

# Spend now: save later

THE CASE FOR GENDER BUDGET  
ANALYSIS IN VIOLENCE AGAINST WOMEN SPENDING

October 2010



Scottish Women's Aid and Rape Crisis Scotland are leading organisations in Scotland working towards the prevention of violence against women. Both organisations campaign and lobby for effective responses to domestic abuse and sexual violence by challenging attitudes and pressing for legal change. Recently both of these organisations came together in a 'Save Violence against Women Services' Campaign, calling on the Scottish Government to commit to protect ring fenced funding for violence against women services. In seeking to present the economic argument for continued public expenditure on early intervention and prevention services, the Scottish Women's Budget Group (SWBG) were commissioned to write this Briefing outlining the economic case for Violence Against Women services, and highlighting the much wider implications of cuts in funding.

As an independent research and lobby group, the SWBG campaigns for Gender Budget Analysis (GBA) and the implementation of gender impact assessment in the budget process. GBA provides an examination of how budgetary allocations affect the economic and social opportunities of women and men, as well as proposing how a restructuring of those revenue and expenditure portfolios can be used to effect change towards the achievement of gender equality.

SWBG promotes gender analysis in public spending decisions and budget-setting processes as a means of ensuring both compliance with the requirement for gender impact assessment (Equality Act 2006), and as a means of ensuring political commitments to gender equality are translated into decisions about resource allocation and budgetary commitments. GBA aims to challenge the perception in public finance management that budgets in themselves are gender-neutral. GBA also provides an alternative approach to the management of public finances that exposes the potential gendered impact of public spending which perpetuates gender inequality, particularly women's unequal social and economic opportunities.

The SWBG uses the Scottish Government definition of Violence Against Women:

**"...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 Violence Against Women – 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 2009<sup>1</sup>).**

Funding for Violence Against Women services is severely under threat in this climate of cuts in the public sector. Furthermore, there is growing concern and evidence that the way in which many of these cuts are being made may be contrary not only to already existing Scottish Government policy, but also current legislative requirements. SWBG's concerns and analytical approach are reinforced by international research evidence:

**"In a time when competition for existing financial resources for health, social, legal, and educational services is increasing, it is essential that the issue of violence against women also be analyzed in economic terms... The need for comprehensive economic analysis is especially timely considering current trends toward reducing and eliminating government spending on social services and programming."**<sup>2</sup>

### **VIOLENCE AGAINST WOMEN IS A SERIOUS AND WIDESPREAD ISSUE**

- In 2009/10, 996 rapes and attempted rapes and 6,458 crimes of indecency were reported to the police in Scotland. In 2008/09, police recorded 53,681 incidents of domestic abuse.<sup>4</sup>
- According to the Scottish Government's own research, 84% of victims of domestic violence are women and between 78-86% of stalking victims

are women. It states that “the evidence and statistics present a disturbing picture of the extent and gender-based nature of violence against women in all its forms.”<sup>5</sup>

- One in five women in Scotland experiences domestic abuse at some stage in her life.<sup>6</sup>
- One third of teenage girls in a relationship suffer an unwanted sexual act.<sup>7</sup>

These figures relate to the incidents that we know about and are reported to the police – many more will go unreported. In a recent study by the Equality and Human Rights Commission<sup>8</sup>, under reporting was listed as a key issue particularly amongst women from ethnic and religious minority communities. Violent incidents were also under reported by disabled women, who are abused by, but dependent on, their carers.

#### **THE COST OF VIOLENCE AGAINST WOMEN GOES BEYOND THE COSTS OF SERVICE PROVISION**

- The cost of violence against women is estimated overall to be £4 billion in the UK.<sup>9</sup>
- It is estimated by the Scottish Government that the cost of domestic abuse alone to the public purse is £2.3 billion.

Exact figures are difficult to find due to the large number of incidents that go unreported. Therefore, any documented calculations are clearly going to be underestimates on the real scale of the cost. Potentially, a further consequence of reduction in early intervention services could mean even less reporting as fewer frontline services are visible and available.

