



**Response to  
consultation of draft  
Delivery Plan for  
Equally Safe  
July 2017**

As Scotland's national children's charity, and member of the Equally Safe Justice Expert Group and Children and Young People's subgroup, Children 1st warmly welcome the publication of the draft delivery plan for Equally Safe.

We believe that the work around Equally Safe, including the introduction of the Domestic Abuse Bill, represents a vital step forward in tackling gender-based violence and in recognising the impact of this type of violence on children. Through our work with children and families we see the far reaching impacts of violence against women and girls and the urgent need for prevention, protection and recovery support in this area. We hope this is the beginning of a wider cultural shift, which will be driven by widespread public awareness raising and broad ranging professional training about the dynamics and impact of gender-based violence.

We are fully supportive of the gendered approach taken by Equally Safe, and the clear acknowledgement that violence against women and girls affects children of both genders. Children 1st are pleased to see the broad range of actions identified that have already been taken to support the delivery of the Strategy, especially the publication of the revised version in March 2016 which we feel takes into account the concerns that we raised about the lack of visibility of girls and children in the initial draft.

Children 1st's comments on the draft delivery plan aim to strengthen the implementation of the Strategy and we look forward to working collaboratively with the Scottish Government in order to make real the vision of a Scotland where all individuals are equally safe and protected and their rights are respected.

### **General comments**

Children 1st commend the Scottish Government for putting together a delivery plan with such broad and wide-reaching actions. We think it is important for Scotland to have ambitious actions that are informed by evidence and the views of the women and girls and children with lived experience of violence against women and girls. In line with this, we would welcome further information in the draft delivery plan about the way some of these actions will be delivered. We think it is important that the actions have both time and resources attached to them and that there is the capacity within Scottish Government and the other organisations identified to deliver on the actions.

Although we recognise that details of each individual action will be developed elsewhere, and that there has been a deliberate attempt to keep the draft delivery plan concise, there are a number of actions that are extremely vague. Children 1st believe that it would be helpful to add some further detail to some actions that are currently very broad and unspecific. For example, on Page 13 the action is to "embed the Sustainable Development Goals... in Scotland Performs..." on Page 19: "Consider how learning from the National Trauma Training Framework can be incorporated to better inform the development of services, and identify leadership in the justice system to take this forward" and "Identify and take forward approaches which will strengthen the social work response to domestic abuse." These actions, and others, require further information so that everyone is clear what the Government's intentions are.

Similarly, we think that the actions relating to participation could be stronger on Page 13. The current action: "capture the learning from participation approached to inform future work..." is quite light on detail.

We would also welcome more information about how the Scottish Government will “continue to put human rights right at the heart of our approach to government...” Perhaps it would be helpful to provide links to another document that sets this out? Children 1st would in particular welcome information on how the draft delivery plan will link to the Concluding Observations from the UNCRC and the recent recommendations from the UPR.

Children 1st are also concerned that the draft indicators are extremely vague and light on detail. Many of them are extremely hard to measure, for example “proportion of people who believe rape myths” and require further thought. There are also no indicators relating to the impact of violence against women and girls on children and a lack of focus on prevention and early intervention.

In addition, it is important to reflect within the draft delivery plan the large amount of related ongoing work that the Scottish Government is currently producing or has produced. There is a significant body of work that impacts on violence against women and girls, for example with respect to child poverty and mental health, but the draft delivery plan does not link to any of this work. We also believe that clear links should be made to child protection and to children’s services planning.

### **Prevention and trauma**

Children 1st are concerned that the draft delivery plan does not have enough of a focus on the importance of prevention and early intervention to reduce violence against women and girls. We fully support the gendered approach taken by Equally Safe, and in line with this would welcome further actions that involve men and boys with respect to prevention.

There is a growing body of evidence relating to the impact of trauma and the way in which Adverse Childhood Experiences (ACEs) can impact on later life. We agree with bodies such as Community Justice Scotland and Social Work Scotland that a purely punitive approach to violence against women and girls is not effective. Children 1st are keen to ensure that perpetrators of violence against women and girls are punished and held to account through the Courts, but that further consideration goes into ways in which a cycle of abuse (where an offender comes out of prison and reoffends) can be halted.

A focus on prevention means that the right family support and trauma recovery support, is in place, where appropriate, to build resilience and promote healthy, positive relationships. We also know that some of the younger people whom we work with have had numerous adverse childhood experiences, which can sometimes have an impact on their behaviour. We would welcome further thought as to how the draft delivery plan could incorporate some of this understanding into the actions. We would also welcome more of a focus on the links with Relationships, Sexual Health and Parenthood Education and the importance of teaching children about respect, consent and gender equality.

