



# Consultation on the draft Delivery Plan for Equally Safe: Scotland's Strategy for preventing and eradicating violence against women and girls

June 2017

## About Together

Together (Scottish Alliance for Children's Rights) is an alliance of children's charities that works to improve the awareness, understanding and implementation of the UN Convention on the Rights of the Child (UNCRC) in Scotland. We have over 360 members ranging from large international and national non-governmental organisations (NGOs) through to small volunteer-led after school clubs. Our activities include collating an annual State of Children's Rights report to set out the progress made to implement the UNCRC in Scotland. The most recent report was launched in November 2016 and sets out recommendations to the Scottish and UK Government that should be taken forward to ensure children in Scotland have their rights under the UNCRC respected, protected and fulfilled<sup>1</sup>.

## Introduction

As recognised by the draft Delivery Plan, it is essential to undertake a [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)<sup>2</sup> to maximise opportunities to further children's rights and identify any gaps in protection in the context of gender-based violence are identified. The CRWIA should be undertaken in partnership with the Equally Safe Advisory Groups and ensure that it reflects the views and experiences of children and young people. The CRWIA should take particular note of the UN Committee's General Comments, particularly:

- [General Comment No. 18](#) on the Rights of the Child on Harmful Practices
- [General Comment No. 13](#) on the Right of the Child to Freedom from All Forms of Violence
- [General Comment No. 8](#) on the Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment
- [General Comment No. 19](#) on Public Budgeting for children's rights.

General Comments provide an authoritative interpretation from the UN Committee on how to implement the UNCRC, with in-depth advice on specific issues. They will prove invaluable in enabling scrutiny of the draft Delivery Plan and will support examination of areas where positive impacts on children's rights can be enhanced, and negative impacts mitigated.

Together looks forward to the publication of the CRWIA on the draft Delivery Plan and encourages this exercise to be undertaken as soon as possible. The draft Delivery Plan should be informed and developed in line with any of its emerging recommendations. Such an approach will ensure an intersectional analysis of the cross cutting actions, priorities and indicators which takes into account the rights and views of all children and young people affected by violence against women and girls.

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<sup>1</sup> Together (Scottish Alliance for Children's Rights) (2016). [State of Children's Rights in Scotland](#).

<sup>2</sup> Scottish Government (2015). [Child Rights and Wellbeing Impact Assessments](#).

## Cross cutting actions

1. Do you agree or disagree that the actions listed as cross cutting are the right actions to help meet the overall objectives of the delivery plan?
2. Please tell us about any of the cross cutting actions that you are particularly supportive of.
3. Please tell us about any cross cutting actions that you don't agree with.
4. Are there any cross cutting actions that you think are missing and are there any cross cutting actions that you think are missing?

**Overall, we agree that the actions listed are on the way to being the right actions to help meet the overall objectives of the delivery plan. They should be strengthened by:**

- **Explicitly referencing the UN Convention on the Rights of the Child, including the 2016 Concluding Observations;**
- **Ensuring all actions are effectively and sufficiently resourced, in line with the UN Committee's General Comment No. 19;**
- **Highlighting the tools and resources available to support the training needs of those responsible for taking forward the actions in the delivery plan, such as the Common Core;**
- **Recognising the opportunities to support the Delivery Plan provided by the duties under the Children and Young People (Scotland) Act 2014.**

Together welcomes the Equally Safe Strategy's acknowledgement that preventing gender-based violence is dependent on reducing gender inequality broadly across all sectors, and its explicit inclusion of the UNCRC in its rights-based framework. The Delivery Plan could be further strengthened by explicitly referring to and embedding the UNCRC's cross-cutting obligations across all four priority areas. Currently, the cross-cutting actions framework references several fundamental rights protections under Treaty Bodies including the [UN Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#), [Convention on the Elimination of Discrimination Against Women \(CEDAW\)](#), [UN Convention Against Torture \(UNCAT\)](#), and recent [Universal Periodic Review \(UPR\)](#) recommendations. Inclusion of the UNCRC would reflect and recognise the particular needs, vulnerabilities and potential of children and young people in the prevention and eradication of all gender-based violence.

In 2016, the UN Committee on the Rights of the Child (UN Committee) made a series of [150 recommendations](#) (known as Concluding Observations) to set out where the UK – including Scotland – is falling short in implementing the UNCRC. In its 2016 [State of Children's Rights report](#), Together consulted with its broad membership to articulate these Concluding Observations as Scotland-specific recommendations, many of which align with the priorities set out in the Equally Safe Delivery Plan. These recommendations provide a comprehensive roadmap ranging across the Delivery Plan's priorities, from ensuring children's rights in the media and business, through to childcare provision, effective and mandatory Relationships, Sexual Health and Parenthood (RHSP) education, monitoring and tackling violence against children, special protection measures for child witnesses and victims, and ensuring that the views and experiences of children and young are taken into account in decision-making that affects them.

