suffer domestic violence have to leave their homes (often with children) and present themselves as homeless, adding extra stress to what is already an extremely tough situation.

The “victim first” approach taken by the SG in response to domestic abuse, including policy recognition of psychological as well as physical violence in domestic situations is welcomed. The priority should lay out clearly how legislation can be changed to ensure that women at risk of domestic violence can remain in their own home and the perpetrator having to be presented as homeless.

Are there any actions that you think are missing under priority 3?

Whilst an interventionist approach in order to prevent and eradicate VAWG across all aspects of society is needed, there are a number of key indicators absent. In order to maximise the safety and wellbeing of women throughout Scotland, targeted actions to recognise and eliminate Commercial Sexual Exploitation (CSE) as a form of abuse is lacking. Recognition of this specific form of violence as well as a commitment to

specialist services that provide resources and exit strategies for these women is needed.

“I think targeting young boys is the way forward. If you asked them about women and prostitution or commercial sexual exploitation, they probably wouldn’t know much about it. If, however, you asked if they would be happy if it was their sister/aunt/mum then it might put it into perspective.”

The vast majority of women involved in prostitution do not report abuse and are at a far greater risk of violence than other women. Given this, the SG must use the framework within the Equally Safe Strategy in order to protect and help these women.

Recognition must be given that this particular group possess extreme vulnerabilities. Intervention priorities should take account of this. Without definitive actions which offers protection, this form of abuse will only intensify.

PRIORITY 4: MEN DESIST FROM ALL FORMS OF VAWG AND PERPETRATORS OF SUCH VIOLENCE RECIEVE A ROBUST AND EFFECTIVE RESPONSE

Please tell us about any of the Priority 4 actions that you are particularly supportive of:

Any strategy which aims to eliminate VAWG must have at its foundation a robust framework that fosters a commitment to ensuring that men completely abstain from this type of violence. Women have expressed the need for men to be educated from a young age.

The SWC welcomes the SG approach to victim centred VAWG. The Abusive Behaviour and Sexual Harm (Scotland) Act, 2016, and the introduction of a Domestic Abuse Bill clearly prioritise this pressing issue.

In particular, the SWC recognises the SG using its influence to encourage reporting of VAWG crimes in order to hold perpetrator’s to account. Greater clarity is needed, however, around this specific requirement for action and how this will be implemented. For example, does this include heightened police accountability if they fail to address VAWG-related matters?

“Everyday language must change.”

Women have often commented on the social stigma they still face when being a victim of abuse. Any actions which seek to reform the justice system in favour of women should also include specific training or briefings before trials for jury members where VAWG violence is central. For example, many BME women do not come forward to report due to cultural factors in their own communities. Without specific training in these situations, women often hold the fear that perpetrators will not be effectively dealt with.

“More female translators or women who understand cultural sensitivities on hand to help in these circumstances are vital.”

Please tell us about any Priority 4 actions that you don't agree with:

Women have commented on the lack of criminality surrounding CSE and human trafficking in legal terms. Whilst the likes of the 2015 Human Trafficking and Exploitation (Scotland) Act offers the first piece of legislation on such abuse and creates the specific offence of human trafficking, it does not expose the real impact that this form of abuse has on women. Without explicit legislation and inclusion within the strategy, this absents a number of perpetrators from being brought to justice.

“Many people don't associate prostitution with violence against women. We must be explicit about the violence used”

Any framework that seeks to eliminate VAWG by ensuring effective responses against men who carry out these crimes should include specific actions for the implementation of resources across Scotland concerning CSE. Legislation, for example, which criminalises demand would enforce the idea that the buying of sex is a form of exploitation. More convictions and harsher sentences would make clear to those who commit these offences that they will not “get off lightly”.

“People do not associate sex trafficking and prostitution with Scotland and the UK.”

Are there any actions that you think are missing under priority 4:

The SWC welcomes the inclusion of a priority which seeks to tackle the root cause of VAWG – namely men who perpetuate this abuse. There needs to be a clear strategy to educate young men on the causes and consequences of VAWG.

In accordance with this priority and any others aimed at tackling VAWG, a specific amendment should be tabled under current Scottish Hate Crime legislation to involve women as a protected characteristic. At present, many perpetrators can often be overlooked due to the limitations of current legislation. The ways in which criminal conduct can be carried out against women is vast. Implementing a definition that illustrates the many forms abuse can take would highlight the Scottish Government's continuing commitment in emphasising a zero tolerance approach to this violence.