It would also be helpful to have more information on the work of the stakeholder group developing a holistic approach towards addressing gender stereotypes and norms in schools and education settings. Children 1st considers that it would be important to take a trauma- informed approach to this work.

We also welcome the section on Page 19 which refers to ‘Specialist Services’, which we are aware are vital for survivors of violence against women and girls. However, we also think it is important for the draft delivery plan to take into account the fact that it is not just ‘specialist’ services that will be involved in families experiencing this type of violence- it is vital that universal services are trauma-informed and that systems and processes, such as Court systems, are not re-traumatising.

Children have a right to recovery, as set out in Article 39 of the United Nations Convention on the Rights of the Child—many of the services that the third sector provides are not specialist ‘violence against women and girls services’ but provide family support, prevention, protection and recovery in a number of areas. For example, one in three (30%) of the children, young people and parents or carers whom Children 1st’s local services support are directly affected in some

way by domestic abuse,<sup>1</sup> but that may not be the reason that they are initially referred to our services. The delivery plan must reflect the fact that support must be available to help families who may be experiencing multiple adversities- including poverty, mental health and wellbeing issues, homelessness, etc. in a holistic way, as well as for the type of specialist support services set out in the delivery plan.

We would also welcome further information about the commissioning of a sustainable model of training around gender-based violence.

### **Actions relating specifically to children**

Children 1st warmly welcomes the explicit recognition within the draft delivery plan that the definition of violence against women and girls “includes children of all genders as subject to harm through violence” alongside the recognition of a particular type of violence against girls.

We are supportive of the commitment to ensuring that the “Domestic Abuse Bill effectively acknowledges the impact that domestic abuse can have on children, through the operation of a statutory aggravation to the new offence of domestic abuse.” However, as noted in our written and oral evidence to the Justice Committee, Children 1st believe that it is important that children are recognised as victims in their own right and would prefer a parallel offence in addition to the aggravator.

We are also supportive of the steps identified in the draft delivery plan with respect to children’s voices and experiences of the justice system- but would welcome additional information about the action that states: “ensure that children’s interests are better reflected in the justice system and that their voice is heard.”

Children 1st believe that more radical reform of the treatment of child witnesses is urgently needed to enable children to give their best evidence and ensure they are not re-traumatised by court processes. The delivery plan provides an excellent opportunity to scope and pilot a Scottish approach to uniting the justice and care needs of a child witness based on the learning from the Evidence and Procedure Review and the experiences of developing Barnahus or Child’s House across Europe, encapsulated through the Promise Project which Children 1st and the Scottish Government have been involved in. As such we welcome the action to “consider the application of lessons from various international examples of the ‘Barnahus’ concept for child victims and how these could potentially apply within the Scottish context” but we think there is scope for this to be more ambitious.

We also note that Children 1st are listed as having responsibility for this action, alongside the Scottish Government and would welcome a discussion to clarify what the outcome for this will look like and how we can work collaboratively to ensure that it will be delivered. As such we would also welcome our inclusion on Page 7 as a key partner.

Children 1st are also supportive of NSPCC Scotland’s calls for further thought to be given to why child sexual abuse is missing from Equally Safe. We know that there is often a gendered element to child sexual abuse, and given that it is a type of violence against girls we would like to ensure a robust discussion about the reasons behind this and the ways in which work relating to child sexual abuse can be better linked to the delivery plan.

Finally, given that the vision of Equally Safe is of a Scotland where “**all** individuals are equally safe and protected” and the delivery plan talks about together rejecting “**all** forms of violence” it is important to highlight that there is one area where violence is still accepted within the home which requires urgent reform. Given the ambitious aims of Equally Safe it seems anomalous to Children 1st that there remains a legal defence of “justifiable assault”, whereby children can be assaulted in the home. We welcome the Scottish Government’s assertion that it will consider the results of John Finnie MSP’s consultation on a draft Bill on Equal Protection carefully, and would urge the Government to make a strong and bold stance against violence of any kind by supporting the Bill as it goes forward.

---

<sup>1</sup> Children 1st local summary report 2015-16, research flags overview

For more information please contact Chloe Riddell, Children 1st Policy Manager email: [chloe.riddell@children1st.org.uk](mailto:chloe.riddell@children1st.org.uk) or telephone 0131 446 3986