



City of Edinburgh Council Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details

Please list ERIA background details:

ERIA Title and Summary Description: Edinburgh's Multiagency Domestic Abuse Policy

Service Area	Division	Head of Service	Service Area Reference No.
Edinburgh's Multiagency Domestic Abuse Policy	All divisions	Michelle Miller	

(b) What is being impact assessed?

Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
This assessment relates to Edinburgh's Multiagency Domestic Abuse Policy.	24 Sept 2014
This policy statement is adopted by the Edinburgh Partnership and all the national and local agencies that work in Edinburgh to tackle domestic abuse and wider forms of gender based violence. It highlights domestic abuse as a priority in all areas of public protection, and sets out the key shared principles of effective intervention, with which all agencies' operations and procedures will be consistent. It will inform the development of the Edinburgh Violence Against Women Partnership domestic abuse action plan, which will be aligned with both the local and national Violence Against Women Strategies, currently being developed by the Scottish Government Equalities Unit and the Edinburgh Violence Against Women Partnership respectively.	

(c) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
Anna Mitchell	Domestic Abuse Lead Officer
Shenaz Bahadur	Equalities Lead Officer - H&SC The City of Edinburgh Council Edinburgh Division Police Scotland

Name	Organisation / Service Area
	NHS Lothian Edinburgh Women's Aid Edinburgh Women's Rape and Sexual Abuse Centre Shakti Women's Aid Couple Counselling Lothian Streetwork Zero Tolerance Saheliya Victim Support Scotland

Part 2: Evidence and Impact Assessment

(a) Evidence Base

Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at [part 3a](#). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
<p>Adult Support and Protection (Scotland) Act 2007</p> <p>Children (Scotland) Act 1995</p> <p>Children’s Hearing (Scotland) Act 2011</p> <p>Domestic Abuse (Scotland) Act 2011</p> <p>Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011</p> <p>Protection from Abuse (Scotland) Act 2001</p> <p>Prohibition of Female Genital Mutilation (Scotland) Act 2005</p>	
<p>Safer Lives: Changed Lives: A Shared Approach to Tackling Violence Against Women in Scotland (The Scottish Government 2009)</p> <p>National Guidance for Child Protection in Scotland (The Scottish Government 2010)</p> <p>A Partnership Approach to Tackling Violence Against Women in Scotland (COSLA / The Scottish Government 2009)</p> <p>No excuse! Violence against women (partnership strategy 2008-2013; to be reviewed in 2013)</p> <p>National Domestic Abuse Delivery Plan for Children and Young People (The Scottish Government 2008)</p> <p>Getting It Right For Every Child agenda</p> <p>National Strategy for Survivors of Child Sexual Abuse (Scottish Executive, 2005)</p> <p>A place of greater safety (Co-ordinated action against domestic abuse CAADA 2012)</p> <p>Beyond Violence: Breaking cycles of domestic abuse (The Centre for Social Justice, 2012)</p> <p>Literature Review: Better Outcomes for Children and Young People Experiencing Domestic Abuse – Directions for Good Practice (Scottish Government, 2008)</p>	

Evidence	Abbreviation
Help for male victims of domestic abuse – Men’s Advice Line website	

(b) Rights Impact Assessment – Summary

Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

- Life
- Health
- Physical security
- Legal security
- Education and learning
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Identity, expression and respect
- Participation, influence and voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Summary of Enhancements of Rights
<p>Right to life - by coordinating services victims are likely to be better protected from high risk domestic abuse, which could result in loss of life.</p> <p>Right to health - NHS Lothian has been involved in the development of the policy and will inform the health service response. This includes the impact of domestic abuse on mental as well as physical health. It aligns with domestic abuse routine enquiry in health settings.</p> <p>Right to physical security - ensuring that victims are safe within their own home, as well as their community and workplace, underpins effective joint working in relation to domestic abuse.</p> <p>Rights to legal security - many of the agencies involved in developing the policy are able to provide legal advice in relation to domestic abuse. By improving the gathering and sharing of information, universal services would be better able to support the legal processes.</p> <p>Rights to education and learning - the policy educates service users and professionals on the impact of domestic abuse. Effective intervention with parents will support children's access to education and reduce the negative impact that domestic abuse has on school performance.</p> <p>Rights to standard of living - many of the agencies involved in developing the policy provide housing support and refuge. By managing the risk from perpetrators victims will be more likely to stay safely within the home of their choosing.</p>

Right to individual family and social life - by improving the response to domestic abuse, agencies will be better able to support victims to ensure they can be involved in social life, family and community. By managing the risk from perpetrators victims and their families will be more likely to be able to stay in their existing community.

Right to identity, expression and self-respect - much of domestic abuse can corrode the victim's self-respect and identity. By better supporting victims we can re-build self esteem and self-expression.

Summary of Infringement of Rights

Can these infringements be justified? Are they proportional?

No explicit infringements of rights identified.

(c) Equality Impact Assessment – Summary

Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

- Age
- Disability
- Gender identity
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion / belief
- Sex
- Sexual orientation

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

There is no presumption in the policy that domestic abuse only happens to women; is perpetrated by men; and occurs within heterosexual relationships. The policy applies to all types of relationships and genders, however, it does identify domestic abuse as a form of gender based violence.

