

Factsheet

The Gender Equality Duty & Violence Against Women

What is the Gender Equality Duty?

The Gender Equality Duty (GED) is a new law that came into force in April 2007 requiring all public bodies in England, Wales and Scotland to take steps to **promote equality of opportunity between women and men** and **eliminate unlawful discrimination and harassment** in all of its functions. This is known as the 'general duty' and will apply to some voluntary and private organisations as well'. It is enforceable by judicial review proceedings and anyone can take this action.

Many public bodies in England (including local councils, health trusts, police forces and schools) also have specific duties which include:

- Setting gender equality objectives published in Gender Equality Schemes, and implementing them within three years.
- