

**'By women for women'**

**Why we need single-sex violence against women services in Scotland**

**A research and policy briefing**

by

Dr Anni Donaldson<sup>1</sup>

***Introduction***

This paper explores the origins of single-sex specialist violence against women (VAW) services 'by and for women', argues for their retention as an essential element in Scotland's strategic response to VAW prevention and demonstrates that such provision is vital to upholding women's sex-based human rights and eliminating their long-standing structural inequality in the twenty-first century.

***An ecological approach***

The ecological approach taken in this paper helps reconcile the complex interaction of family, community and social factors, culture and State which influence individual development, behaviour and violence causation. Examining violence against women (VAW) within this holistic frame, has proved valuable in contextualising both individual experiences and social responses in ways which can identify areas of risk, help to target resources and prevention strategies (Dutton 1950; Bronfenbrenner 1992; Edelson & Tolman 1992; Heise 1998).

***Violence against women in context***

Since the 1970s, feminist research into violence against women has looked beyond individual pathology and scrutinised men's violence in its wider social ecology and historical

---

<sup>1</sup> I am so grateful to my two expert reviewers, Ann Hayne and Isabelle Kerr, for giving me their valuable time, considerable expertise and knowledge so willingly to help me prepare this briefing for publication. Thank you both so much.

context. Definitions of violence derived directly from women's lived experience were developed, reconceptualised as gendered phenomena and reframed within a matrix of embedded public and private social controls which maintained women's historic social subordination as a sex class (Hanmer, 1978, 1996; Dobash & Dobash 1979; Donaldson 2019). In the twenty-first century, VAW has been described as a 'concrete manifestation of inequality between the sexes' (Garcia-Moreno et al. 2005: 1282) which presents a significant impediment to women's equality. The term 'sex' will be used in this paper to refer to the anatomical and biological distinctions between men and women's bodies whereas gender will be used in relation to social roles, norms, expectations, behaviours and ideas focussed on what constitutes femininity and masculinity.<sup>2</sup> Historically, it was customary to regard gender roles as both fixed and binary and linked to the male and female sexes.

The Scottish Government defines violence against women as

*...actions which harm or cause suffering or indignity to women and children, where those carrying out the actions are mainly men and where women and children are predominantly the victims. The different forms of VAW – including emotional, psychological, sexual and physical abuse, coercion and constraints – are interlinked. They have their roots in gender inequality and are therefore understood as gender-based...Such violence cannot be understood, therefore, in isolation from the norms, social structure and gender roles within the community, which greatly influence women's vulnerability to violence (Scottish Government 2016).*

It also recognises that many women may experience more than one form and that the negative and cumulative impact can be psychologically traumatic and reach beyond the home, across social space, and throughout the lifespan (Scottish Government, 2009). Levels of VAW in Scotland remain comparable to those of the rest of the UK due to the wider framework of inequality in which gender norms and sex-based inequalities persist

---

<sup>2</sup> [https://www.who.int/health-topics/gender#tab=tab\\_1](https://www.who.int/health-topics/gender#tab=tab_1)

across all of our social, cultural, economic and political domains (Engender, 2020). During 2019-2020, Police Scotland recorded 62,907 reported incidents of domestic abuse with the majority (82%) having a male perpetrator and female victim. In 2018-19, there were 13,547 recorded reports of sexual crimes including sexual assault and rape/attempted rape with the majority of victims female (Scottish Government, 2019). In 2018, the Scottish Government estimated the annual financial cost of domestic abuse to be £1.6 billion with a further £4 billion spent annually on responding to violence against women and girls (Scottish Government 2018). During the financial year 2021-2022, the Scottish Government invested £18m through its *Equally Safe* strategy in central funding for specialist domestic abuse and rape crisis services, national helplines, GBV prevention, research, and reforming the justice system. <sup>3</sup>

### ***Violence Against Women Policy in Scotland***

The changing gender landscape in the political life of Scotland since devolution in 1998 has been credited with achieving a new emphasis on the mainstreaming of equality and in the development of national policies on domestic abuse and VAW (Breitenbach and Mackay, 2001; Mackay, 2010). The role of feminist campaigning and service providers such as the national networks of Women's Aid refuges and Rape Crisis centres have also had a significant impact on the development of VAW policy in Scotland through closer access to the policy makers and the development of successful lobbying strategies by their national umbrella organisations. Consistent and careful management of the tension between crime prevention focused strategies, survivor-informed approaches, and clearly linked strategies to reduce structural gender inequality have resulted in a gendered policy framework being adopted in Scotland.

The Scottish Government's statutory obligations in relation to gender equality derive from the UK Human Rights Act 1998, the Equality Act 2010, the Public Sector Equality Duty 2011, the Fairer Scotland Duty (Scott(GED) 2007 (Engender, 2014). The GED is regarded as a key tool for mainstreaming a gender perspective into policy, practice, reporting and accountability. Through its policy and funding frameworks, the Scottish

---

<sup>3</sup> <https://www.gov.scot/news/tackling-gender-based-violence/>

Government aims to achieve gender equality between women and men and to address deep-rooted structural inequalities which prevent women and girls thriving as equal citizens. In *Equally Safe*, the Scottish Government and the Scottish Convention of Local Authorities (COSLA), together with the First Minister's Advisory Council on women and girls<sup>4</sup> provide a clear policy framework on VAW&G. This incorporates the United Nation's gendered definition of VAW,<sup>5</sup> supports the ratification of the Istanbul Convention, utilises a human rights approach, and a gendered analysis of abuse which emphasises the inter-play between gendered power relations and social inequalities (Scottish Government, 2020). By conceptualising VAW as 'gendered' and asymmetrical – where women comprise the majority of victims and men the majority of perpetrators - and both a cause and consequence of gender inequality, the Scottish Government recognises the need to understand violence within the wider context of women's and girl's structural inequality as a sex class, and in their vulnerability to violence (Scottish Government, 2016: 10). Since the publication of *Safer Lives Changed Lives*, the Scottish Government's first comprehensive strategy for tackling VAW published in 2009 and its replacement by *Equally Safe's* a clear, gendered analysis has institutionalised a national approach which has been recognised as progressive ( Scottish Government 2009; Scottish Government 2014; Scottish Government 2016; Coy et al 2009). The approach stresses partnership working and outlines medium and long-term goals for achieving gender equality through primary, secondary and tertiary VAW prevention emphasising trauma-informed support for victims-survivors and a robust criminal justice response to perpetrators.

