

## Equality Impact Assessment Record

<b>Name of new / revised Policy:</b>	Joint Protocol on domestic abuse between Police Scotland and COPFS: <i>'In partnership challenging domestic abuse'</i>
<b>Purpose of Policy:</b>	The Protocol sets out the agreed approach to the investigation, reporting and prosecution of domestic abuse in Scotland
<b>Lead EIA Officer:</b>	Policy Staff
<b>Team / Federation:</b>	Policy Division
<b>Email Address:</b>	<a href="mailto:DiversityTeam@copfs.gsi.gov.uk">DiversityTeam@copfs.gsi.gov.uk</a>
<b>Others involved:</b>	The revised protocol has been circulated to a number of others during consultation including COPFS staff, police and stakeholders
<b>Date Assessment Completed:</b>	28/02/2017
<b>Assessment Record Authorised by:</b>	

This new / revised policy was fully assessed for any equality impact based on the General Equality Duty of the Equality Act (2010).

### Summary of research and consultation carried out:

In addition to carrying out extensive consultation within COPFS and Police Scotland, we have consulted with the following organisations in revising the Protocol: carried out research by contacting the following organisations:

- ASSIST
- Rape Crisis Scotland
- Scottish Women's Aid
- Children 1<sup>st</sup>
- SHAKTI Women's Aid
- Amina
- Roshni
- EDDACS (domestic abuse advocacy service working in Edinburgh)
- DASAT (domestic abuse advocacy service working in West Lothian)
- Victim Support Scotland
- Hemat Gryffe
- LGBT Youth
- RESPECT
- DAAS (domestic abuse advocacy service working in the Borders)

- Abused Men In Scotland (AMIS)
- SACRO
- SafeLives
- ZeroTolerance

**Key issues identified: -  
(Note here if you conclude there are no equality issues relating to  
the new / revised policy)**

**Disability:**

We acknowledge that some people with disabilities are at risk of and do experience domestic abuse. The Protocol acknowledges that disabled people may have special requirements and support may be required according to individual circumstances.

**Race and ethnicity:**

Race and ethnicity was identified as being a relevant consideration for the Protocol. It is recognised that domestic abuse in certain ethnic minority communities may be complex and victims may face additional barriers to reporting.

**Religion and Belief:**

We recognised that there are limitations in the scope of the Protocol in relation to elements of 'Honour' based abuse or forced marriages, which may sometimes but not always fall within the ambit of the definition of domestic abuse.

**Sex:**

Sex is a primary consideration in this policy. It is well documented that women are considerably more likely to be victims of domestic abuse than men. The Domestic Abuse Recorded by the Police 2015/16 publication notes that where gender information was recorded, 79% of all incidents of domestic abuse had a female victim and a male accused. Improvements made to the Protocol has the potential to advance equality by providing in improved response to victims of domestic abuse whom available evidence suggests are disproportionately likely to be female

However the Protocol does not discriminate and specifically acknowledges that by men can also be victims of domestic abuse by women and parties in same-sex relationships can also experience and perpetrate domestic abuse. It is acknowledged that domestic abuse is chronically under-reported and there can be barriers for both sexes in reporting.

**Gender Reassignment:**

The Protocol specifically acknowledges that transgender and intersex individuals can be victims of domestic abuse. We consulted with stakeholders to ensure that the Protocol was inclusive and used appropriate terminology.

**Sexual Orientation:**

We are explicit in the policy that we acknowledge that domestic abuse may take place within both heterosexual and same sex relationships.

**Age:**

Domestic abuse can affect people of all ages and the protocol recognises that we must take into account the needs of victims by recognising the diversity of age of victims affected by domestic abuse.

**Marriage and Civil Partnership:**

We consider that this is a relevant protected characteristic to this policy. In our definition of domestic abuse we state that “the relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. ....”

**Changes made to new / revised Policy**

The protocol recognises that diversity of culture, insecure immigration status, religion, ethnicity, age, sexual orientation, gender, transgender identity or disability can present particular hurdles to the reporting of instances of domestic abuse.

The changes made to the Protocol will offer meaningful improvements to the way cases involving domestic abuse are investigated, reported and prosecuted which will benefit **all** victims of domestic abuse.

The Protocol commits prosecutors to treating all victims including those who identify with protected characteristics in a fair, sensitive and ethical manner. We will ensure there is consistency in our approach whilst taking into account the needs of individuals. We will meet the needs of the communities we serve by recognising the diversity of culture, religion, ethnicity, age, gender, transgender identity and sexual orientation that comprise our society. We will consider any special requirements that vulnerable or disabled people may have.

We consider that the Protocol does not discriminate on the basis of the protected characteristics namely age, maternity and pregnancy, marriage and civil partnership, gender reassignment, race, disability, religion and belief, sex or sexual orientation. We consider that the revised Protocol will help to advance equality by providing greater protection to victims of domestic abuse whom available evidence suggests are disproportionately likely to be female.

**Review Process for Policy**

Once the Protocol is published it will be subject of ongoing review. A feedback process will be agreed with the police to ensure that concerns or comments as to implementation of the Protocol are carefully considered.

**SEND THIS COMPLETED FORM TO [DiversityTeam@copfs.gsi.gov.uk](mailto:DiversityTeam@copfs.gsi.gov.uk)**

For further information about this impact assessment,  
please contact: Equality Team, Policy Division, Crown  
Office, 25 Chambers Street, Edinburgh, EH1 1LA

Alternatively send an email to [DiversityTeam@copfs.gsi.gov.uk](mailto:DiversityTeam@copfs.gsi.gov.uk).

Assessment records can be made available in alternative  
formats  
or languages on request.