

draft Equality Impact Assessment

Equally Safe

January 2019



Scottish Government
Riaghaltas na h-Alba
gov.scot

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	Equally Safe Delivery Plan	
Minister	Angela Constance, Cabinet Secretary for Communities, Social Security and Equalities	
Lead official	Kirstin McPhee	
Officials involved in the EQIA	name	team
	Leonie Stone Kirstin McPhee	Violence Against Women, Social Isolation and LGBTI Equality Team
Directorate: Division: Team	Directorate for Local Government and Communities: Equality, Human Rights and Third Sector: Violence Against Women , Social Isolation and LGBTI Equality Team	
Is this new policy or revision to an existing policy?	Delivery plan for the existing Equally Safe strategy	

Screening***Policy Aim***

Equally Safe is Scotland's strategy for preventing and eradicating violence against women and girls. Our aim is to work collaboratively with key partners across all sectors to prevent and eradicate all forms of violence against women and girls.

It contributes to the following National Outcomes:

- We live our lives free from crime, disorder and danger
- We have tackled the significant inequalities in Scottish society
- We have strong resilient and supportive communities where people take responsibility for their own actions and how they affect others
- Our children have the best start in life and are ready to succeed
- We have improved the life chances for children, young people and families at risk
- Our public services are high quality, continually improving, efficient and responsive to people's needs
- We realise our full economic potential with more and better employment opportunities for our people
- We live longer healthier lives

Who will it affect?

The actions listed in the Equally Safe delivery plan, a 4 year plan that sets out how we wish to achieve a Scotland where everyone lives equally safe from gender-based violence, will impact on everyone in Scotland.

The policy will mostly benefit women and girls as they are the majority of victims of gender-based violence. However, the actions to achieve gender equality, greater knowledge of consent, positive gender role models and healthy relationships, and the actions to support victims and deal with perpetrators, will benefit everyone.

Honour-based violence is one of the areas of violence we wish to eradicate, and the actions taken to do this will impact positively on minority ethnic communities where so-called honour-based violence such as forced marriage and female genital mutilation still take place.

Our work to raise the profile of gender based violence and to raise awareness of what constitutes consent, healthy relationships and positive gender roles will affect people across Scotland. The greatest affected will be children and young people through initiatives to review Personal and Social Education in schools, the Rape Crisis Scotland Sexual Prevention Programme and the Mentors in Violence Prevention Programme. There are also a number of actions designed to help children and young people experiencing domestic abuse within their families.

LGBTI communities will be affected by the strategy as one of the actions requires that all funded services providing front line support to people experiencing gender based violence include an LGBTI action plan, designed to improve service provision to these communities.

The strategy recognises the unique challenges and vulnerabilities faced by disabled women and girls, and those in care or of advanced age.

The strategy is focussed on preventing and eradicating violence against women and girls. The definition adopted explicitly includes children of all genders but excludes men. While the strategy recognises that gender-based violence can be experienced by anyone, there are not specific actions designed to improve the situation of men alone, although some actions will benefit Scottish society as a whole including men.

What might prevent the desired outcomes being achieved?

Factors that might prevent Equally Safe's outcomes from being achieved:

- Reductions in national and local authority funding leading to reductions in frontline services
- Lack of shift in social attitudes or a regression
- Insufficient uptake of RSHP/PSE/Consent and healthy relationships education

- The hidden nature of practices such as Honour Based Violence, Forced Marriage and Female Genital Mutilation.
- Underreporting of domestic abuse, sexual assault and other forms of gender based violence

Stage 1: Framing

Results of framing exercise

A key commitment in Equally Safe was to develop an implementation plan. The purpose of this is to ensure that the ambitions of the Strategy are rooted in practical delivery at all levels of society that makes a tangible difference to the lives of women, girls, children and young people. The Delivery Plan contains a number of actions, designed to give effect to the priorities and objectives of Equally Safe. The plan contributes to a range of other Government initiatives, including the Action Plan for a Fairer Scotland, the Justice Strategy and the Trafficking and Exploitation Strategy and sits alongside our work to tackle discrimination, promote equality, give children and young people the best start in life and build a fairer Scotland.

