

Scottish Women's Aid submission of 18 December 2023

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

We welcome the opportunity to respond to this petition which sets out a compelling case based on a survivor's own experiences of gender-based violence at a Scottish university. Scottish Women's Aid supports calls to strengthen responses to gender-based violence and improve the safety and wellbeing of those affected.

Violence against women and girls is evident across sectors, communities and institutions. Higher education is no different, NUS research found that 75% of students¹ had at least one unwanted sexual experience, 12% had experienced rape. Too often discussions about safety centre on the actions girls and women must take to prevent a harmful experience² or protect themselves from further harm, rather than challenging the conditions within society and the attitudes of boys and men that create the harm. Universities and colleges must be equipped with robust procedures to respond to gender-based violence and support student safety.

We note the Petition's calls to develop national safeguarding guidance to deal with cases of sexual misconduct, as well as clear measures when a convicted sex offender enrolls at a higher education institution. The petitioner proposes online only classes for those awaiting trial for a gender-based violence offence. We would support this, but also suggest that the guidance must address the range of behaviours associated with gender-based violence, including domestic abuse, and includes clear information to aid recognising concerning behaviours, carrying out and maintaining risk assessments, and supporting those affected by offending behaviour.

Domestic abuse is a pattern of behaviour, it is crucial that higher education institutions are aware of the different ways domestic abuse can manifest, including through non-violent coercive behaviours. We also echo the points raised by Rape Crisis Scotland that the guidance

¹ [NUS Sexual Violence in Further Education June 2019 Report](#)

² <https://static1.squarespace.com/static/6413232bf29ba901ed614415/t/649062e20978d622c4f8d3f3/1687184120539/SYWS-2016.pdf>

should address misconduct that may not have been reported to the Police and include clear processes so that survivors understand what to expect and how they will be supported. To ensure that any guidance developed is cognisant of the impacts of gender-based violence it should be developed in collaboration with victim support organisations whilst being informed by the experiences of survivors.

There are some welcome signs of progress, the charter developed by EmilyTest³ supports colleges and universities to implement a set of minimum standards, strengthening their intervention, prevention and support responses to gender-based violence. As well as this the work of the Equally Safe in Colleges and Universities Core Leadership Group⁴, that is working to implement Equally Safe across higher education institutions.

³ <https://www.emilytest.org/involved-charter/>

⁴ <https://www.gov.scot/groups/equally-safe-in-colleges-and-universities-core-leadership-group/>