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Cabinet Secretary for Justice
The Scottish Government
St. Andrew's House
Regent Road
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Dear Cabinet Secretary,

Making women safer in Scotland: the case for a standalone misogyny offence

As you know, Engender has been engaged with proposals for reform of hate crime legislation for a number of years. Over that period, we have been pleased to share with Lord Bracadale and with Scottish Government our analysis regarding the extension of hate crime offences to crimes committed against women on the basis of their sex and gender.

I enclose a copy of our recently published report *Making women safer in Scotland: the case for a standalone misogyny offence*, in which we set out our rationale for the view that a 'gender hostility' aggravation is not well suited to address the scale and form of ubiquitous harassment and violence experienced by women and girls. Firstly, there has been little work to research, define and map the precise nature of this violence and hate directed towards women onto existing criminal law in order to identify the gaps that exist. Secondly, the international experience of gender or sex aggravations suggests that they do not operate well, if at all, and so make no meaningful difference to women and girls

Furthermore, we believe that introducing a 'gender hostility' aggravation could actually undermine the Scottish Government's work to tackle violence against women. Equally Safe represents an ambitious and comprehensive approach to gender-based violence which understands the causal link with gender inequality. To frame some such offences as motivated by hatred of women and others as not, as any such aggravation would do, is wholly inconsistent with this analysis.



As you also will be aware Engender, and other expert national women's organisations, believe the best way to properly tackle misogynistic abuse is to 'name the problem' and provide for a standalone offence of misogyny. We recommend a participatory approach to development which learns from the process which led to the world-leading Domestic Abuse Act.

I enclose a copy of the report, which I look forward to discussing further at our meeting on Thursday 19 December.

Yours sincerely



Emma Ritch

Executive Director
Engender