We have a range of evidence sources to inform our interventions and understanding of the current position and progress towards our goals:

- In 2017-18 there were 59,541 incidents of domestic abuse recorded by the police in Scotland, an increase of 1% from the previous year. Levels of domestic abuse recorded by the police have remained relatively stable since 2011-12 at around 58,000 to 60,000 incidents a year (and up by 20% since 48,884 in 2006-07). Where gender information was recorded, around four out of every five incidents of domestic abuse in 2017-18 had a female victim and a male accused. This proportion has remained very stable since 2011-12.
- Rape & attempted rape accounted for 18% of Sexual crimes. In 2017-18 there were 2,255 recorded incidents of rape a 20% increase from 1,878 in 2016-17. There has been an upward trend in these crimes since 2010-11 with Rape & attempted rape increasing by 99% overall between 2010-11 and 2016-17. Where identifiable, the vast majority of victims of rape, attempted rape and 'other sexual crime' were female and the perpetrators were male.'
- There has been a significant increase in the proportion of 'Other sexual crimes' that were cyber enabled (i.e. the internet was used as a means to commit the crime) - increasing from 38% in 2013-14 to 51% in 2016-17. For both cyber enabled crimes and non-cyber enabled crimes of this type, more than 80% of victims were female and around 95% of perpetrators were male in 2016-17.
- Almost three-quarters of the victims of cyber enabled crime in 2016/17 were under 16). Perpetrators also tended to be much younger where sexual crimes were cyber enabled, with a quarter under 16 and more than half under 20.

- For all homicides recorded in the last ten years, just over half (52%) of the female victims aged between 16 and 70 years were killed by their partner or ex-partner, 28% were killed by an acquaintance and 8% were killed by a stranger. For male victims aged 16 to 70 years, only 6% were killed by their partner or ex-partner.
- In 2017, the UK National Referral Mechanism (NRM) received 207 referrals of potential victims (PV) where the referral was subsequently sent to Police Scotland for crime recording considerations; this represents a 38% increase on 2016 referral totals and 4% of all UK referrals to the NRM. The 207 referrals were comprised of 87 females (42%) and 120 males (58%). There were 144 (70%) individuals referred for adult exploitation categories and 63 (30%) referred for exploitation as a minor.
- The 2014 social attitudes survey on public attitudes towards violence against women findings told us that people are less likely to recognise verbal abuse and controlling behaviour (as opposed to physical abuse) as being wrong and harmful, and there are circumstances under which people view abusive behaviours as less serious (e.g. an extramarital affair has occurred). People tend to think that sex without consent is less seriously wrong or harmful if perpetrated by the victim's spouse than by someone she has just met. More than a third of people believe common myths about rape, and people are much less likely to be negative about commercial sexual exploitation than about the other forms of violence against women. Stereotypical views on gender roles persist, and those who hold stereotypical views on gender roles are consistently less likely to view a wide range of abusive behaviours as wrong or harmful.
- Attitudes of young people showed they were less likely than adults to think the various kinds of violence against women that they were asked about were very seriously wrong, or to think that they would cause a great deal of harm. In some cases, the extent to which young people appear to hold more permissive views than adults about violence against women is striking. Stereotypical gender views played a role in this.

Equally Safe – Consultation on a Draft Delivery Plan 2017-21

The Scottish Government Consultation on the draft Delivery Plan for 'Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls' ran from 23 March 2017 to 30 June 2017. There were 79 responses: 67 from organisations and 12 from individuals.

Most respondents were generally supportive of the Delivery Plan and what it was trying to achieve (between 58% and 66% agreed with the actions listed). However respondents suggested a number of ways to improve the Delivery Plan. Including the following most relevant to the EQIA:

When asked what was missing, many of the same themes recurred:

Who it should cover – More emphasis on intersectionality / additional vulnerabilities faced by women with certain protected characteristics; greater emphasis on children, and clarity that both boys and girls are covered by the plan.

Some respondents felt that more needed to be said in relation to the intersection between gender and other protected characteristics. Women might be more likely to experience violence or abuse as a result of these characteristics, to face additional barriers and therefore require additional support. It was also mentioned that different interventions might be required across a woman's life course from girls/young woman up to older age.

