

Equally Safe

A consultation about forensic medical services

Easy Read

February 2021



Scottish Government
Riaghaltas na h-Alba
gov.scot

What is this document about?

This document is about a consultation on evidence collected during forensic medical services⁽¹⁾.

This document is in 4 parts:

Part 1 Introduction

Part 2 How long should evidence be kept?

Part 3 Giving your views

Part 4 What happens next

(1) Full legal and policy details of the proposals are available from the Scottish Government webpage: [Link to Scottish Government webpage about the Forensic Medical Services \(Victims of Sexual Offences\) \(Scotland\) Act 2021](#).

Part 1 Introduction

What is a Consultation?



The law says that the Scottish Government has to ask people their views before important changes are made.

When the Scottish Government asks people for their views it is called a Consultation.



The Scottish Government would like to hear your views about evidence collected by forensic medical services. You have until 30 April 2021 to give your views.

What are forensic medical services?

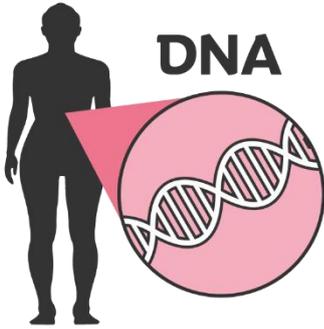


This is a special type of medical examination for people who have experienced rape or sexual assault.

It is done by a specially trained doctor, who will try to help the person.



You can find information about what happens during and following a forensic medical examination at: [Link to Easy Read summary leaflet.](#)



The doctor may also be able to collect evidence that could help the police find the person who carried out the assault.

What is rape?



Someone having sex with you when you do not want to have sex is rape.

Someone having sex with you when they are aware that you are not able to tell them you do not want to have sex is rape.



Someone trying to have sex with you when you do not want to is attempted rape.

Someone trying to have sex with you when they are aware you are not able to tell them you do not want to have sex is attempted rape.

What is sexual assault?



Someone touching your body in a sexual way when you do not want them to.

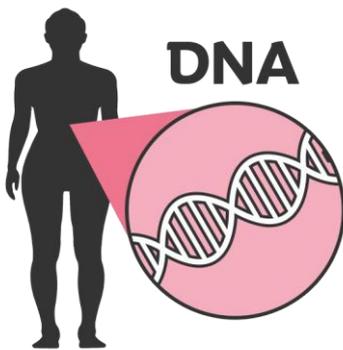
Committing rape and sexual assault is against the law.



If it has happened to you, you have done nothing wrong and it is not your fault.

If it has happened to you, you should tell someone that you trust.

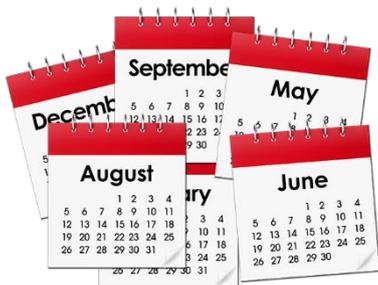
What is evidence?



Evidence can be body fluids or hair that belongs to the person who carried out the assault.



If the person who has experienced rape or sexual assault does not want to tell the police straight away, the health board will keep the evidence safe.



If the person decides not to tell the police, the evidence will be destroyed after a period of time.

Part 2 How long should evidence be kept?



The Scottish Government will tell health boards how long they should keep this evidence for.

This means that it will be the same for people all over Scotland.



The Scottish Government suggests this evidence should be kept by health boards for 2 years and 2 months and then destroyed.

This is because:



- People usually decide whether or not they want to report to the police within six months of the assault happening.

- The evidence is usually destroyed after 2 years in England, Wales and Northern Ireland.

- The Scottish Government want to make sure people have enough time to make a decision.

- People have told us that the anniversary of their assault can be a very difficult time, so the Scottish Government have added an extra 2 months to avoid upsetting people even more.





The Scottish Government would like to know if you agree with evidence being destroyed after 2 years and 2 months, or if you think it should be kept for more or less time.

Part 3 Giving your views

You can give us your answers to this consultation either:



online at: [Link to Citizen Space Consultation Hub](#)

Responses should reach us by 30 April 2021.

Or if you are unable to respond online, please send your views and comments using the questions below either:



by email to EquallySafeFMS@gov.scot



or by posting a paper copy to:

Lynda Dobinson
CMO Taskforce Unit
Scottish Government
GWR St Andrew's House
2 Regent Road
Edinburgh
EH1 3DG



Please complete the Respondent Information Form below.



