

Engender submission of evidence to the Scottish Parliament Standards, Procedures and Public Appointments Committee consultation on Code of Conduct changes to give effect to the recommendations of the Joint Working Group on Sexual Harassment and Sexist Behaviour

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1. INTRODUCTION

Engender is Scotland's feminist policy and advocacy organisation, working to secure women's political, economic and social equality with men. Our aspiration is for a Scotland where women and men have equal access to rights, resources, decision-making and safety.

Engender is pleased to respond to the Standards, Procedures and Public Appointments Committee consultation on Code of Conduct changes to give effect to the recommendations of the Joint Working Group on Sexual Harassment and Sexist Behaviour. Engender's director, Emma Ritch, was an independent expert on the working group. In this capacity, we provided advice to Scottish Parliament staff working to develop the new Sexual Harassment Policy. We continue to support Parliament taking any step open to it to ensure that robust accountability and support systems are in place to prevent sexual harassment, support women who report sexist and sexual harassment, and enable widespread and lasting culture change to realise women's right to participate fully in political and public life on equal terms with men.

2. SEXUAL AND SEXIST HARASSMENT

Sexual and sexist harassment are manifestations of unequal power relations and are both causes and consequences of women's inequality.¹ Because of the seniority of MSPs as political and civic figures, unequal power relations are likely to be particularly acute between MSPs and third parties, such as political party volunteers or activists and members of the public. Where these relationships involve a gendered element,² wider structural and social tolerance of sexist attitudes and behaviour creates an enabling culture which puts women at an increased risk of harassment and abuse. We therefore strongly support the proposed revision to MSPs' Code of Conduct to extend the standard for the treatment of individuals

¹ Scottish Government (2016) Equally Safe: national strategy. Available at: <https://www.gov.scot/publications/equally-safe/>

² A statistically likely scenario given the over representation of male MSPs (Engender, (2020) Sex and Power in Scotland 2020. Available at: <https://www.engender.org.uk/content/publications/Engenders-Sex-and-Power-2020.pdf>.

to all those whom MSPs come in to contact with in the course of performing their role as parliamentarians.

Amending Section 7 of the Code of Conduct to broaden the individuals covered by the Code is an important step to protect women political party members, activists and/or volunteers who come into contact with MSPs. Including these women within policies and practices on sexual harassment has been recommended by violence against women organisations³ and would enable women to be protected under one overarching Parliament policy as opposed to relying solely on the policies of individual parties. The proposed revisions would also enable MSPs to be held accountable for harassment directed towards women and girl constituents, which is necessary for the realisation of women's equal political engagement and participation. The Code should ensure that this extends to inappropriate online conduct.

Parliament should ensure that reporting mechanisms are well-signposted, accessible, and respectful of privacy. Most instances of sexual harassment are never reported, and this can be at least partially addressed by ensuring that there are clear processes for reporting that outline what victim-survivors can expect, with multiple reporting options being preferable.⁴ Anonymous mechanisms should be considered, and victim-survivors should be able to access psychological or other support.

3. CONCLUSION

Engender welcomes the proposed amendment and takes the view that all women and marginalised groups deserve to be protected under sexual harassment policies. However, it is important to note that even the most extensive Code of Conduct for MSPs will not eradicate sexual harassment alone. Eradicating sexual harassment, like all violence against women, demands a concerted approach to tackling gender inequality in all areas of the Parliament itself, within political parties, and by individual staff and MSPs and others who work in its estates and participate in its democratic functions.

FOR FURTHER INFORMATION

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ABOUT US

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.

³ End Violence Against Women Coalition (2017) EVAW writes to Party Leaders & Speaker about sexual harassment in politics. Available at: <https://www.endviolenceagainstwomen.org.uk/sexual-harassment-and-abuse-allegations-in-british-politics/>.

⁴ Equality and Human Rights Commission (2020) Sexual harassment and harassment at work: technical guidance. Available at: <https://www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-work-technical-guidance>.