Particular groups of women where it was felt more focus was required included:

- Those who identify as lesbian, gay, bisexual, transgender or intersex (LGBTI)
- Those who have a disability or learning disability
- Those from black and ethnic minority (BME) communities..
- Those with no recourse to public funds (NRPF) due to their migration status
- Those with English as a second language
- Women in poverty
- Those who have been looked after
- Those affected by commercial sexual exploitation (CSE)
- Those with caring responsibilities

It was suggested that the priority 3 actions should be more inclusive of LGBT people, minority ethnic women and women with learning disabilities as these groups can face additional barriers to accessing support.

As a result of the consultation, work was undertaken to strengthen the intersectionality of the Equally Safe delivery plan in advance of publication in November 2017.

Collaborative Working

The Equally Safe Strategy also made a commitment to establish four work streams(primary prevention, capability and capacity, Justice and accountability); all focused on different areas, with membership drawn from a wide range of partners with a wealth of experience and informed by the experience of women, girls, children and young people who have been subject to violence or abuse.

Each work stream met on a number of occasions to progress the development of contributions to the Delivery Plan.

CEMVO Event

20th September 2017 a joint event was held with the Council of Ethnic Minority Voluntary Sector Organisations (CEMVO) and their ethnic minority women's network and the Scottish Government.

The aim of the event was to engage with the CEMVO ethnic minority women's network to identify any specific barriers experienced by minority ethnic communities, in their experience of gender based violence, so these can be accounted for in the Equally Safe Delivery Plan.

There were a number of suggestions from the work shop that were considered and taken into consideration before the Delivery Plan was published in November 2017 in order to ensure that the Scottish Government took cognisance of the points raised, many of which were incorporated/reflected in the final version of the Delivery Plan.

Extent/Level of EQIA required

As a result of the framing exercise, a full EQIA was carried out.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	<p><u>Domestic Abuse</u></p> <p>There are no official statistics on the number of children living with domestic abuse. The NSPCC estimate that around 1 in 5 children have been exposed to domestic abuse, and a third of children witnessing domestic violence also experienced another form of abuse.</p> <p>In 2017-18, the 26-30 years old age group had the highest incident rate for both victims (272 incidents recorded per 10,000 population) and those accused (246 incidents recorded per 10,000 population).</p> <p>The number of incidents of domestic abuse recorded by the police generally declined with age. Although the police figures showed a decline in incidents of domestic abuse recorded for older women, Safelives 'spotlight' research indicates that victims ages 61 and above are more likely to experience abuse from an adult family member or</p>	<p>NSPCC, Domestic Abuse , Facts and Statistics, 2018</p> <p>Domestic Abuse recorded by the Police, 2017-2018</p> <p>Safelives Spotlight Report #Hidden Victims. Safe Later Lives: Older people and domestic abuse, October 2016.¹</p>	<p>Data on age is strong although it is generally focussed on younger age groups.</p>

¹ <http://safelives.org.uk/sites/default/files/resources/Safe%20Later%20Lives%20-%20Older%20people%20and%20domestic%20abuse.pdf>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>current intimate partner than those aged 60 and under.</p> <p>Older victims were also more likely to have a disability.</p> <p><u>Honour based crimes</u></p> <p>Research carried out by UNICEF shows that FGM can be carried out on girls of any age but is most commonly carried out between the ages of 5 - 14 years old.</p> <p>In 2012 there were 363 girls born in Scotland to mothers born in an FGM-practising country.</p> <p>According to the SG commissioned study 'Understanding forced marriage in Scotland' between</p>	<p>UNICEF²</p> <p>Scotland's population 2011 & Scottish Refugee Council (SRC) Report: <i>Tackling Female Genital Mutilation in Scotland; A Scottish model of Intervention</i>³</p> <p>Understanding forced marriage in Scotland (2017)</p>	

² https://www.unicef.org/media/files/UNICEF_FGM_report_July_2013_Hi_res.pdf

³ http://www.scottishrefugeecouncil.org.uk/assets/0000/9061/FGM_Report_FINAL_A4portrait.pdf