Responses should reach us by 30 April 2021.



This consultation follows on a Scottish Government Bill on Forensic Medical Services which has become an Act of the Scottish Parliament. If you would like further background you can find an Easy Read summary here: [Link to Easy Read Policy Memorandum](#).

Question 1

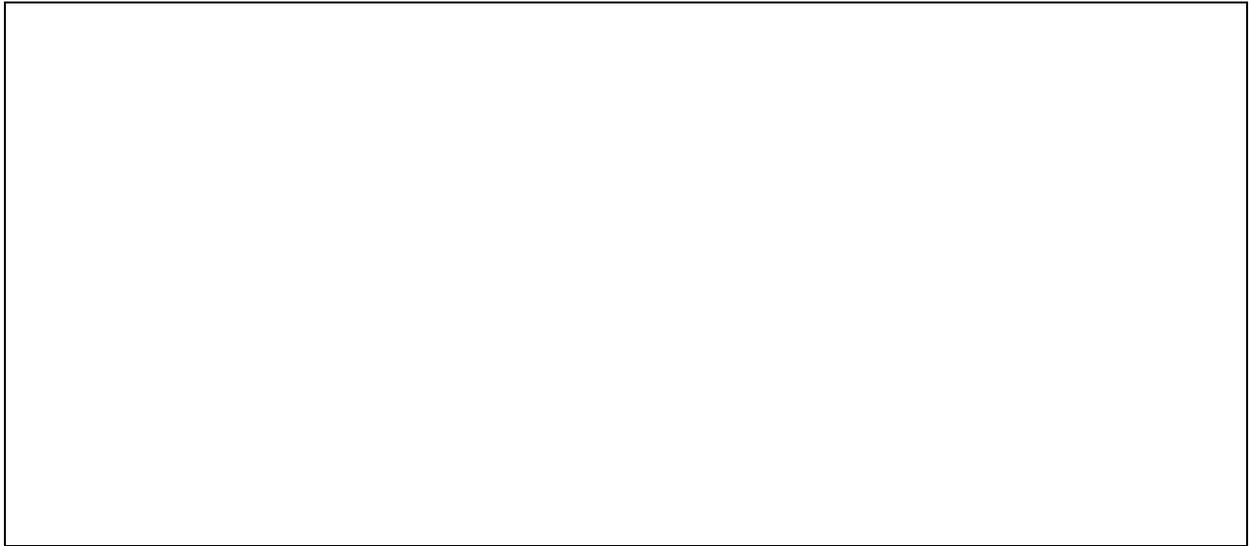
Do you agree that this evidence should be destroyed after 2 years and 2 months?

Question 2

If you do not agree that evidence should be destroyed after 2 years and 2 months, how long do you think it should be kept for?

Question 3

Why do you feel that way?



RESPONDENT INFORMATION FORM

A small icon of a form titled "Please fill in this easy read form". It has three sections: "Your name" with a person icon, "Address" with a house icon, and "Phone" with a mobile phone icon.

Please Note this form **must** be completed and returned with your response.



To find out how we handle your personal data, please see our privacy policy: [Link to Scottish Government privacy policy](#).

Are you responding as an individual or an organisation?

- Individual
- Organisation

A woman in a pink top holding a white sign that says "Name".

Full name or organisation's name:

A black smartphone displaying a call interface.

Phone number:



Address:

Postcode:



Email:

The Scottish Government would like your permission to publish your consultation response.

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only.

If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss.

They may wish to contact you again in the future, but we require your permission to do so.

Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No

Part 4 What happens next

What we do with your answers



If you ask for your answers to be kept private, we will not publish them.



The Scottish Government follows the Freedom of Information (Scotland) Act 2002 and that includes any requests we get for information about this consultation.



To find out how we handle your personal data, please see our privacy policy: [Link to Scottish Government privacy policy](#).

What happens next?



If you have given permission for your answers to be made public, and we have checked that they contain nothing inappropriate, your answers will be published at: [Link to Citizen Space Consultation Hub](#).



If you use Citizen Space to give your answers you will get a copy of them sent to you by email.

Following the closing date, all answers will be looked at along with any other information we have.



Comments and complaints

If you have any comments about how this consultation has been done, please send them to: EquallySafeFMS@gov.scot



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