

Gender equality – violence against women and employment



Why recommendations on Scotland?

The Scotland Act 1998 provided for the establishment of the Scottish Parliament and the Scottish Government. The Act sets out that all policy areas not explicitly reserved to the UK Parliament are devolved to the Scottish Parliament. The Scottish Parliament has full legislative powers over devolved matters. This means that issues such as justice, health and social care, education and training, as well as many aspects of transport and environment, are within the powers of the Scottish Parliament and responsibilities of the Scottish Government.

Observing and implementing international human rights obligations relating to devolved matters is the responsibility of both the Scottish Parliament and Scottish Government Ministers.

While the UK is the State Party to the United Nations (UN), UN bodies have increasingly recognised the value of specific concluding observations and recommendations for the Scottish Government. This has been recognised as a way to ensure that law, policy and practice in Scotland is fully compliant with all international human rights law and policy.

Issues

In 2015, the overall gender pay gap in Scotland stood at 14.8%, with women overrepresented in informal, temporary and part time work, and more likely to be paid below the living wage.



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In 2016 provisional results indicated no improvement. Disabled women are less likely to be employed and experience a much higher pay gap than other women.

There is significant gender segregation in employment in Scotland, reflected both in the pay difference between men and women, and in the nature of employment and training undertaken (*recommendations 110.40, 110.52, 110.62-64*).

Women continue to be significantly under-represented at senior and management levels across the labour market, and the percentage of female Members of the Scottish Parliament (MSPs) has remained unchanged for a number of years (34.9 per cent in 2016 elections).

Childcare costs in Scotland are among the highest in the UK, and childcare costs in the UK as a whole are some of the highest in the world. The Scottish Human Rights Commission welcomes the commitment made by the Scottish

Government to increase the number of free childcare hours by 2020. However, the accessibility of this provision is of concern.

The Scottish Government has taken steps to address violence against women and committed additional funding to ensure that victims will "have the confidence to report crime". The EU Victims Directive directs Member States to establish a "robust system for data and statistics collection", including disaggregated data to better develop and target adequate responses. In 2015-16 there were 58,104 incidents of domestic abuse recorded by the police in Scotland and 51% of incidents recorded resulted in at least one crime or offence (*recommendations 110.51, 110.69-71*). EU law has required the UK and Scotland to strengthen human rights protections, including for victims. It is important that exiting the EU does not result in legal and policy regression from existing standards of protection.

Recommendations



The UK Government introduces targeted measures to reduce the gender pay gap and improves the representation of women's representation in public life.



The Scottish Government implements the Istanbul Convention on preventing and combating violence against women and girls.



Both UK and Scottish Governments ensure that there is no regression on equality and human rights law as a consequence of exiting the EU.



Questions for the Government

What actions has the Scottish Government taken to address the gender pay gap and the under-representation of women in public life?

What steps has the Scottish Government taken to address the additional barriers disabled women face in gaining access to meaningful employment?

Is the Scottish Government taking all reasonable steps to become compliant with the Istanbul Convention, and has it set out a timetable for doing so?

The Scottish Human Rights Commission is the National Human Rights Institution for Scotland, accredited with A status by the Global Alliance of NHRIs. SHRC is one of the three NHRIs in the UK. SHRC is a member of the UK's National Preventive Mechanism (OPCAT) and the Independent Monitoring Mechanism for the Convention on the Rights of Persons with Disabilities in Scotland.

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