Equality and Human Rights Commission response to the consultation on the Equally Safe draft delivery plan

Creating a fairer Britain
Equality and Human Rights Commission
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Equally Safe draft delivery plan

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Contact details:

Helen Miller, Policy Manager
Equality and Human Rights Commission
2nd Floor 151 West George Street
Glasgow
G2 2JJ

0141 228 5910

Email: helen.miller@equalityhumanrights.com
The Equality and Human Rights Commission is the National Equality Body (NEB) for Scotland, England and Wales. We work to eliminate discrimination and promote equality across the nine protected grounds set out in the Equality Act 2010: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We are an “A Status” National Human Rights Institution (NHRI) and share our mandate to promote and protect human rights in Scotland with the Scottish Human Rights Commission (SHRC).

Overall, we are pleased to see the Scottish Government commit to the vision and aims of Equally Safe in this draft plan. However, we note almost all of the actions are to be delivered by Scottish Government, the collaborative approach advocated within Equally Safe is lacking within the delivery plan as it currently drafted. The roles of key partners such as councils, NHS health boards, Police Scotland, and Third Sector Organisations should be set out within this plan so that every organisation with a role to play in fulfilling Equally Safe knows what they are required to do and when.

We welcome the human rights framework set out on page 12 and in particular the commitment to implement the Istanbul Convention in Scotland during 2017.
Our comments below address areas where we think the priorities set out in the draft delivery plan could be enhanced.

**Priority 1: Scottish society embraces equality and mutual respect, and rejects all forms of violence against women and girls**

Under the theme of ‘childhood’ we agree that addressing gender stereotyping in schools is critical. We think that sexualised bullying and harassment of girls in schools is a very pressing issue and that there may be lessons to learn from some of the Commission’s work on prejudiced based bullying in schools.¹ It may be useful to use some of the networks that are already in place rather than establishing a new group to look at this issue.

Under the theme of ‘workplace’ we are disappointed to see that the proposal of an employer ‘kite mark’ has not been included. We are of the view that the current action to ‘gather examples of best practice’ is not sufficiently ambitious and that introducing a kite mark would help provide a framework to ensure that the Scottish public sector has robust policies to address VAW in the workplace.

**Priority 2: Women and girls thrive as equal citizens - socially, culturally, economically and politically**

It would be useful if the draft delivery plan could include a focus on the Public Sector Equality Duty (PSED), particularly within the ‘understanding gender’ theme of this priority. The PSED in an important component of Scottish public policy and practice and if used effectively will ensure that intersectionality is captured within the delivery plan. The promotion of the Equality Impact Assessment tool at national land local level which is mentioned in this priority would be more effective as an overarching element of the delivery plan.

Under the theme of ‘women’s economic inequality’ many of the actions identified appear to be short term or one off such as the roundtable for minority ethnic women. The Ministerial working group to oversee the action identified under the Labour Market Strategy action should ensure that there are members with gender or violence against women expertise on that group.

Priority 3: Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women, children and young people

There are some excellent actions listed under this priority, we are particularly pleased to see the action to ‘improve the experience of vulnerable witnesses, initially focusing on child complainers and witnesses through the greater use of pre-recorded evidence.’ We would be interested to see this work extended to include women with learning disabilities as they face significant challenges within the justice system.2

We are of the view that intersectional issues are not sufficiently considered under the theme of ‘specialist services.’ The independent review of local specialist services for women and children’ offers the Government an opportunity to consider the particular barriers that disabled women and minority ethnic women experience, for example we are concerned that women with physical disabilities may find women’s refuges to be inaccessible.

We welcome the action to develop the Scottish Women’s Rights Centre as a model for legal advice services as it has proven to be very successful. There are very significant barriers for women seeking legal advice outside of the central belt and this should be addressed as a priority, it would be useful to include a detailed timescale for this action and a corresponding indicator about women’s access to advice services in different parts of Scotland.

Priority 4: Men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response

We welcome the introduction of the Domestic Abuse Bill criminalising coercive control.

We are pleased to see indicators for trafficking included in the plan it would be useful to include an action which focusses on trafficking of women and children in the plan.