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>2011 and 2014, there were 191 cases of forced marriage reported by survey respondents, with a fairly even spread across the years. Age was unknown for around a quarter of cases. Of the cases where age was known, the majority of victims were aged 18-25, with under 18s representing around a quarter of cases and under 16s around 1 in 10 of cases. The interviews with the eight survivors of forced marriage echo the survey findings.</p> <p>The age range of when the forced marriage occurred was from 14-25. This indicates that young people are most likely to be affected by Forced Marriage.</p> <p>In 2018, the Forced Marriage Unit (FMU) gave advice or support related to a possible forced marriage in 1,196 cases. These figures include contact that has been made to the FMU through the public helpline or by email in relation to a new case.</p> <p>Of the cases, that FMU provided support to:</p> <ul style="list-style-type: none"> • 355 cases (29.7%) involved victims below 18 years of age; and • 353 cases (29.5%) involved victims aged 18-25. <p>In 2017, the majority of cases 930 (77.8%) involved women; 256 cases (21.4%) involved males.</p>	Forced Marriage Unit (FMU) Statistics (2018)	

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<ul style="list-style-type: none"> • 23% of disabled woman had been raped; • 43% of disabled women reported sexual assault; <p>Disabled people experience higher rates of domestic abuse than nondisabled people. In the year to March 2015 the Crime Survey for England and Wales reported that women and men with a long standing illness or disability were more than twice as likely to experience some form of domestic abuse than women and men with no long standing illness or disability.</p> <p>Safelives research has found that disabled victims of domestic abuse also suffer more severe and frequent abuse over longer periods of time than non-disabled victims. SafeLives' data reveals that disabled victims typically endure abuse for an average of 3.3 years before accessing support, compared to 2.3 years for non-disabled victims. Even after receiving support, disabled victims were 8% more likely than non-disabled victims to continue to experience abuse. For one in five (20%) this ongoing abuse was physical and for 7% it was sexual.</p> <p>Disability and forced marriage are linked- the definition of forced marriage explicitly states a forced</p>	<p>Public Health England 'Disability and domestic abuse: Risks, impact and response'</p> <p>Safelives Spotlight Report #Hidden Victims. Disabled Survivors Too: Disabled people and domestic abuse, November 2017.⁵</p> <p>Home Office Forced Marriage Statistics, 2017.</p>	<p>specific data on disabilities and learning disabilities</p>

⁵ <http://safelives.org.uk/sites/default/files/resources/Disabled%20Survivors%20Too%20CORRECTED.pdf>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>Marriage is a marriage in which one or both parties do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. In 2017, 125 cases (12.1%) involved victims who had a learning disability. 47.2% of victims with a disability who called contact the FMU were women.</p>		
SEX	<p>In 2011, 52% of Scotland's population were female and 48% were male. This proportion has not changed much since 1947.</p> <p>In 2017-18 there were 59,541 incidents of domestic abuse recorded by the police in Scotland, an increase of 1% from the previous year. Levels of domestic</p>	<p>2011 Scotland Census</p> <p>Domestic Abuse recorded by the Police 2017-2018</p>	<p>Data on sex is strong.</p>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<ul style="list-style-type: none"> • Most female victims were killed by a partner or ex-partner 		
PREGNANCY AND MATERNITY	<p>Gender-based violence seriously affects the physical, emotional and mental health of its victims, and can be both chronic and acute in impact. For some women, abuse begins or escalates during pregnancy. This abuse can carry on after the birth, constituting a risk to both mother and child.</p> <p>There is limited evidence concerning the extent to which pregnant women and new mother experience domestic abuse in Scotland. However, research quoted in the 2013 publication <i>Scottish Government Equality Outcomes: Pregnancy and Maternity Evidence Review</i> found that "research highlights that pregnant women face an "increased risk" of domestic abuse, with domestic abuse 'estimated to occur in 5% to 21% of pre-birth cases and in 13% to 21% of post-birth cases'" and that "evidence from Scotland and across the UK indicates that 'abuse often starts in pregnancy and gets worse when the first child is new-born."</p> <p>According to the WHO partner violence during</p>	<p>NHS Health Scotland, (2017)⁶</p> <p>Scottish Government Equality Outcomes: pregnancy and maternity evidence review.</p>	<p>Data availability around pregnancy and maternity is limited</p>