Women have also spoken about the increasing nature of online harm and so-called revenge porn. Whilst this is covered to a certain extent in the Sexual Harm Act, 2016, actions concerning the likes of trolling should also be analysed. This form of violence predominately affects women and can lead to normalisation of gender inequality by men.

“When this happens to girls we get called ‘sluts’ and ‘whores’ and it's our fault, even though all we did was let someone we trusted take a picture in what we thought was a safe environment. There are absolutely no repercussions for the guys who think it's all ‘lads banter’.”

CROSS CUTTING ACTIONS

Please tell us about any cross cutting actions that you are particularly supportive of:

A renewed commitment to not only Scotland in terms of women's inequality, but also at an international level as laid out within the cross cutting actions is particularly welcomed. Implementation of the Istanbul Convention in a Scottish context illustrates the SG's continuing priority of a zero tolerance approach to VAWG. Promotion by the SG of the UN Security Council and targeted funding for women from conflict-affected regions is especially noteworthy in this context.

Online hate is also specifically targeted under the cross cutting actions, however, this requires more scrutiny as mentioned previously in this consultation.

The inclusion of minorities within the scheme in order to understand particular obstacles these women face are also welcomed. Cross cutting actions that reference the likes of BME and LGBT women are illustrative of the SG's commitment to eliminate abuse against women of all backgrounds.

Please tell us about any cross cutting actions that you don't agree with:

Engagement with stakeholders on key research findings is somewhat insufficient at present. Whilst the cross cutting actions listed also note the need to look at evidence on the criminalisation of demand in CSE, more work should be undertaken on this subject. This should include experiences of women who have undergone this form of abuse as well as evidence based analysis of the likes of the Nordic model.

Are there any cross cutting actions that you think are missing?

Concerns around Brexit and what it will mean for the protection of human rights is frequently alluded to by women. The European Convention on Human Rights (ECHR) is enshrined in domestic law through the Human Rights Act 1998. The current UK Government's commitment to repealing this piece of legislation and replacing it with a 'British Bill of Rights' has raised a number of issues.

"I feel frustrated, fearful and helpless. We're already seeing a rise in hate crime and the normalisation of racism. The decision will have an impact on the opportunities and decisions of young people in the future."

Allowing these proposals to become legislation would be the first step on a slippery slope towards women's rights being pushed further back. Given the fear that is surrounding Brexit at present, cross-cutting actions should take this into account on preparation of the final draft of Equally Safe and the implications for women's rights.

DRAFT PERFORMANCE FRAMEWORK

Please tell us about any sections of the draft performance framework that you are supportive of:

Women in Scotland are proud of the gender-based definition of violence used by the SG. This recognises that VAWG is both a cause and a consequence of fundamental gender inequality. The clear commitment by the SG to tackle VAWG is welcomed by women throughout the country. The implementation of policy and practices, such as 'Equally Safe', are important steps towards the eradication of abuse.

Given the ambition of the Equally Safe strategy, assignment of outcomes within the performance framework in terms of timescales ranging from the short to long term is appropriate. Inclusion of specific priorities that tackle society as a whole in order to successfully tackle VAWG and eradicate it is commended.

Do you have any suggestions for additions to the draft performance framework?

As mentioned briefly above, women have spoken out about abuse suffered for no other reason than their gender. In order for the framework to be effective, implementation of hate crime legislation that focuses on women and violence must be considered in order for the outcomes to be met effectively.

Perpetrators can often escape justice due to the absence of gender as a protected characteristic. Not only does this bring abusers to justice, it also illustrates the zero tolerance approach taken within Scotland to VAWG.

Conclusion

The SWC welcomes and fully supports the commitment by the SG to preventing and eradicating VAWG through the use of the Equally Safe strategy. The implementation of further legislation to protect women as well as the commitment to additional resources offer much-needed solutions to gender inequality. This has the potential to grant many women justice and safety that have suffered through abuse merely because they are women.

A number of amendments would be welcomed in order for the strategy to achieve its full potential. These include the likes of a refreshed approach highlighting the consequences of CSE and specific inclusion of gender as a protected characteristic. It is also the SWC's belief that revisions going forward should include provisions for equality matters post-Brexit, given the impact that this will have on women in Scotland.

Overall, the Equally Safe strategy is an extremely positive move by the SG and demonstrates the commitment to tackle and eradicate violence against women and girls.

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