A study for the Inter-American Development Bank<sup>10</sup> uses a holistic approach to explain the social and economic costs of Violence Against Women. By identifying the costs in four categories, as below, it is clear how all sectors of society are not only deeply affected by Violence Against Women, but also bear the consequences – and costs – of such violence.

- **Direct costs** including medical services (also mental health services); criminal justice costs (police, detention, court cases); housing and other social services (including training and support for agencies).
- **Indirect costs** including the cost of suffering which can lead to mental health disorders, such as depression; increased dependency on drugs and / or alcohol.
- **Economic multiplier effects** including a decrease in labour market participation for women and also the loss of productivity for employers as a result of absenteeism. In the USA, it has been reported that 30% of women subjected to violence lost their jobs as a direct result of the abuse<sup>11</sup>. In the UK, in any one year, more than 20% of employed women take time off work because of domestic violence, and 2% lose their jobs as a direct result of the abuse.<sup>12</sup>
- **Social multiplier effects** including the effects on children, their reduced quality of life (including reduced human capital) and the potential for the ‘intergenerational transmission’ of violence. A recent Scottish study involving 1,395 young people aged 14-18 found that a third of young men and a sixth of young women thought that using violence in intimate relationships was acceptable under certain circumstances. The same study found that 17% of young women had experienced violence or abuse in their own relationships with a boyfriend.<sup>13</sup>

A recent survey of UK Violence Against Women 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.’<sup>14</sup>**

The authors recommended that finance for the Violence Against Women sector be included in the Scottish Government’s Concordat with Scottish local authorities. Failure to do so could result in a breach of their legal obligations under the Gender Equality Duty and of the European Convention on Human Rights.

### LEGAL OBLIGATIONS OF PUBLIC AUTHORITIES IN RELATION TO VIOLENCE AGAINST WOMEN

Legislation is in place that outlaws discrimination and violence, and for the rights of women to be protected in the criminal justice system by giving priority to serious crime including sexual offending and violence against women. There is a gap between law and practice which presents a significant risk to the safety and wellbeing of individual women and children – as well as to the public sector – if it fails to meet its legal duties.

For example, Section 6 of the Human Rights Act 1998 requires those delivering public services and those of a public nature to comply with the European Convention on Human Rights (ECHR). Section 57 of the Scotland Act 1998 places a positive duty on Scottish Government Ministers to comply with the ECHR and that includes ensuring that devolved public sector bodies comply with their ECHR duties. Compliance includes reforming laws and procedures following European case decisions.

For example, following the European Court of Human Rights judgement (ECtHR) in *Opuz v Turkey* in 2009<sup>15</sup>, the obligation on our Government to prevent and robustly address violence against women is clear. In the *Opuz* case, the ECtHR found Turkey in violation of its obligations to protect women from domestic violence, and for the first time held that gender-based violence is a form of discrimination under the ECHR. All public authorities in Scotland must comply with this decision and some will have to instigate reform to ensure they prevent and respond to acts of violence against women with “due diligence”.

In recognition that Violence Against Women is linked to, and is a consequence of, gender inequality, tackling Violence Against Women was listed as a Ministerial priority in Scotland under the Gender Equality Duty. The ‘gender equality duty’ is a statutory responsibility, under the Equality Act 2006, on public authorities to promote equality of opportunity between women and men and to eliminate unlawful discrimination. The UK Equality Act 2010 introduces a new general ‘Equality Duty’, expected to

be implemented in 2011, which will require public authorities to be active in promoting equality and eliminating unlawful conduct. The Scottish Government intends to make some additions to the list of bodies covered by the general duty, and to impose further ‘specific duties’ on some Scottish public authorities. Consultation proposals include ‘a duty to consider the impact on equality of new policies and practices, including changes to, or redesign of, existing policies and practices. This duty includes a requirement to use evidence.’<sup>16</sup>

### GOVERNMENT COMMITMENT

In presenting the Budget Bill to the Scottish Parliament in January 2010, John Swinney, Cabinet Secretary for Finance and Sustainable Growth stated that **“The Scottish Government’s priorities remain frontline services... protect[ing] spending on the NHS, policy and local services (Scottish Government, 15 January 2010).**

This commitment to frontline, local services has been consistently repeated in recent months. A clear test for the Scottish Government and public authorities is the extent to which that commitment will ensure protection for early intervention services for victims of violence, and the specific budgets of the Rape Crisis Specific Fund; Violence against Women Fund; and Children Services Women’s Aid Fund.