⁶ <http://www.healthscotland.com/equalities/gender-based-violence/demographics.aspx>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>pregnancy is widespread and has significant consequences for maternal health. Abused women have higher rates of unintended pregnancies, abortions, adverse pregnancy and neonatal and infant outcomes, sexually transmitted infections (including HIV) and mental disorders (such as depression, anxiety disorders, sleep disorders and eating disorders) compared to their non-abused peers.</p> <p>FGM is an extreme form of gender based violence and is linked to complications in pregnancy.</p> <p>Women may experience recurrent sexual, psychological and physiological problems. They are likely to require specialist surgical and psychological interventions during pregnancy and childbirth. WHO data shows that, compared to women who have not undergone FGM, those subjected to any type of FGM have increased complications in childbirth. Routine enquiry of FGM is carried out during pregnancy.</p>	<p>WHO, Gender Based Violence, (2017)⁷</p> <p>WHO, Female genital mutilation Factsheet, (2017)⁸</p>	
GENDER REASSIGNMENT	Research carried out by LGBT Domestic Abuse Project and Scottish Transgender Alliance 'Out of	LGBT Domestic Abuse Project, LGBT Youth Scotland and the Equality Network, 'Out of	Date on Gender

⁷ <http://www.euro.who.int/en/health-topics/health-determinants/gender/activities/gender-based-violence>

⁸ <http://www.who.int/mediacentre/factsheets/fs241/en/>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>sight, out of mind?' specifically looks at transgender people's experiences of domestic abuse.</p> <p>80% of respondents stated that they had experienced emotionally, sexually, or physically abusive behaviour by a partner or ex-partner.</p> <ul style="list-style-type: none"> – The type of domestic abuse most frequently experienced by the respondents was transphobic emotional abuse, with 73% of the respondents experiencing at least one type of transphobic emotionally abusive behaviour from a partner or ex-partner. – 60% of respondents had experienced controlling behaviour from a partner or ex-partner. – 45% of respondents had experienced physically abusive behaviour from a partner or ex-partner. – 47% of respondents had experienced some form of sexual abuse from a partner or ex-partner. – 37% of respondents said that someone had forced, or tried to force them to have sex when they were under the age of 16. – 46% of respondents said that someone had forced, or tried to force them to engage in some other form of sexual activity when under the age of 16. – 10% of respondents stated that someone had forced, or tried to force them to engage in sexual activity for money. 	<p>sight, out of mind?: Transgender People's Experiences of Domestic Abuse' (2010)⁹</p>	<p>reassignment is limited</p>

⁹ https://www.scottishtrans.org/wp-content/uploads/2013/03/trans_domestic_abuse.pdf

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>According to Stonewall Lesbian, gay, bi and trans people can experience forced marriage. For example, they may experience emotional pressure to get married by being made to feel that their sexual orientation or gender identity brings shame on the family.</p>	Stonewall – Forced Marriage	
SEXUAL ORIENTATION	<p>Statistics published in Scotland's People Annual Report, 2017 shows that the number of people who self-identified as lesbian, gay or bisexual in Scotland was around 2%. A comparison by gender showed that 97.8% of men and 98% of women identified themselves as heterosexual/straight.</p> <p>Stonewall emphasises that domestic abuse doesn't just happen to straight women - it affects gay men, lesbians, bisexual and trans people.</p> <p>Stonewall Scotland reports that one in four lesbian and bisexual women have experienced domestic abuse from a partner, which is the same as the general female population, while half of gay and bisexual men have experienced domestic abuse, and a third have experienced domestic abuse from a</p>	<p>Scotland's People; Annual Report, 2017</p> <p>Stonewall Scotland, (2017) ¹⁰</p>	Data on Sexual orientation is limited