Domestic abuse can be understood within the wider context of gender-based violence, which is defined as violence directed against a person on the basis of their gender. It is men who predominantly carry out such violence, and women who are predominantly the victims. For example, women and girls are predominantly the victims of domestic abuse, rape and sexual assault, female genital mutilation, forced marriage and sexual harassment. Referring to violence as 'gender-based' highlights the need to understand violence within the context of women's and girls' disadvantaged status in society. Such violence cannot be understood in isolation from the norms, social structure and gender roles within the community, which greatly influence women's vulnerability to violence.

Defining abuse as 'gender-based' means that interventions with victims and perpetrators need to be based on an understanding of what it means to be a man or woman within any given societal context. For example, men who abuse may justify their behaviour with reference to societal expectations of how women, and indeed men, should behave.

Domestic abuse can also be perpetrated against men; it can involve transsexual people and can occur within same sex relationships. Male victims of domestic abuse may find it difficult to report abuse because of gendered notions in society and in the services they approach, relating to masculinity and help-seeking. There is a working group to develop an action plan to ensure that services meet the needs of LGBT and male victims.

Someone's experience of domestic abuse can also intersect in complex ways with other protected characteristics like age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It is important that any interventions with perpetrators or victims are sensitive to all parts of that person's life, on which the abuse may impact. The guiding principles for intervention outlined in this document can be applied to all the different contexts in which domestic abuse can occur. This policy will help to address the negative impacts on the identified groups through making staff more aware of their needs.

The impact on children and young people affected by domestic abuse can be life long. The domestic abuse policy applies to organisation who can support them and help them to rebuild and maintain relationships with family, friends and communities.

The lead officer for domestic abuse will map all work and positive initiatives in relation to domestic abuse that exist, help to identify gaps in provision and policies, and begin a process of better integration and service design.

The policy supports the development of multi-agency risk assessment conferences for victims of domestic abuse who are at high risk of further harm or abuse.

See part 2 Evidence section.

Negative Impacts

Equality Impact Assessment suggests that the policy will impact positively on groups with protected characteristics.

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

The policy supports the development of the domestic abuse action plan. This includes a domestic abuse awareness raising campaign and an honour based violence awareness raising campaign. There is also potential to create more opportunities for children, young people, adults and other protected characters to benefit and to minimise disadvantages for these groups.

See part 2 Evidence section.

Negative Impacts

Equality Impact Assessment suggests that the domestic abuse policy will impact positively on groups from protected characteristics.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

The guiding principles outlined in this document are based on best practice and recent research. The draft policy has been developed in consultation with the City of Edinburgh Council, NHS Lothian, Police Scotland and voluntary sector partners. It was circulated widely among staff in all agencies and responses have been reviewed and incorporated where appropriate into the current document. Initial consultation was sent to the following groups, and was further circulated by group members:

- The Edinburgh Violence Against Women Partnership
- The Edinburgh Child Protection Committee
- The Edinburgh Adult Protection Committee
- The Edinburgh Drug and Alcohol Partnership
- The Edinburgh Offender Management Committee
- Children's Practice Team Managers
- Community Safety Managers
- Housing Managers
- Total Neighbourhood Summit attendees
- EVOC website
- Edinburgh Local Practitioners' Forum

By agreeing a shared understanding of the issues, progress can be made towards a consistent and better integrated approach. The basis for the policy is that a key prerequisite of success is commitment to a shared vision and united, sustained and effective action across a wide range of agencies and disciplines, based on an agreed set of shared principles and in pursuit of shared common objectives.

See part 2 Evidence section.

Negative Impacts

Equality Impact Assessment suggests that the domestic abuse policy will impact positively on groups from protected characteristics.

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
The quality of data about domestic abuse in Edinburgh has gaps.	The violence against women partnership is carrying out a strategic assessment to identify the gaps.

(b) Recommendations

Please record SMART recommendations to

- (i) eliminate unlawful practice or infringements of absolute rights;
- (ii) justify identified infringements of rights; or
- (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name)	Timescale
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<p>To advance the violence against women partnership action plan. Outcomes were agreed in June 2014 and were later amended to reflect the Scottish Government's national strategy to eradicate violence against women and girls, Equally Safe. It reflects on current work and plans for future work.</p> <p>Outcome A Interventions are early and effective, preventing violence and promoting women's safety and wellbeing</p> <p>Outcome B Men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response</p> <p>Outcome C Scottish society embraces equality and mutual respect, and rejects all forms of violence against women and girls</p> <p>Outcome D Women and girls thrive as equal citizens: socially, culturally, economically and politically</p> <p>To advance the performance the framework which outlines the statistics that are being collated in relation to violence against women.</p>	<p>The Violence Against Women Partnership</p>	<p>2014-2018</p>

(c) Sign Off

I, the undersigned, am content that:

- (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base;
- (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights;
- (iii) the ERIA recommendations are proportionate and will be delivered;
- (iv) the results of the ERIA process have informed officer or member decision making;
- (v) that the record of ERIA has been published on the Council's website / intranet, or
- (vi) that the ERIA record has been reviewed and re-published.

<p>Date</p>	<p>Sign Off (print name and position)</p>	<p>Reason for Sign Off (please indicate which</p>
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		reason/s from list (i) to (vi) above)
10/12/2014	Michelle Miller - Chief Social Work Officer	(i) (ii) (iii)