SWBG has repeatedly raised concerns about the extent and quality of gender impact assessments both at a local level within local authorities and also within Scottish Government. The management arrangements of the Single Outcome Agreements (SOAs) between local authorities and the Scottish Government have been a particular focus of concern, due the lack of gender analysis or requirement to evidence service and resource allocation plans on the basis of gender impact assessments.

**“The absence of robust EQIA and specifically gender analysis in current practice of SOAs has... significant implications for the achievement of**

**several national outcomes within the National Performance Framework. Services that support diverse and complex needs of different groups of women and men are vulnerable to spending cuts, and if withdrawn or cut back will have considerable impacts on the Scottish Government's targets on tackling significant inequalities"<sup>17</sup>**

A recent study of 12 local authorities in Scotland conducted for the EHRC, reported a total of £4,108,782 spending on Violence Against Women projects (2008/09)<sup>18</sup>. This funded a range of activity including direct services (including refuges, counselling, advocacy work); training and awareness raising; supporting multi agency partnership work across the local authority area. The study also found that there was no evidence of Equality Impact Assessments (EqIAs) being undertaken in relation to policies on tackling Violence Against Women, during this period. This is despite the fact that the duty to assess the impact of policies and practices in relation to gender had been a legal requirement since June 2007.

Scottish Government has consistently made political commitments to support early intervention services for victims of domestic abuse, rape and other forms of sexual violence. As public spending is being squeezed, now more than ever it is imperative that the Scottish Government maintain its political commitment to these frontline, local services, and ensure they meet their statutory obligations and their commitments to address gender-based violence under the Gender Equality Duty.

In 2010, the Scottish Government established the Independent Budget Review Panel (IBR). The principles framing the deliberations of the IBR included:

- promoting efficiency and value for money
- supporting the most vulnerable in our society
- designing public services around the needs of citizens
- balancing the roles of government, community and the individual
- considering the impact of public services provided on a universal basis.

It can be argued that these principles apply to early intervention services in the context of this briefing.

Sustained funding for these services is strategic, targeted, and innovative and limits secondary effects and unintended impacts on other budget and service lines. There is an already existing robust policy framework and range of inter-agency relationships to support the delivery of specialist, multi-agency partnership services. These have been built up successfully over the last ten years or more, with the public sector and public spending playing a significant role in securing sustainable political will to tackle gender-based violence. **"It is not the victims or the services to victims which cause the costs. Violence causes the costs. Therefore, the costs will only be reduced when violence against women is reduced. If violence is ignored rather than addressed – ideally through preventative and early intervention measures – it will not go away. Instead, it will result in greater costs in the future"**<sup>19</sup>

The Scottish Government in its Equality Statement 2009 (attached to the Draft Budget) and in the work of the Equality and Budgets Advisory Group has demonstrated its commitment to ensuring equality analysis is integral to the process of allocating public spending resources in Scotland.

**"It is not in Scotland's economic or social interests for women and children to experience violence and domestic abuse", (Scottish Government, 17 September 2009).**

Gender aware budgeting recognises that the State can have a significant influence in shaping gender outcomes – directly and indirectly, negatively and positively. The Scottish Government has progressed policies for early intervention on the basis that gender-based violence is a form of gender inequality and perpetuates gender inequality. In delivering on that purpose, the Scottish Government has committed itself through the National Performance Framework to a series of specific outcomes and indicators relevant to early intervention in sexual violence crimes. These include:

- tackling significant inequalities
- living longer, healthier lives safe from crime, disorder and danger, including, reducing overall crime victimisation rates by two percentage points by 2011

- ensuring continually improving public services
- strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others
- improved life chances for children, young people and families at risk.

This combination of the overwhelming evidence base that gender-based violence is a form of gender inequality – which the Scottish Government are committed to eradicating – and the commitment to ensure equalities analysis in budget processes provide a clear imperative to ensure effective gender analysis in decision-making processes, and the allocation of sufficient resources to match political commitment and support the provision of essential services.