¹⁰ <https://www.stonewallscotland.org.uk/help-advice/criminal-law/domestic-abuse-1>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>partner.</p> <p>According to Stonewall Lesbian, gay, bi and trans people can experience forced marriage. For example, they may experience emotional pressure to get married by being made to feel that their sexual orientation or gender identity brings shame on the family.</p>	Stonewall – Forced Marriage	
RACE	<p>The size of the minority ethnic population in 2011 was just over 200,000 or 4% of the total population of Scotland (based on the 2011 ethnicity classification); this has doubled since 2001 when just over 100,000 or 2% of the total population of Scotland (based on the 2001 ethnicity classification) were from a minority ethnic group.¹¹</p> <p>The Asian population was the largest minority ethnic group (3% of the total population or 141,000 people) and has seen an increase of one percentage point (69,000) since 2001.</p> <p>Gender based violence can impact women and children from any racial background. However, according to NHS Health Scotland discrimination in</p>	<p>Scotland's population (2011)</p> <p>NHS Health Scotland (2017)¹²</p> <p>UNICEF¹³</p>	Data on race is limited.

¹¹ <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid/Ethnicity/EthPopMig>

¹² <http://www.healthscotland.com/equalities/gender-based-violence/demographics.aspx>

¹³ https://www.unicef.org/media/files/FGMC_2016_brochure_final_UNICEF_SPREAD.pdf

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>relation to ethnicity, migrant or refugee status can increase and intensify the risk of abuse.</p> <p>Female Genital Mutilation as a form of gender based violence is not fixed on any particular race. While the exact number is unknown, at least 200 million girls and women in 30 countries have undergone female genital mutilation. Since certain groups and diaspora communities continue the practice in other countries as well, the total number of girls and women worldwide who have undergone FGM is likely to be higher. The actual figure is not known because there are little reliable data on prevalence in these population groups.</p> <p>Whilst survivors of FGM are found in some communities in Scotland, not all women and girls born in countries or communities where it is practised are affected or at risk. There is no concrete evidence that FGM is actually being practised in Scotland, but neither is there clear evidence that it is not. Prevalence rates vary dramatically both within countries of origin and between them, so it is important not to make any assumptions about women or girls from a particular background or community.</p>	Responding to Female Genital Mutilation in Scotland, Multi agency guidance, 2017	
RELIGION OR BELIEF	In 2011 over half (54%) of the population of Scotland stated their religion as Christian - a decrease of 11 percentage points since 2001, whilst 37 per cent of	Scotland's Population 2011	Data on religion/belief is limited

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>people stated that they had no religion.</p> <p>After Christianity, Islam was the most common faith with 77,000 people in Scotland describing their religion as Muslim. This is followed by Hindus (16,000), people from Other religions (15,000), Buddhists (13,000), Sikhs (9,000) and Jews (6,000). Even with these groups added together they still accounted for less than 3% of the overall population.¹⁴</p> <p>Some people practice FGM as part of their religion and there can be huge pressures to make girls have it done. However FGM is not recommended by any religion or in any religious texts. It is not religious but might have become symbolic in some communities as a demonstration of faith.</p> <p>Similarly Forced Marriage is not recommended by any religion or in any religious texts. The freely given consent of both parties is a prerequisite of Christian, Hindu, Muslim and Sikh Marriages. It is not religious but might have become symbolic in some communities as a demonstration of faith.</p>		

¹⁴ <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid/Religion/RelPopMig>

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
<p>MARRIAGE AND CIVIL PARTNERSHIP (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details)</p>			

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			The overall aim of this policy is to prevent and eradicate gender based violence and challenge the societal attitudes that allow this violence to perpetuate. Our gendered approach takes into consideration the fact that women experience this violence simply because they are women. This violence stems from inequality that exists between genders-an inequality that is present in our lives, systems and institutions. This policy should help try and rectify this power imbalance and should help towards eliminating unlawful harassment, victimisation and harassment endured by women of all ages.
Advancing equality of opportunity	X			The policy aims to prevent and eradicate gender based violence for all women with a long term goal of advancing equality and challenging the societal attitudes that allow gender based violence to perpetuate.
Promoting good relations among and between different age groups	X			Gender based violence is experienced by women of all ages. This is an opportunity for women of all ages to work towards a common goal and for relationships between age groups to strengthen.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			<p>The policy is designed to include all people who are/or may be survivors of gender based violence, including those who suffer from disabilities.</p> <p>Disabled women can often face additional difficulties when faced with gender based violence and the policy is designed to factor in and recognise these additional vulnerabilities</p> <p>Disabled women are affected by gender based violence including forced marriage, domestic abuse, sexual assault etc and the policy should help us challenge societal attitudes that allow violence against women to perpetuate and, as a result, should help reduce associated discrimination, harassment and victimisation.</p>
Advancing equality of opportunity	X			<p>This policy will assist any affected by gender based violence, disabled women are affected by gender based violence including forced marriage, domestic abuse, sexual assault etc. Prevention of violence against disabled women should advance equality of opportunity.</p>
Promoting good relations among and between disabled and non-disabled people	X			<p>This policy will assist any affected by gender based violence, disabled women are affected by gender based violence including forced marriage, domestic abuse, sexual assault etc. Prevention of violence against disabled women should assist promoting good relations among and between disabled and non-disabled people.</p>

