



# Holyrood 2021 Asks

**RAPE  
CRISIS  
SCOTLAND**

## **Implement the Recommendations of Lady Dorrian's Review on Sexual Offences**

The conviction rate for rape and attempted rape in Scotland is lower than for any other crime type. This has remained stubbornly the case, despite all previous efforts to address it.

The conviction rate alone is dismal, but when we consider too that survivors frequently tell us that the process of seeking justice – and in particular their experience in court – is at least as traumatic as the attack(s) itself this is intolerable.

It has never been more evident that we need bold action.

Lady Dorrian, the Lord Justice Clerk, has conducted an independent review into how to improve the management of sexual offences cases in Scotland. She makes a number of important recommendations to improve how sexual offences are handled within the Scottish justice system.

### **Implement the recommendations from the Review to deliver a justice system that survivors of sexual crimes can have confidence in.**

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#### **End Not Proven**

Scotland is the only country in the world to have two acquittal verdicts, and evidence has consistently proved that the Not Proven verdict is disproportionately used in rape cases.

The issues that exist across our justice system's response to sexual violence are many and cannot be solved by a silver bullet. However, removing a verdict that we fear is seen as an 'easy way out' for jurors who might consider that it displays an element of belief in the survivor in question – whilst leaving survivors to cope with what is actually an acquittal – would be a step forward.

The verdict is widely misunderstood, wholly unnecessary and rather than the comfort some people imagine it might bring, survivors tell us that it brings neither comfort nor closure.

#### **It is time for Not Proven to go.**

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#### **Enshrine Legal Right to Anonymity**

Unlike the rest of the UK, complainers of sexual offences in Scotland have no legal right to anonymity.

Press do not identify complainers through tightly held convention, but in an increasingly digital world – particularly one where misogyny is rife – with such widespread use of social media, this is no longer adequate.

Ensuring legal anonymity would add a layer of protection against the vulnerability of reporting sexual offences and make it safer for anyone considering doing this.

#### **Enshrine the protection of legal anonymity for complainers of sexual crimes.**

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## **Commit to Sustainable Funding for Specialist Services**

Seeking support after sexual violence can be an incredibly difficult thing to do. Many people wait months and even years before reaching out and may have told no-one else what has happened.

Across Scotland Rape Crisis supports anyone affected by sexual violence, through crisis support, advocacy, counselling and trauma-informed practice.

We hear repeatedly that timely access to our services saves lives, but too often survivors must endure waiting lists.

We believe that no survivor should ever have to wait to access life-saving support, but Rape Crisis Centres need more, sustainable funding to make support at the point of need a reality. Funding for services that specialise in working specifically with Black and minoritized women should be made available to resource their work in addressing the specific barriers that survivors of rape and sexual violence experience within a racist society.

### **We need sustainable funding for specialist services.**

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## **Secure access for all young people to evidence-based prevention education on consent and healthy relationships**

Sexual violence is not inevitable. We can prevent it.

Our whole schools approach and prevention interventions are evidenced to challenge and change the attitudes that permit sexual violence, equipping and empowering young people with the knowledge they need to navigate consent and healthy relationships.

In the last year, Rape Crisis Scotland's prevention programme delivered workshops to **25,986** pupils in **197** Scottish schools in the course of the year, in every local authority area in Scotland.

Every young person across Scotland should have access to this.

### **Invest in Rape Crisis Prevention.**

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## **Protect every woman's rights to safety, accommodation and support, no matter their immigration status**

No survivor should ever have to be turned away from specialist support because of their immigration status, it is inhumane.

Though Rape Crisis Support is available regardless of immigration status some migrant survivors are unable to access other forms of support and social protection because of No Recourse to Public Funds. Without access to vital support some migrant women are made more vulnerable by the state and forced to remain with or return to an abusive partner or face destitution.

Though immigration law is reserved to Westminster, in a country that prides itself on valuing compassion and fairness this is unacceptable.

### **Develop and implement human rights-based accommodation pathways for women and children with NRPF who are experiencing gender-based violence.**