### **FUNDING FOR ESSENTIAL SERVICES: AN ECONOMIC AND LEGAL IMPERATIVE**

Scottish Government funding streams which support Violence Against Women work will come to an end in March 2011. No decision has yet been taken on the future of these funds. Currently, these funds amount to just over £8.3 million per year.<sup>20</sup>

Society bears the burden of Violence Against Women and its costs. The public sector, therefore, bears the majority of these costs and proposed cuts to public sector funding will have a severe impact on Violence Against Women – not only its services but also its consequences.

The case for protecting spending on early intervention violence against women services is clear. Public authorities should not be tempted into short-termism and uninformed decisions which result in cutting life-line services for women and subsequently produce increases in suffering and hardship for individuals resulting in further costs to public services as needs in housing, health (including mental health support) criminal justice, and other key service areas have to be met.

**“An economic, cost/benefit perspective shows**

**policymakers the enormous costs resulting from not assisting victims and allowing violence against women to continue. A strong argument can be made for why funds must be used to reduce violence against women and why funds are best targeted toward programmes and services to prevent violence or to immediately intervene and assist victims of violence. To do so will avoid both the need for more expensive, long-term medical care and criminal punishment and the need for women to experience the nonmonetary costs of violence before something is done. If programmes and services are not available to assist victims, violence will not decrease but will continue and likely escalate, resulting in greater costs”<sup>21</sup>**

In highlighting the international research evidence base, the international and national legal framework, and economic rationale for funding early intervention in sexual violence services, SWBG encourage policy makers, local service managers and users, and all stakeholders to consider a range of questions and challenges in ensuring gender analysis in budget and resource allocation decisions. These include, for example:

- How has local data and information been used to inform spending proposals and make spending decisions? Have these decisions been subjected to equalities impact assessment?
- How are early intervention services on Violence Against Women currently funded? Which spending departments currently make allocations for their budgets to support early intervention services?
- What evidence can local funders and service providers produce to demonstrate their awareness of the secondary implications of spending decisions in one area?
- What is the current level of funding for services? What, if any, is the proposed level of cut to service budgets? How does this compare with other areas of service provision, especially those which are not subject to reductions, or which are not specifically about gender equality?

Audit Scotland has already highlighted the need for a more strategic leadership to tackle gender equality, as

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in an overview of Community Planning<sup>22</sup> it was stated that, 'Few councils had a well integrated strategic approach to coordinating activity aimed at tackling inequality.' And the report went on to recommend, 'Good corporate leadership of equalities is essential to ensure that consideration of equalities issues become embedded throughout the organisation.'

For the Scottish Government, there is a further series of questions given the broad and complex policy framework which supports its commitment to ending gender-based violence, and which in practice is funded through a range of budgets.

- Are all policy and spending proposals currently submitted to gender impact assessment? Are these publicly available?
- What actions are taken to ensure that spending decisions at Directorate and departmental level are consistent with commitments to gender equality?

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*(Yodanis et al., 2000)*

- What is the voting pattern among Members of the Scottish Parliament in support of actions and resource allocations to support early intervention services for gender-based violence?

International research has consistently highlighted the importance of recognising the dual impact of welfare reform AND public spending cuts on services, leading to compounding disadvantages for women, and specific groups of women in particular. Areas for concern for women and public authorities in Scotland include:

- removal of national standards around social assistance spending – localism agenda
- combining social spending budget lines, e.g. education and promotion with prevention and early intervention
- removal of national designated funds, allowing for local decision making and prioritising, for example, could leave many Violence Against Women services vulnerable to withdrawal of funds

Bringing together techniques for gender budget analysis with political commitments to tackle violence against women allows public authorities to demonstrate that violence is costly, and that understanding the economic costs and consequences of violence can greatly assist authorities in better targeting their limited resources. Gender budget analysis therefore supports authorities in making improved decisions and choices on spending. Bringing GBA into local and national budget-setting and decision making ensures that the differences between women and men's experiences and the effects of gender relations on those experiences – in this instance the differential experiences of gender-based and sexual violence – are visible and inform decisions on resource priorities.

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