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			The policy will mostly benefit women and girls as they are the majority of victims of gender-based violence. However, the actions to achieve gender equality, greater knowledge of consent, positive gender role models and healthy relationships, and the actions to support victims and deal with perpetrators, will benefit everyone and should prevent unlawful discrimination of women and children.
Advancing equality of opportunity	X			The policy will mostly benefit women and girls as they are the majority of victims of gender-based violence. However, the actions to achieve gender equality, greater knowledge of consent, positive gender role models and healthy relationships, and the actions to support victims and deal with perpetrators, will benefit everyone and should assist in advancing equality of opportunity for men, women and children.
Promoting good relations between men and women	X			The policy will mostly benefit women and girls as they are the majority of victims of gender based violence. However, the actions to achieve gender equality, greater knowledge of consent, positive gender role models and healthy relationships, should promote good relations between men and women. The aim to prevent and eradicate violence against women by men should improve relations between men and women.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The policy will mostly benefit women and girls as they are the majority of victims of gender-based violence. Work carried out under priority one – gender roles and stereotyping may have a positive impact on pregnancy/maternity discrimination.
Advancing equality of opportunity	x			The policy will mostly benefit women and girls as they are the majority of victims of gender-based violence. Work carried out under priority one – gender roles and stereotyping may have a positive impact on pregnancy/maternity discrimination and thus advance equality of opportunity.
Promoting good relations	x			Relations between pregnant women and their healthcare professionals should be strengthened by an increased awareness of gender based violence and should hopefully lead to healthcare professionals taking the appropriate measures to safeguard families and respond appropriately when required.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			The strategy is in place to help prevents and eradicate violence against all women and girls, including those who have undergone, intend to undergo, or are in the process of undergoing gender re-assignment. There are no negative impacts related to eliminating unlawful discrimination of transgender people. Even if women later identify as

				transgender men, the strategy recognises and takes into account that men can also experience violence.
Advancing equality of opportunity	x			The policy has the potential to advance equality of opportunity and there is no barriers to engagement of transgender people.
Promoting good relations	x			It is hoped that the policy implementation will help foster and promote positive relationships between all women and girls within communities, including those who have or are transitioning.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			Equally Safe recognises that although gender based violence is predominantly suffered by women and perpetrated by men, people in gay/bi-sexual/lesbian/transsexual relationships can also be subjected to violence which is/may be committed by their partner. In these circumstances, the same level of service and intervention should still be available.
Advancing equality of opportunity	x			The inclusive nature of the policy and this delivery plan has the potential to advance equality of opportunity. Action to expand capability of violence against women services to ensure they are LGBT inclusive ensures this community are offered the same level of help and support.
Promoting good relations	x			Our specific focus on the LGBT community and action to build capacity within violence against women services to ensure that they are LGBT inclusive should help foster positive working relationships and should promote positive relations between services and service users.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			There are positive impacts related to eliminating unlawful discrimination on the grounds of race. Actions within the delivery plan such as commitment to raise awareness of FGM and forced marriage can help prevent and eradicate these archaic practices and can help raise awareness in the wider community that such practices are not acceptable and will not be tolerated in Scotland.
Advancing equality of opportunity	x			The overall inclusiveness of the policy and specific actions to identify and promote practice to reduce employment inequality for ethnic women should help us work towards advancing equality of opportunity for women from minority ethnic backgrounds.
Promoting good race relations	x			The Scottish Government consulted with groups that engage with women from minority ethnic backgrounds to help inform the delivery plan. We continue to collaborate with a number of community organisations to enhance engagement of minority ethnic communities and to ensure that our actions implementing this delivery plan continue to promote positive race relations.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			Although they are cultural practices, FGM and forced marriage are commonly misunderstood as religious practices or requirements. This policy works to dispel this notion and to raise awareness among communities and agencies alike about how best to respond to this and protect young girls and women. Although we recognise that a under-reporting is a risk

