

Equalities, Human Rights and Civil Justice Committee,
The Scottish Parliament,
Edinburgh,
EH99 1SP

Email: ehrcj.committee@parliament.scot

19 January 2024

Dear Convener,

Baseline Assessment of the UK's Compliance with the Council of Europe Convention on preventing and combating violence against women and domestic violence

The Scottish Human Rights Commission (SHRC) is the national human rights institution (NHRI) for Scotland, accredited with A-status. Accordingly, the Commission has a role to independently monitor the impact of international human rights treaties in Scotland to support accountability for compliance at the United Nations and Council of Europe.

This week the Commission has published a parallel report to the Group of Experts on Violence Against Women as part of the Baseline Assessment of the UK's Compliance with the Council of Europe Convention on preventing and combating violence against women and domestic violence. This Convention is more commonly known as the Istanbul Convention, and provides a framework for state action in response to gender-based violence against women and girls.

The baseline assessment is the first opportunity to assess the UK's compliance with the Convention. It covers all aspects of the treaty's

articles, broadly summarised as Prevention; Protection; Prosecution and Integrated Policies ('the four-Ps' of the convention.')

The Convention makes clear that gender-based violence against women and girls is a human rights violation. States are required to have in place a range of processes, policies, data and services, including laws and proportionate sanctions.

Our report represents a comprehensive assessment of implementation successes and gaps in Scotland. We have found that:

- There is a large gap between policy and practice and women's experiences of accessing support fall far short of expectations set by the national Violence Against Women Strategy, Equally Safe.
- There is a need to enhance intersectionality, accessibility and cultural sensitivity in both policy and service provision.
- Victim-survivors want opportunities to participate in policymaking however this is not currently adequately resourced across the public sector, meaning that third sector organisation are under intense pressure and do not feel this is appreciated.
- The support service framework in Scotland is complex and inconsistent. While some effort has been demonstrated to improve the funding landscape, the lack of sustainability increases precarity for services and staff and undermines the availability of support for victim-survivors.
- Legal aid is not readily accessible, and survivors have deeply negative experiences and perceptions of criminal and civil justice cases, including policing.
- The UK's reservation in respect of Article 59 undermines the safety of migrant women and should be withdrawn. The Scottish Government should continue to explore how it can ensure the maximum available support available to women with No Recourse to Public Funds visa conditions, while working with the UK Government to end its use.

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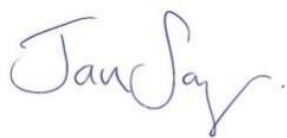
To inform our monitoring, the Commission developed a series of focus groups with survivors to understand their experiences, priorities, and views as part of the preparation of our report. We have shared these women's experiences through a standalone report, with their own words reflected throughout.

Both reports are enclosed to this letter for the Committee's review.

With much of the Convention's substance relating to devolved matters, there is ample scope for the Scottish Government and other public bodies to act to improve the prevention of violence against women and support and protection for women who experience harm. The Convention can act as a guiding framework to support human rights-based standards. We look forward to engaging with all stakeholders to enhance awareness of and capacity to deliver the convention in full for all women and girls.

Please do not hesitate to contact us if the Commission can provide more information about the Istanbul Convention, the findings of our Parallel Report or other aspects of work.

Yours Sincerely

A handwritten signature in blue ink that reads "Jan Savage".

Jan Savage
Executive Director

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