### ***Violence against women and risk***

The World Health Organization's definition of violence identifies three categories - self-inflicted, interpersonal and collective - which are further subdivided to reflect the different settings where violence occurs, the types and nature of violence in those categories and also the variety of outcomes for individuals, communities and societies (Krug et al 2002). The development of violence risk assessment has become more

---

<sup>4</sup> <https://onescotland.org/equality-themes/advisory-council-women-girls/>

<sup>5</sup> <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/types-of-violence>

widespread since the 1990s particularly in North America where the main aim of criminal justice interventions with offenders has been to increase community safety. Whilst identifying a single cause of violence is problematic, the identification of risk factors and the use of risk assessment with domestic abuse has become more widespread and increasingly accurate in predicting violent recidivism among domestic abuse offenders (Kropp et al 1995; Robinson & Rowlands 2009; SafeLives 2020).

Although many risk factors are specific to domestic abuse, many are the same as and frequently co-occur with those for violence in general such as alcohol and drug abuse, use of weapons, poverty and social inequality (Dutton & Kropp 2000; Hanson 2005; Krug et al 2002; Chibucos et al 2005). The Scottish Government acknowledges the relationship of VAW to the wider social ecology of Scotland's social, economic, political and cultural context. It is the purpose of what follows to re-emphasise the wider benefits to Scottish society of early intervention and protection strategies to the long-term prevention of violence against women and the role of single-sex specialist VAW services for women in those endeavours.

### ***The personal and social impact of VAW***

Whilst the perpetration of different forms of VAW can be better understood within an ecological model, the impact of violence on women, children and young people and the design of social and community interventions can benefit from a similar approach. Stark describes violence against women as a 'gender technology' comprising violence, intimidation, surveillance, shaming and isolation (Stark 2007). Men's violence against women has also been defined as a 'continuum of sexual violence' perpetrated by individuals and groups, in public and in private which can affect women at any age (Kelly 1987). Current crime statistics and data from Police Scotland indicate that both these descriptors continue to be relevant today (Scottish Government 2021b; Scottish Government 2021c).

Experiences of domestic and sexual violence can have a profound and detrimental impact on the mental and physical health of women, on their mothering, personal and social relationships, on their children's development, socialising and future attainment.

(Gerlock 1999; Campbell 2002; see also Herman 1997; McGee 2000; Mullender et al 2002; Donaldson 2005). NHS Education for Scotland (NES) identifies domestic abuse and other forms of VAW as common and key causes of 'complex trauma' (NHS Education Scotland 2017). In Scotland and worldwide, domestic abuse is regarded as a serious public health issue with implications for health services (WHO 1997; Scottish Needs Assessment Programme 1997, British Medical Association 1998; Kramer et al, 2004; Scottish Government 2008; Public Health Scotland 2020). This has proved to be particularly acute during the Covid-19 pandemic (Pedersen et al 2021).

Stark defined domestic abuse as a 'liberty crime' in his analysis of its wider impact on women's lives. He suggests that while legislative change has resulted in formal and legal equality in the US for women, this is not reflected in the private lives of women living with abusive partners who are unable to exercise their freedom as citizens in modern society. Coercive control thus operates at the intersection between women's equal rights as citizens and their partners' unwillingness to accept that women have such liberty (Stark 2007). Coercive control is now recognised as a criminal offence in Scotland.<sup>6</sup>

Research indicates that sexual and violent victimization can also play a part in the onset and persistence of offending by women. Women offenders also frequently have a history of unmet needs in relation to education, training and employment. The Scottish Prison Service Women in Custody prison survey in 2017 found that,

Six in ten women reported having four or more Adverse Childhood Experiences (ACEs). Those include: emotional, physical and sexual abuse; neglect, emotional, physical and household adversity: domestic violence, household substance misuse, household mental ill health, criminality and separation.

(Prison Reform Trust 2017: 3)

Researchers at Glasgow University found that 89% of women prisoners in Scotland with a head injury cited repeated domestic abuse as the cause (Guardian 2021).

---

<sup>6</sup> <https://www.legislation.gov.uk/asp/2018/5/contents/enacted>

All forms of violence against women – including emotional, psychological, sexual and physical abuse, coercion and constraints – are interlinked and have their roots in women’s inequality. The Scottish Government acknowledges that its strategies to achieve gender equality, prevent violence against women and girls and the provision of specialist services for those affected, are closely linked,

We need to eliminate the systemic gender inequality that lies at the root of violence against women and girls, and we need to be bold in how we do that through prioritising a relentless focus on prevention. At the same time, we need to make the best use of resources and drive continuous improvement in ensuring that women and girls at risk of and experiencing violence and abuse receive joined up, effective mainstream and specialist service provision across Scotland (Scottish Government 2016).

