



Scottish Women's Convention response to the Scottish Government: A Consultation on the Scottish Crime and Justice Survey

December 2021

Premise

The Scottish Crime and Justice Survey (SCJS) is a large-scale social survey which asks people about their experiences and perceptions of crime in Scotland.

The SCJS is a key source of evidence on crime victimisation in Scotland, as well as issues relating to policing and the criminal justice system. It is used extensively by the Scottish Government to inform the design and effective delivery of policy as well as by academic stakeholders and justice organisations.

This consultation is the first in a two-stage engagement process. On the basis of findings from the consultation, the Scottish Government will organise a number of live workshops. These workshops will be centred on key themes and issues arising from this consultation and are due to take place in January 2022.

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 SWC engages with women using a range of methods, including roadshow events, thematic conferences, and regional contact groups. This submission provides the views of women, reflecting their opinions and experiences in key areas relevant to women's equality.

The SWC is currently engaging with women through digital roadshows, online surveys, asking women to comment by email, and by telephoning those who want to talk. We are also using our wide network to ask women to collate views in their local communities and forward these to us on a regular basis. We are continuing to review innovative ways of engaging with women throughout Scotland using whichever medium is appropriate to them.

5. What do you think should be the main aims and objectives of the SCJS?

- That people can discuss their experiences and the attitudes they have relating to issues such as crime, policing and the justice system and also crime which is not reported to police without judgement and that this will be treated and received in a trauma informed way to ensure the safety of the person disclosing.
- That all information gathered is reliable and valid and done in an anonymised way and that it is measured to ensure trends can be identified. This data can then be used to inform the nature of crimes in Scotland so as measures can be put in place across the justice and criminal system to counteract these trends.
- That an intersectional view is taken to identify higher risk characteristics and then examine why these characteristics lead to incidences of crime.
- To ensure lived experience works alongside the police recorded crime statistics to give a fuller picture of crime and justice in Scotland.

6. What do you believe to be the major strength(s) of the SCJS?

- It is positive that qualitative data is gathered to better understand people's views and lived experiences as statistics can only tell part of the story.

7. What do you believe to be the limitations of the SCJS?

There are limitations around how representative the sample is.

- There are lots of people who may be less likely to commit time to completing the survey.
 - Those in low-paid precarious work, perhaps working multiple jobs
 - Those with caring responsibilities (e.g. children, disabled or ill relatives)
- There are some people who may be less likely to answer the door in the first place.
 - Women living alone
 - Women experiencing stalking
 - Women experiencing domestic abuse or coercive control who may be fearful of how their perpetrator will respond to them speaking to someone
- There are people who may be more wary of speaking about crime and authorities.
 - BAME people who are more likely to have experienced police discrimination
- There should be options to complete the survey in different languages to make it more accessible.

There are limitations around how honest people will be, and therefore how accurate the data is, especially on issues around domestic abuse and violence against women and girls which are already underreported.

- Many women in domestic abuse situations will not be able to answer this survey honestly for fear of further abuse.
- There are still many pervasive misconceptions, especially about what constitutes rape or sexual assault.
 - Many women are not even aware that their experiences would be legally defined as such, and so they would not report it.
- There is a lot of stigma attached to victims of certain crimes which may make people unwilling to speak about their experiences.
- Some women have shared that they have been judged more harshly by other women than by men when it comes to sharing their experiences of sexual crimes. It is thought this may be

because women respond defensively when having to confront the fact that some of their own experiences may have been rape or sexual assault.

- The data has limited value if you do not dig deeper to try to understand *why* people hold particular views.

8. How do you think the SCJS should be adapted?

- There should be options to complete the survey in different languages to improve accessibility and represent all our communities.
- Anyone conducting the surveys needs to have received training on trauma-informed practice to ensure that they are not unintentionally retraumatising any of the respondents.
- Respondents need to be given reassurances that any of their responses will be confidential and not have any repercussions for them.
 - E.g., if a woman reveals that she has been the victim of a sexual crime but shares that she would never want to report it.
 - This information is very important to record to understand women's attitudes around reporting these crimes.
 - However, a lot of women would not divulge this if they were fearful that they would be forced to report anything they have mentioned by participating.
 - Often women are misinformed about their rights when it comes to reporting sexual crimes or domestic abuse, and it is important that they are not made to feel that their agency is being taken away from them.
- There need to be specific questions about crimes relating to violence against women and girls.
 - Especially after the recommendations of Lady Dorrian's report on the management of sexual assault cases, and the ongoing work around making misogyny a hate crime, it is vital that information is gathered about views on these crimes specifically.
 - There should be questions about respondents' views on the conviction rates for sexual crimes and whether they think there is parity of justice with other types of crimes.
 - There could be questions encouraging feedback on some of the recommendations from Lady Dorrian's report (e.g., judge-led trials as opposed to juries, removing the 'not proven' verdict).
 - There could be questions about people's experiences of or thoughts on the justice process and how to make it less re-traumatising for victims.

Conclusion

The SWC is grateful for the opportunity to respond to the Scottish Government's consultation on the Scottish Crime and Justice Survey. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to this topic and its relationship with women's equality.

For further information, please contact

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

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