

## ENGENDER BRIEFING 2 • JUNE 2014

### Scotland's futures: Violence against women

This briefing is part of a series that sets out how power and responsibility to tackle critical gender equality issues is divided between Holyrood and Westminster. It is part of Engender's contribution to the independence referendum debate.

Men's violence against women is a cause and consequence of gender inequality. Domestic abuse, rape, and commercial sexual exploitation are enabled by systemic barriers to women's economic, political, and social equality. Violence against women (VAW) is rooted in systems and culture that denies women power, autonomy, and capacity to claim their rights.

The experience of gender-based violence, or the fear of such violence, shapes women's lives.

#### Multiple discrimination

The evidence that we have suggests that barriers to access to justice and services for black and minority ethnic, disabled and lesbian, bisexual and trans women are a significant problem. We need a much greater understanding of the needs of women in excluded groups, and a commitment to meeting those needs.

Many refugee women seek protection in the UK from diverse forms of violence including torture. Human trafficking for the purpose of sexual exploitation is thought to be increasing in Scotland.

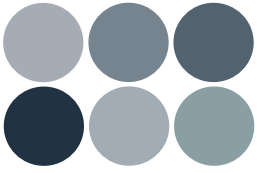
#### Economic inequality

Violence against women is interrelated with women's economic inequality. VAW cannot be understood in isolation of gender power relations across political and economic space. Women experiencing poverty have fewer financial resources with which they can seek safety.

#### Access to justice

Women lack equal access to justice and experience discrimination within the criminal justice system. This is reflected in low conviction rates for rape, domestic abuse, trafficking of women for sexual exploitation and female genital mutilation (FGM). Lack of legal aid contributions in relation to civil orders and domestic abuse means that low-income women are less able to





assert their human rights. Scotland's criminal justice system requires key evidence in prosecution to be backed by two sources. This requirement for numerical 'corroboration' is understood to contribute to the fact that 75% of rape complaints do not progress to court.

### **What has happened since devolution?**

Policy in Scotland has diverged from that in the rest of the UK since devolution, and Scotland is now seen as progressive internationally in its response to violence against women.

- Scotland's definition of VAW reflects understanding of coercive control and links with gender inequality. It incorporates a broad spectrum of emotional, psychological, physical and sexual abuse.
- In the context of public spending cuts, unlike south of the border, services have been safeguarded to some extent, and legal aid has been comparatively protected.
- The UK asylum and immigration process systemically discriminates against women, largely due to a culture of disbelief and failure to understand gender-based violence and trauma.

#### **Power and responsibility**

- Violence against women policy and related support services are devolved to Scotland, except where linked to immigration status.
- Immigration, including asylum, is reserved to the UK.

**Power and responsibility rest with: Scottish Government**