### ***Why early intervention is essential to long-term VAW prevention***

Reducing the risk from the perpetrator and increasing the safety of survivors of all forms of male violence against women have been acknowledged as key principles in effective VAW early intervention and prevention strategies. Coordinated, community-based, inter-agency prevention approaches incorporating an integrated service framework based upon prioritising the safety and protection of victims-survivors and on intervention work with perpetrators have proved effective in the US and the UK (Shepherd and Pence 1999; Humphreys et al 2008; Robinson 2006). Such immediate, effective first responses are acknowledged to be vital in supporting healing, aiding recovery, facilitating access to justice and community resources and in helping women rebuild their lives (Herman 1994; Donaldson 2013).

Herman recommends a three-stage model for interventions for trauma survivors to increase the safety and support the recovery of women and children who have experienced all forms of domestic and sexual violence - including at the earliest stage of crisis or in an emergency. As a model of good practice, the trauma-informed approach, in the form of Scotland’s national trauma training framework is being integrated into the provision of

specialist support services to trauma victims including women recovering from the impact of all forms of VAW.<sup>7</sup>

Scottish law and policy makers concerned with tackling both violence against women and women's inequality through multi-agency approaches should also be aware of the links to national efforts in other policy areas including: violence reduction, child protection, social exclusion, poverty, inequality, homelessness, health and well being, suicide prevention, community safety, drug and alcohol abuse, crime and anti-social behaviour. Male violence against women, in its private and public forms affects women's health, safety and wellbeing throughout the life course, and has a significant impact on their families, on local communities, on local services. Opportunities for early intervention in individual women's lives for the purposes of creating safety, supporting recovery, providing support and access to resources are vital to Scotland's long-term goal of preventing and eventually eliminating VAW.

### ***Why do we need specialist single-sex VAW services 'by and for' women?***

Domestic abuse, rape and sexual assault are generally acknowledged to be among the most under-reported of all crimes with domestic abuse estimated as having one of the highest hidden figures of any crime in the UK (Mooney 2000: 24). Campaigning work by the women's movement in the US, UK and Europe since the 1960s succeeded in raising awareness of all forms of violence against women. The Women's Aid and Rape Crisis networks in Scotland and the UK have long advocated for the need to provide and maintain specialist, independent support and accommodation services run by women for women, children and young people and to engage in structural advocacy to bring about changes to the legal, policy and social structures which maintain women's unequal status.

The concept of women-only spaces where women could discuss their private lives and experiences and find support, developed from the consciousness raising (CR) groups of the women's liberation movement in the 1960s and 1970s. 'The domestic setting of CR groups opened the doors not only to each other's past experiences but also to their present

---

<sup>7</sup> <https://www.nes.scot.nhs.uk/our-work/trauma-national-trauma-training-programme/>

lives' (Browne 2014:53). Common themes from women's personal experiences emerged, were discussed and their conclusions informed the early developments in both feminist theory and activism. These opportunities for women to share their personal accounts of experiences of domestic abuse and sexual violence were particularly important in the problematizing of VAW. The groups provided a mechanism and a quasi-domestic setting for the safe transmission of private experiences into public discourse. They were particularly effective in providing evidence to inform campaigns against domestic abuse and sexual violence including the development of specialist support services for women. For the women themselves, the unique private/public setting of the CR groups, often held in women's homes, provided a safe environment for the disclosure of details of their private lives and relationships and an opportunity for others to bear witness to those experiences.

The Women's Aid refuge and Rape Crisis networks which expanded significantly in Scotland during the 1970s and 1980s, were founded on the principle of services provided by women, for women in women-only spaces. This practice grew from what was learned from those early women-only settings. Historically, the notion of separate spheres is used to describe the division, within patriarchal society, whereby women and men occupy the private and public spheres respectively and which limited women's access to public spaces and resources. Even at the end of the twentieth century, criminal justice, social welfare and wider public responses to domestic and sexual violence in Scotland remained largely hostile to women seeking safety, support or justice (Donaldson 2019).

The failure of other political systems to take account of the realities experienced by women, pushed many towards the wholly feminist agenda underpinning the Rape Crisis movement (Rape Crisis Scotland 2009:10).

Women's fear of approaching services was apparent to those establishing local WA refuges and Rape Crisis centres during this period. Many were themselves victims-survivors of domestic and sexual violence and this provided a foundation of shared experience and solidarity among workers and women seeking accommodation and support, safe and free from male violence. As this previously unmet need for female-only services for women experiencing domestic and sexual violence and abuse became acknowledged as good

practice in the growth of these services, the demand grew and the services expanded in response.

The solidarity of women is crucial to the formation, development and day-to-day running of Women's Aid in Scotland. Early on in the movement, 'women helping women helping women' became a motto, and women working together has remained a central tenet to the work Women's Aid continues to do today (Scottish Women's Aid 2018: 25)

The need for specialist VAW services, provided for women by women, has been clearly identified in research carried out in Scotland, the UK and internationally over the last two decades. One survey of UK VAW services showed that 'specialised support services, particularly services designed for women by women, are vital to assure their immediate safety, access to justice and ability to move on with their lives.' The authors recommended that finance for the sector be included in the Scottish Government's Concordat with Scottish local authorities as failure to do so could result in a breach of their legal obligations under the Gender Equality Duty and of the European Human Rights Act (Coy et al 2009).

In Scotland and the UK, initial access to specialist support and information services provided by women for women, was been identified as critical. There is also strong evidence that this provision enables women to go on to report their experience to the police, to establish and continue their engagement in the criminal justice system, reduce attrition rates and to recover from the impact of their experiences (McLaughlin 2009; McLaughlin 2010; Robinson 2006). A study carried out for the Stern Review into the handling of rape complaints in England and Wales (Stern 2010) identified the key elements of good practice which led to the best outcomes for women reporting rape and sexual assaults – this included access to specialist women-only services provided by women for women. This study also found that specialist sexual violence services and rape crisis centres in particular were the most helpful and scored the highest levels of satisfaction among service users (Brown et al 2009). Research mapping VAW service provision across the UK found that women clearly valued women-only services and that in some cases 'specialized services had literally saved their lives' (Coy, Kelly, Foord & Bowstead 2011).

