

Fairer Scotland Duty Assessment

**Forensic Medical Services
(Victims of Sexual Offences)
(Scotland) Bill**

Summary

November 2019



Scottish Government
Riaghaltas na h-Alba
gov.scot

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Summary

<p>Title of Policy, Strategy, Programme etc</p>	<p>Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill</p>
<p>Summary of aims and expected outcomes of strategy, proposal, programme or policy</p>	<p>The policy background to the Bill and further information about the role of the Chief Medical Officer for Scotland's rape and sexual assault Taskforce (CMO Taskforce), is fully described in the Policy Memorandum published on the Scottish Parliament's website.</p> <ul style="list-style-type: none"> • The Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill will provide a clear statutory basis for health boards to deliver forensic medical examinations and associated healthcare needs for victims of sexual offences and to ensure consistent access to these services across Scotland. • The Bill will also introduce the statutory framework for health boards to retain samples from a forensic medical examination (which may support any future criminal investigation or prosecution), even if a victim does not wish to report the incident to the police or are undecided about doing so. This is known as 'self-referral'. • The Bill will do this by clarifying the legal basis for health boards to deliver police referral services and by creating a new duty in relation to services for people who chose not to report to the police or are undecided. Together, these will underpin the wider work of the CMO Taskforce. • How these services should be delivered by health boards is set out Healthcare Improvement Scotland (HIS) Standards developed in collaboration with a wide range of stakeholders¹. These have been developed to drive consistency in approach and to reinforce the high quality care everyone should expect.

¹http://www.healthcareimprovementscotland.org/our_work/standards_and_guidelines/stnds/sexual_assault_services.aspx

Summary of evidence

Evidence tells us that serious sexual assault is more prevalent in lower socioeconomic areas. Childhood sexual abuse occurs across all socio-economic groups but the most severe forms are also more prevalent in more deprived areas.

In addition to the increased prevalence of sexual assault in deprived areas, experiencing sexual assault can impact on a person's economic wellbeing, as well as their emotional and physical wellbeing, further compounding inequality.

The Scottish Crime and Justice Survey 2014/15 found that the risk of serious sexual assault varied by neighbourhood deprivation: 3.8% of those over age 16 living in the 15% most deprived areas of Scotland reported serious sexual assault, compared to 2.5% of those living in the rest of Scotland.

The risk of serious sexual assault was also associated with available income. Respondents to the survey were asked how easy it would be for the household to find £100 to meet an unexpected expense. This question is a proxy for immediate access to funds.

The risk of serious sexual assault was higher amongst those who stated that it would be 'a big problem' or 'impossible' to find £100 to meet an unexpected expense, compared to those who stated it would be 'no problem', at 7.4% and 2.0% respectively.

International evidence suggests that experiencing sexual assault can increase the risk of poverty by undermining employment and interrupting education. People who experience sexual assault may have to take time out of education or employment as a consequence.

The Crime Survey for England and Wales in 2017 explored the impact on employment of rape or sexual assault. Over a quarter of women who had experienced rape or sexual assault took time off their work. 6% either lost their job or gave up work. Results are unavailable for men due to low numbers of responses.

Chapter 6 of the consultation analysis paper describes the consultation responses sent to the Scottish Government on socio-economic and other equalities matters <https://www.gov.scot/publications/analysis-responses-equally-safe-consultation-legislation-improve->

	forensic-medical-services-victims-rape-sexual-assault/pages/7/ .
Summary of assessment findings	<p>No changes are proposed to the Bill on the basis of the Fairer Scotland Duty. The Bill will not introduce any additional obstacles; improving equity of access to services should improve outcomes across all social groups. The evidence would tend to suggest that women in lower socioeconomic groups are more likely to be the victim of sexual offending and are thus more likely to benefit from the objectives of the Bill. Implementation of the Bill is for health boards, supported at a national level by the CMO Taskforce and its sub groups who are already considering implementation impacts on inequalities of outcome.</p>



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