				factor, this policy has the potential to highlight and challenge the societal attitudes that allows gender based violence across the board and shift community attitudes, potentially in religious spheres where this type of violence is typically normalised.
Advancing equality of opportunity	x			<p>The policy's inclusiveness has the potential to advance equality of opportunity and its purpose is to help challenge existing attitudes towards women that allow gender based violence to perpetuate.</p> <p>Although we recognise that a under reporting is a risk factor, this policy has the potential to highlight and challenge the societal attitudes that allows gender based violence across the board and shift community attitudes, potentially in religious spheres where this type of violence is typically normalised.</p>
Promoting good relations	x			<p>One of the key benefits of the policy is our focus on collaborative and partnership working. Throughout the implementation of the strategy we intend to continue to engage with community groups to promote positive working relations and to ensure that we are delivering our commitments under the strategy in a manner that reflects and recognises the different challenges experienced by women from varying religions and beliefs.</p>

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership¹⁵	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination				

¹⁵ In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	yes
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ¹⁶ ?	no
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	n/a
If not justified, what mitigating action will be undertaken?	n/a

Describing how Equality Impact analysis has shaped the policy making process

We ran a consultation from 23 March 2017-30 June 2017, and although most respondents were generally supporting of the plan, some felt that more needed to be said in relation to intersectionality. Particular groups of women where it was felt more focus was required included:

- Those who identify as lesbian, gay, bisexual, transgender or intersex (LGBTI)
- Those who have a disability or learning disability
- Those from black and ethnic minority (BME) communities..
- Those with no recourse to public funds (NRPF) due to their migration status
- Those with English as a second language
- Women in poverty
- Those who have been looked after
- Those affected by commercial sexual exploitation (CSE)
- Those with caring responsibilities

These views were taken into consideration and it was suggested that the priority 3 actions should be more inclusive of LGBT people, minority ethnic women and women with learning disabilities as these groups can face additional barriers to accessing support.

CEMVO workshop – the aim of this event and workshop was to identify any specific barriers experienced by minority ethnic communities in their experience of GBV so these could be accounted for in the Equally Safe delivery plan. However, feedback

¹⁶ See EQIA – Setting the Scene for further information on the legislation.

from some participants involved in the workshop was that they felt the event was a tick-box exercise only. This feedback has been taken into consideration and the Scottish Government are looking to engage regularly with the Network in the future so that it becomes a dialogue opposed to a single event.

The EQIA has helped develop better outcomes for people and communities by working with the community organisations and engaging with communities to ensure that they are empowered to become part of the solution. The feedback from CEMVO coupled with the comments received on the draft delivery plan following our consultation, helped to shape the actions required.

As a result of the evidence and data gathered, the Scottish Government will continue to work with community partners and organisations, particularly those who are involved in on-going participation work, to ensure that implementation of the delivery plan is informed by those who routinely access and use support services.

There have been no cost or resource implications as a result of this EQIA analysis.

Monitoring and Review

As part of the implementation and delivery of this policy, various groups have/are being established to help monitor and evaluate progress made with the Delivery Plan. In particular, an Experience Expert Panel will be created to help learn from those of have lived experience of gender based violence. This group will include representation from organisations who work with ethnic minorities, disabled women and the LGBT community to ensure that implementation of the delivery plan is shaped by those who have lived experience of gender based violence.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes X No

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for [insert policy title here] and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name:

Position: [Deputy Director level or above]

Authorisation date:



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78781-487-5 (web only)

Published by The Scottish Government, January 2019

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS513046 (01/19)

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