Other studies show women's reasons for preferring specialist single-sex VAW services offered 'by and for' women. These include: feeling safe and secure in women-only settings; experiencing greater empathy from women workers and volunteers; peer support and solidarity with other women in similar situations; increased feelings of self-confidence; the ability to speak more freely about other issues affecting their lives including, pregnancy and childbirth, raising children, intimate relationships and menopause. They also felt that using a service which was not women-only would prevent them sharing feelings and discussing difficult issues, particularly those related to their experiences of male violence and abuse (Hirst & Rinne 2012; see also Ingala-Smith 2020). Faith and religious reasons were also significant barriers to mixed-sex services for women from different faith or ethnic communities as was a lack of cultural competence. In her work with women victims-survivors. Ingala-Smith also found that women-only spaces offered

...not only a space away from the specific man that women are escaping or who has violated them but away from men in general; away from men's control and demands for attention; away from men taking physical and mental space; away from the male gaze and men's constant appraisal of women, away from men's expectations to be cared for (Ingala-Smith 2020).

Research with women victims-survivors in rape cases in the US showed that access to specialist women-only rape crisis advocates increased women's willingness to engage with police, the legal process and to access other services. Specialist services can also help reduce women's distress and prevent 'secondary victimisation' whereby their feelings of powerlessness during the abuse or sexual assault are replicated by agencies' responses and by other service-generated risks (Campbell et al 2001). In 2020, Women's Aid Federation of England found that,

Women-only spaces provide a physically and emotionally safe environment that is vital to survivors' recovery and empowerment after experiencing domestic and sexual violence and other forms of violence against women and Girls (WAFE 2020).

The range of specialist VAW services in Scotland has grown significantly since 2000 following the launch of the National Strategy on Domestic Abuse in that year (Scottish Executive 2000) and the creation of a dedicated funding stream. The subsequent broadening of the strategic approach to encompass all forms of violence against women in 2004 (Scottish Government 2004) and the national approach outlined in Equally Safe in 2014 and subsequent iterations (Scottish Government 2016) has been accompanied by significant growth in funding to the sector. In their key text on coordinating community responses to domestic violence written in the 1990s, Shepard and Pence regarded Specialist single-sex VAW services as key components of local integrated responses. In Scotland, the services provided by Rape Crisis and Women's Aid were identified as crucial to the effectiveness of coordinated multi-agency responses aimed at early intervention and VAW prevention strategies in Scotland (Shepard and Pence 1999; Brown et al 2009; Scottish Government 2010a; Scottish Government 2010b). The specialist single-sex VAW service model was then embedded in the progression to implementing Equally Safe through the Equally Safe Delivery Plan (Scottish Government 2017). This includes for example IDAA (Independent Domestic Abuse Advocate) services supporting the MARAC (Multi-agency risk Assessment Conferences) process and Rape Crisis centres being recommended as the support route by the Scottish Government Taskforce on rape and sexual assault. These developments reflect the Scottish Government's recognition of the gendered nature of VAW alongside its duty to comply with the Equality Act in relation to single-sex service provision for women. By ensuring the particular needs of women experiencing domestic and sexual violence are met in a single-sex service environment, their rights are thus protected under the provisions of the Equality Act 2010.

### ***Single-sex VAW service provision for women and the Equality Act 2010***

The right of single-sex VAW services to offer such provision and remain in compliance with the provisions of the Equality Act 2010 has been the focus of recent debates. Key challenges in the debate centre on the claim that 'transwomen are women', and are therefore entitled to access services designed for women, and that to do otherwise is discriminatory and transphobic. However, this stance ignores the protected characteristic of 'sex', conflates and combines the term 'gender reassignment', with the

terms gender and 'gender identity' and assumes, that, combined, these constitute a protected characteristic under the Equality Act. A debate also arose during the passage of the Forensic and Medical Services Bill in Scotland in 2020 over whether victims of rape and sexual assault were entitled to be examined by an examiner of their chosen 'sex' rather than chosen 'gender'. An amendment to replace the word 'gender' with 'sex' in the legislation was approved following a vigorous parliamentary debate. Finally, the proposal to allow people to self-identify their sex regardless of what is on their birth certificate in the upcoming Scottish census 2022 was the subject of a failed challenge by Fair Play for Women in the Inner Court of Session in February 2022.<sup>8</sup> Following their successful challenge to the Office of National Statistics' similar proposal for the English census in 2021, they argued that,

Sex is a significant factor in almost every dimension of social life: education, the labour market, political attitudes and behaviour, religion, crime, physical health, mental health, cultural tastes and consumption – the list goes on. It is difficult to think of an area of life where sex is not an important dimension for analysis. A lack of sex-disaggregated data often leads to the needs of women and girls being ignored.<sup>9</sup>

The issue of how the Scottish Government defines 'woman' in policy and law and the data it collects about the category of 'sex' is central to these debates about single-sex provision and women's equality. Clarity was provided by the ruling on a judicial review sought by *For Women Scotland*, on whether the Scottish Government's definition of 'woman' in the Gender Representation on Public Boards (Scotland) Act 2018 complied with the provisions of the Equality Act 2010. The 2018 Act was designed 'to improve the representation of women on public bodies in Scotland which was the purpose of the 2018 Act, which sought to increase the representation of women on Scottish public boards to the level of 50%.' The ruling clarified the legal meaning of the protected characteristics of 'sex' and 'gender reassignment' and found in favour of *For Women Scotland* as follows:

---

<sup>8</sup> <https://fairplayforwomen.com/our-statement-on-the-decision-made-by-the-inner-court-of-session-in-scotland/>

<sup>9</sup> <https://fairplayforwomen.com/data-on-sex-is-important-so-it-needs-to-be-accurate/>

It is important to recognise one aspect of the 2010 Act which cannot be modified, namely the definition of “protected characteristic”, which for the purpose of any exceptions has the same meaning as in the Equality Act 2010.

Thus an exception which allows the Scottish Parliament to take steps relating to the inclusion of women, as having a protected characteristic of sex, is limited to allowing provision to be made in respect of a “female of any age”.

By incorporating those transsexuals living as women into the definition of woman the 2018 Act conflates and confuses two separate and distinct protected characteristics (Court of Session 2022).

The ruling is also relevant to the debate about whether transwomen have a right under the Equality Act 2010 to access single-sex VAW services for women. The ruling clarified that,

Provisions in favour of women, in this context, by definition exclude those who are biologically male.

The Equality Act places a requirement on providers to consider services in this context on a ‘case by case’ basis and based on the needs of women and girls viz,

Providers should only consider the needs and rights of women and girls in determining whether a form of provision for women and girls should be offered on a female-only basis.

In addition,

In order to invoke the single-sex exceptions, providers would have to ‘assess the specific circumstances per provision’ in order to understand whether or not women and girls need that provision to be female-only (which is solely determined by the needs of women and girls), and if they do, the provider should then consider whether or not trans people should have separate provision offered where sex segregation is necessary (Women and Girls Scotland 2022).<sup>10</sup>

---

<sup>10</sup> See <https://wgscotland.org.uk/consultation-responses/>

Service providers would be placed at a considerable disadvantage in identifying, assessing and monitoring the needs of women and girls contacting them and using their services without the ability to collect data which specifically focusses on sex. Nor would they be able to monitor their ongoing compliance with the provisions of the Equality Act. Taken together, the recent court ruling in favour of *For Women Scotland*, and the Equality Act Guidance clarify firstly, that women-only single-sex services provision can **exclude those who are biologically male** and, secondly, the needs of women and girls **only** should determine the need for a single-sex service for women only. The provision of specialist VAW services in Scotland 'for and by women', therefore fully complies with the provisions of the Equality Act 2010.

### ***Concluding remarks***

This paper has argued that the case for providing single-sex services to female victims-survivors of VAW remains appropriate and vital. The issue has been examined in the wider historical context of women's long-standing social inequality, the success of feminist activism in defining VAW and highlighting its gendered nature, and women's need for safe women-only spaces for personal disclosure and to engage in longer-term advocacy. Domestic abuse and sexual violence have historically been among the most under-reported of all crimes and this is estimated to remain the case today. Women's reluctance to disclose their experiences of domestic and sexual violence to the police and public services has a long history (Donaldson 2019; Donaldson 2021). Advances in police and criminal justice responses to VAW and women's confidence in reporting are, at the time of writing, experiencing significant set-backs. Recent reports and investigations into misogyny and sexual harassment in Scottish and UK police forces as well as the criminal convictions of police officers for sexual and domestic violence and femicide, reveal police cultures which are hostile to women (IOPC 2021; IOPC 2022; Channel 4 News 2021). Women's reluctance to report or disclose domestic and sexual crimes remain grounded in fear of minimisation, rejection, retaliation, negative consequences and social stigma.

Specialist services and expertise developed in the late twentieth and into the twenty-first century, now play a pivotal role in providing access to safe spaces in the aftermath of domestic and sexual violence; this can facilitate women's access to trauma-informed services, safety, justice and community resources and support their recovery. As individual and structural VAW advocates, women service providers also contribute substantially to coordinated community responses to VAW, to early intervention, risk assessment and management and to crime prevention more widely. These services are recognised as playing a crucial role in the Scottish Government's long-term ambition of eventually eliminating all forms of VAW and are funded accordingly. The loss of specialist, trauma-informed provision of single-sex VAW services for women risks turning the clock back to a time when women victims-survivors faced service environments where they did not feel safe and could not place their trust in professional responses. If women do not feel confident to report their experiences of domestic abuse, they simply will not do so and will remain trapped in violent relationships. Victims-survivors of all forms of VAW are likely to suffer long-term, severe physical and mental health impacts as a result and many are at risk of suicide and homicide. Neglecting to address the chronic, long-lasting traumatic impact of male violence through the continued provision of expert single-sex services to which women are legally entitled, would represent a failure of national VAW policy and practice built up over decades.

The destruction of women's rights to safe, single-sex service provision based on inaccurate readings of Equality legislation which privilege terms such as 'gender' and 'gender identity' which lack clear definition in law, over women's sex-based rights risks losing the crucial link in the chain of social and community responses to VAW built up over the last forty years. This would be an incalculable error - a retrograde step in the slow advance in women's social equality. It would restrict women's ability to exercise their full human rights by limiting their access to safety and the community resources to which they are entitled. Ultimately this will prevent women girls from living safe and fulfilling lives in twenty-first century Scotland.



### ***Key messages: Why we need women's specialist single-sex VAW services in Scotland***

- Domestic abuse, rape and sexual assault are generally acknowledged to be among the most under-reported of all crimes with domestic abuse estimated as having one of the highest hidden figures of any crime in the UK.
- Specialist VAW services are often the first agencies to respond to women seeking support, safety, justice or access to community resources.
- In Scotland and the UK, access to specialist VAW support and information services provided by women has been identified as a critical factor in enabling women to report their experience to the police; to establish and continue their engagement in the criminal justice system; to reduce attrition rates and to recover from the impact of their experiences (McLaughlin 2009; McLaughlin 2010; Robinson 2006; Coy et al 20).
- The key elements of good practice which led to the best outcomes for women reporting rape and sexual assaults included access to specialist women-only single-sex services. One study also found that specialist Sexual Violence Services and Rape Crisis Centres in particular were the most helpful and scored the highest levels of satisfaction among service users (Brown et al 2009).
- Research with victim-survivors in rape cases in Scotland showed that access to specialist, trauma-informed female rape crisis advocates increased women's willingness to engage with police and the legal process and to access other services.
- Specialist women-only services can also help reduce women's distress and prevent 'secondary victimisation' whereby their feelings of powerlessness during the abuse or sexual assault is replicated by agencies' responses and by other service-generated risks.
- Under the provisions of the Equality Act 2010, providers should **only** consider the needs and rights of women and girls in determining whether a form of provision for women and girls should be offered on a female-only basis.

- A ruling on the definition of 'woman' by the Court of Session in Edinburgh in 2022 clarified that provisions in favour of women, including in the context of single-sex VAW services, by definition exclude those who are biologically male.
- The ruling also states that amending the definition of terms within the Equality Act 2010 is outwith the legislative competence of the Scottish Government.
- By conflating the term 'sex' with 'gender', 'gender identity and 'gender reassignment' in the course of implementing the national Equally Safe agenda, Scottish Government risks non-compliance with the UK Equality Act 2010.
- Without the collection of sex-disaggregated data the needs of women and girls are likely to be ignored.
- Without the ability to collect data which specifically focusses on sex, service providers will be unable to identify, assess and monitor the needs of women and girls who contact them and go on to use their services. Providers would be therefore be unable to monitor their ongoing compliance with the provisions of the Equality Act.
- At a time when police cultures and practices are being shown to be hostile to women, single-sex specialist VAW services can provide a welcome environment for disclosure, reporting and access to information and advocacy for female victims of domestic and sexual violence.
- Single-sex VAW services provided by women for women contribute to early intervention and crime prevention and are crucial to the achievement of Scotland's long-term goals of preventing and eventually eliminating VAW.
- Limiting women's access to specialist single-sex services will play a role in reversing recent advances in women's equality and restrict their human rights by reducing their freedom and their full access to the the community resources they need to live safe and fulfilling lives.

## References

Bronfenbrenner (1992), An ecological systems approach. *Annals of child development*.

British Medical Association (1992), Domestic violence – A health care issue?

British Medical Association (2006), *Child and adolescent mental health: a guide for healthcare professionals*.

Brown J, Horvath M, Kelly L, Westmarland N., (2009), Connections and disconnections: Assessing evidence, knowledge and practice in responses to rape. Prepared for the Government Equalities Office 'Stern Review'.

Browne, S. (2014). The Women's Liberation Movement in Scotland. Manchester, Manchester University Press.

Campbell, R. & Martin, P.Y. (2001). *Services for sexual assault survivors: the role of rape crisis centres*. in C. Renzetti, J.F. Edleson & R.K. Bergen (Eds.) Source book on violence against women. Thousand Oaks, CA: Sage.

Campbell J.C., (2002), *Health consequences of intimate partner violence*, *Lancet* 359 (2002), pp. 1331–1336

Campbell, R. (2006). *Rape survivors experiences with the legal and medical systems: do rape victim advocates make a difference?* *Violence Against Women*, 12, 30-45.

Channel 4 News (2021), Cops on Trial: Dispatches. Broadcast 11 October 2021

Chibucos T.R., Leite Randall W., Weis D.L. (2005), Readings in Family Theory, Sage

Coy M., Kelly L., Foord J., Map of Gaps 2 (2009), The postcode lottery of violence against women services in Britain. London. End violence against women/Equality and Human Rights Commission.

Coy, M., Kelly, L., Foord, J., & Bowstead, J. (2011). *Roads to nowhere? Mapping violence against women services*. *Violence Against Women*, 17(3), 404-425

Cunningham A & Baker L., (2004), What About Me! Seeking to understand the child's view of Violence in the Family, Ontario Canada. Centre for Families in the Justice System.  
Available at <http://www.lfcc.on.ca>

Daniel B., Wassell S.,(2002), Assessing and Promoting Resilience in Vulnerable Children Vols 1-3, Jessica Kingsley.

Dobash R. and Dobash R.E. (1979), *Violence against wives – a case against the patriarchy*. New York. Free Press.

Donaldson A. & Marshall L. (2005), Argyll and Clyde Domestic Abuse Prevalence Study including the reasons for non-disclosure of domestic abuse to health professionals by women patients. West Dunbartonshire. West Dunbartonshire Domestic Abuse Partnership.

Donaldson A (2008), Children and Young People Experiencing Domestic Abuse – A Survey of Support Services in West Dunbartonshire – West Dunbartonshire. West Dunbartonshire Violence Against Women Partnership.

Donaldson, A. (2013), *The role of violence against women services in supporting women's empowerment* in El empoderamiento de las mujeres como estrategia de intervención social. University of Duesto. Bilbao. Available at:

[The role of Violence Against Women Services in supporting women's empowerment](#)

Donaldson, A. (2019), An oral history of domestic abuse in Scotland 1945-1992.

(Unpublished doctoral thesis) University of Strathclyde. Glasgow. Available at:

[https://www.academia.edu/51493297/AN\\_ORAL\\_HISTORY\\_OF\\_DOMESTIC\\_ABUSE\\_IN\\_SCOTLAND\\_1945\\_1992](https://www.academia.edu/51493297/AN_ORAL_HISTORY_OF_DOMESTIC_ABUSE_IN_SCOTLAND_1945_1992)

Donaldson A. (2021), 'Just a domestic' or a treacherous double-bind? Police and Social Work responses to domestic abuse in late twentieth century Scotland. Available at:

<https://womensaid.scot/just-a-domestic-or-treacherous-double-bind-police-and-social-work-responses-to-domestic-abuse-in-late-twentieth-century-scotland/>

Dutton, Donald, G., (1995), The Domestic Assault of Women. Vancouver: UBC Press

Edleson, J. L., & Tolman, R. M. (1992), Intervention for Men who Batter: An Ecological Approach, London: Sage Publications.

Engender (2014). Gender Equality and Scotland's Constitutional Futures. Scotland, Engender. Available at: <https://www.engender.org.uk/news/blog/engender-launches-a-report-on-gender-equality-and-the-independence-debate/>

Foreman J (2004), is there a correlation between child sexual abuse and domestic violence? (Glasgow Women's Support Project)

Gelsthorpe L., & Sharpe G. (2007), Provision for women offenders in the community. London. Fawcett Society.

Gerlock A.A. (1999), *Health impact of domestic violence*, Issues in Mental Health Nursing 20(1999), pp. 373–385

Greenan L. (2004), Violence Against Women – A Literature Review. Edinburgh. Scottish Government. Available at: <http://www.scotland.gov.uk/Publications/2005/03/20895/55133>

Guardian (2021), *Four in five female prisoners in Scotland found to have history of head injury*. Guardian 13 May 2021. Available at: <https://www.theguardian.com/society/2021/may/13/four-in-five-female-prisoners-in-scotland-found-to-have-history-of-head-injury>

Hanson R. K.,(2005), *Twenty Years of Progress in Violence Risk Assessment* J Interpers Violence, February 2005; vol. 20, 2: pp. 212-217.

Herman, J. L. (2015). Trauma and recovery: The aftermath of violence - from domestic abuse to political terror. Hachette UK.

Humphreys C., Houghton C., Ellis J., (2008), Literature Review: Better Outcomes for Children and Young People Experiencing Domestic Abuse – Directions for Good Practice. Edinburgh. Scottish Government.

Independent Office for Police Misconduct (IOPC) (2022), Inappropriate conduct at Charing Cross police station – Metropolitan Police. IOPC. London. Available at:

<https://www.policeconduct.gov.uk/investigations/inappropriate-conduct-charing-cross-police-station-metropolitan-police>

Independent Office for Police Misconduct (IOPC) (2021), Update IOPC investigations linked to Wayne Couzens. IOPC. London. Available at:

<https://www.policeconduct.gov.uk/news/update-iopc-investigations-linked-wayne-couzens>

Ingala-Smith, K, (2020), The importance of women-only spaces and service for women who have been subjected to men's violence. Speech to the Scottish Parliament January 2020.

Available at:

<https://kareningalasmith.com/2020/01/20/the-importance-of-women-only-spaces-and-services-for-women-and-girls-whove-been-subjected-to-mens-violence/>

Kelly, L. (1987). *The continuum of sexual violence*. in Maynard, M., and Hamner, J. (Eds). (1987) Women, violence and social control. Palgrave MacMillan, London: 46-60.

Kramer A., Lorenzon D., Mueller G. (2004), *Prevalence of intimate partner violence and health implications for women using emergency departments and primary care clinics*.

Women's Health Issues 14 (2004) 19–29

Kropp P.R., Hart S.D., Webster C.D & Eaves D (1995), Manual for the Spousal Assault Risk Assessment Guide (2<sup>nd</sup> Ed). British Columbia. The British Columbia Institute on Family Violence.

Krug E.G., Mercy J.A., Dahlberg L.L., Zwi A., (2002), *The World report on violence on health*, The Lancet Vol 360 Oct 2002

Learning and Teaching Scotland (2009) , Curriculum for Excellence. Edinburgh. Learning and Teaching Scotland. Available at:

<http://www.ltscotland.org.uk/what-is-the-curriculum-for-excellence/>

Maclaughlin A. (2009), CARA (Challenging and Responding to Abuse) – an Evaluation Report. West Dunbartonshire. West Dunbartonshire Council.

Maclaughlin A. (2010), CARA (Challenging and Responding to Abuse) – an Evaluation Report on CARA services to women survivors of childhood sexual abuse. West Dunbartonshire. West Dunbartonshire Council.

Mooney J.,( 2000), *Revealing the hidden figure of domestic violence* in Hamner J., & Itzin C. (2000), Home Truths about Domestic Violence – feminist influences on policy and practice – a reader. London. Routledge.

Mullender, A, Kelly, L, Hague, G, Malos, E and Iman, U. (2002), Children's Perspectives on Domestic Violence, London: Routledge

Paton, S. (2000), Report on a study into domestic abuse and young people in South Ayrshire. South Ayrshire Women's Aid.

Pedersen, S., Mueller-Hirth, N, and Miller, L. (2021), Supporting victims of domestic violence during COVID-19: the impact of the pandemic on service providers in North-East Scotland and Orkney. Aberdeen. Robert Gordon University online. Available at: <https://rgu-repository.worktribe.com/output/1346357>

Prison Reform Trust (2017), *Why Women Scotland?* Online resource. London. Prison Reform Trust. Available at:

<http://www.prisonreformtrust.org.uk/Portals/o/Why%20Women%20Scotland.pdf>

Public Health Scotland (2020), *Gender-based violence* online resource. Edinburgh. PHS.

Available at: <http://www.healthscotland.scot/health-topics/gender-based-violence/domestic-abuse>

Rape Crisis Scotland (2009), Woman to woman. An oral history of Rape Crisis in Scotland. Glasgow. Rape Crisis Scotland.

Robinson A.L., (2006), Advice, Support, Safety & Information Services Together (ASSIST): The Benefits of Providing Assistance to Victims of Domestic Abuse in Glasgow.

Robinson, A., Rowlands, J. (2009), *Assessing and managing risk among different victims of domestic abuse: Limits of a generic model of risk assessment?* Secur J 22, 190–204 (2009).

Available at: <https://doi.org/10.1057/sj.2009.2>

SafeLives (2020), MARAC in Scotland – National Update Report 2020. Safe Lives. Available at:

[https://safelives.org.uk/Marac\\_In\\_Scotland\\_National\\_Update\\_Report\\_2020\\_Executive\\_Summary](https://safelives.org.uk/Marac_In_Scotland_National_Update_Report_2020_Executive_Summary)

Scott S, Knapp M, Henderson J, Maughan B., (2001), *Financial cost of social exclusion: follow up study of antisocial children into adulthood* BMJ VOLUME 323 28 JULY 2001 bmj.com

Scottish Government/COSLA (2008a), National Domestic Abuse Delivery Plan for Children and Young People. Edinburgh. Scottish Government.

Scottish Government (2008b), Early Years Framework. Edinburgh. Scottish Government.

Scottish Government (2008c), A guide to Getting It Right for Every Child. Edinburgh. Scottish Government.

Scottish Government (2008d), Equally Well – Report on the Ministerial Task Force on Health Inequalities. Edinburgh. Scottish Government. Available at:

<http://www.scotland.gov.uk/Resource/Doc/229649/0062206.pdf>

Scottish Government (2010a), A Partnership Approach to Tackling Violence Against Women in Scotland: Guidance for Multi-Agency Partnerships. Edinburgh. Scottish Government.

Scottish Government (2010b), National guidance for Child Protection in Scotland – A Consultation. Edinburgh. Scottish Government.

Scottish Government 2017, Equally Safe Delivery Plan. Edinburgh. Scottish Government.

Available at: <https://www.gov.scot/publications/equally-safe-delivery-plan-scotlands-strategy-prevent-violence-against-women/>

Scottish Government (2018), Improving Multi-agency risk assessment and interventions for victims of domestic abuse: consultation. Edinburgh. Scottish Government. Available at:

<https://www.gov.scot/publications/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse/documents/>

Scottish Government (2021a), Fairer Scotland Duty: guidance for public bodies. Edinburgh.

Scottish Government. Available at: [https://www.gov.scot/publications/fairer-scotland-duty-](https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/#:~:text=The%20Fairer%20Scotland%20Duty%20(the,disadvantage%2C%20when%20making%20strategic%20decisions)

[guidance-public-](https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/#:~:text=The%20Fairer%20Scotland%20Duty%20(the,disadvantage%2C%20when%20making%20strategic%20decisions)

[bodies/#:~:text=The%20Fairer%20Scotland%20Duty%20\(the,disadvantage%2C%20when%20making%20strategic%20decisions](https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/#:~:text=The%20Fairer%20Scotland%20Duty%20(the,disadvantage%2C%20when%20making%20strategic%20decisions)

c), Recorded Crime in Scotland 2020-2021. Edinburgh. Scottish Government. Available at:

<https://www.gov.scot/publications/recorded-crime-scotland-2020-2021/>

Scottish Government (2021c), *Domestic abuse recorded by the police in Scotland 2020-2021*. Edinburgh. Scottish Government. Available at:

<https://www.gov.scot/news/domestic-abuse-recorded-by-the-police-in-scotland-2020-21/>

Scottish Women's Aid (2009), *Analysis of local authority Single Outcome Agreements*. Edinburgh. Scottish Women's Aid.

Scottish Women's Aid (2018), *Speaking Out: Recalling Women's Aid in Scotland – 40 years of Women's Aid in Scotland*. Edinburgh. Scottish Women's Aid.

Shephard M.F, & Pence E.L., (1999), *Coordinating Community Responses to Domestic Violence – Lessons from Duluth and beyond*. Sage.

Shepard, M. F., & Pence, E. L. (Eds.). (1999). *Coordinating community responses to domestic violence: Lessons from Duluth and beyond*. Sage Publications.

Sharp C., Jones J., (2010), *Through the eyes of a bairn – children experiencing domestic abuse recovery in Scotland – An Interim Evaluation Report*. Edinburgh. Scottish Women's Aid.

Stark E. (2007), *Coercive Control Stark: The entrapment of women in personal life*. Oxford. Oxford University Press.

Stern. B.V. (2010), *Rape – myth and reality: no ordinary crime*. *Medicine, Science and the Law*. 2010;50(3):119-121. doi:[10.1258/msl.2010.010024](https://doi.org/10.1258/msl.2010.010024)

Women's Aid Federation of England (2020), *Written evidence submitted by Women's Aid Federation [GRA2014] to the Women and Equality Select Committee on gender reform in February 2021*. Available at: <https://committees.parliament.uk/work/658/reform-of-the-gender-recognition-act/publications/written-evidence/?page=2>

Women's Support Project (2008), *Good Practice Guidelines for organisations supporting women vulnerable to or involved in commercial sexual exploitation*. Glasgow. Women's Support Project.

World Health Organisation (1997), WHO Multi-country Study on Women's Health and Domestic Violence against Women - Initial Results On Prevalence, Health Outcomes And Women's Responses. Available at:  
[http://www.who.int/gender/violence/who\\_multicountry\\_study/en/](http://www.who.int/gender/violence/who_multicountry_study/en/)