The human and financial capacity to deliver the aims of the Equally Safe strategy across the priority areas must be met in order to successfully eradicate violence against women and children. As has been made clear by the UN Committee through [General Comment No. 19 on Public Budgeting](#), the

budget principles of effectiveness, efficiency, equity, transparency and sustainability are needed to ensure the Delivery Plan is adequately resourced, in human and financial terms. Together's 2016 report found that much more needs to be done to ensure that high-quality recovery services for children who have experienced abuse and trauma are adequately and sustainably funded.

Effective delivery of the Strategy requires adequate training and support for the workforce, both to prevent violence against women and girls through standards and values of equality in all settings, to recognising, challenging and supporting victims of violence. Existing resources to support this include the [Common Core of Skills, Knowledge & Understanding and Values for Scotland's workforce](#), the values of which are taken from the [Getting It Right for Every Child](#), an approach recognised in the Equally Safe Strategy.

The Delivery Plan recognises the roles played across the public, private and third sectors in tackling violence against women and girls. The [Children and Young People \(Scotland\) Act 2014](#) brings the UNCRC into Scots law for the first time. The 2014 Act specifically places duties on all Ministers to consider steps to further the UNCRC, and duties on both Ministers and public bodies to report every 3 years on the steps they have taken to secure better or further effect of the UNCRC's requirements. These duties offer a significant opportunity to mainstream the recommendations outlined above into policymaking and planning, to improve the range of tools, resources and expertise available, and to ensure that the local planning and delivery of services is integrated and dedicated to safeguarding, supporting and promoting children's rights.

## Performance Framework and Indicators

1. Do you agree or disagree with the draft performance framework?
2. Please tell us about any sections of the draft performance framework that you are supportive of
3. Is there anything you think is missing?
4. Do you have any suggestions for additions to the draft performance framework?

**Overall, we agree that the draft performance framework provides a measurable set of indicators and a significant opportunity to expand and sustain the collection and monitoring of data. The performance framework would be strengthened by:**

- **Explicitly referencing children and young people in key areas, as identified through the 2016 Concluding Observations;**
- **Including indicators measuring prevalence and quality of Relationships, Sexual Health and Parenthood (RSHP) education in all types of schools;**
- **Including measurable and disaggregated data and indicators on children and young people to identify disparities amongst children affected by gender-based violence.**

The indicators currently identified would benefit from explicit reference to children and young people in key areas impacting on violence against women and children. These key areas are identified in Together's [State of Children's Rights 2016 report](#) recommendations, issued by the UN Committee.

In aiming to prevent the attitudes that shape gender-based violence, there is a need for the Delivery Plan to include indicators which measure the frequency and quality of Relationships, Sexual Health and Parenthood (RSHP) education in all types of schools. Evidence from Together's members suggests that some children and young people are unable to recognise signs of violence against women and girls<sup>3</sup> or domestic abuse<sup>4</sup>, indicating that more needs to be done to monitor gender-based violence and related issues in RSHP education. This includes performance indicators on the training of teaching staff, who often identify a need for greater knowledge, understanding and confidence addressing these issues<sup>5</sup>.

When gender-based violence does occur, measurable and disaggregated data and indicators on children and young people enables the identification of discrimination or disparities in the realisation of rights and is an essential part of the Delivery Plan. Whilst some indicators of child abuse have decreased in Scotland in recent years, others have increased including recorded sexual assaults against children, the number of children on the child protection register, and systematic child exploitation online<sup>6</sup>. Particular groups of children and young people, such as those with a disability, LGBT and migrant children are more vulnerable to specific types of gender-based violence. Disaggregated indicators on children affected by gender-based violence would recognise the specific protections and safeguards needed to meet children's human rights and help to inform the Equally Safe Strategy going forwards.

For further information, please contact Liz Millership, Policy and Communications Officer

**Together (Scottish Alliance for Children's Rights)**

Tel: **0131 337 9015** Email: [liz@togetherscotland.org.uk](mailto:liz@togetherscotland.org.uk)

Level 1 Rosebery House, 9 Haymarket Terrace, Edinburgh, EH12 5EZ

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<sup>3</sup> Zero Tolerance (2014). [Young People's Attitudes Research](#).

<sup>4</sup> Best *et al.* (2011). [Voices Unheard. Domestic Abuse: Lesbian, Gay, Bisexual and Transgender Young People's Perspectives](#). LGBT Youth Scotland.

<sup>5</sup> For a full exploration of these issues and the programme facilitated by Zero Tolerance and Rape Crisis Scotland to tackle them, see the [State of Children's Rights report](#) case study on page 116.

<sup>6</sup> Together (2016) [State of Children's Rights report](#), see page 7.