Victim Support Scotland submission of 18 December 2023

PE2022/E: Introduce national safeguarding guidance on how higher education institutions should handle cases of sexual misconduct

Victim Support Scotland believes that higher and further education establishments should have robust and thorough safeguarding policies, and procedures in place, including risk assessments that specifically consider cases where sexual offences and gender-based violence charges have been made.

We support the petitioner Ellie Wilson's view that these should be in place as they serve to safeguard students who would otherwise be unaware of potential risks, through appropriate protocols and procedures.

Victim Support Scotland does not think it is right or appropriate that a person who has been charged with sexual misconduct should be able to attend in-person classes and that online options should be offered instead. We believe this is the case when further action of the justice system is pending, as this can take a considerable length of time.

We maintain that defined measures need to be in place for how to protect other potentially vulnerable students where there have been allegations of sexual misconduct.

Policies and safeguarding processes need to be consistent across further and higher education settings and need to take into account situations in which a student may transfer to a different course or to a different educational establishment.

Organisations such as EmilyTest, www.emilytest.org, have lobbied to ensure adequate provisions be put in place in universities and colleges in relation to:

- Gender-based violence (GBV) prevention
- intervention and support
- how to report suspected GBV

They have created the world's first Gender-Based Violence (GBV) Charter for colleges and universities. For the educational establishments which have signed up to this Charter, this provides a degree of awareness within those institutions of how best to support their students and keep them safe from known risk of sexual misconduct.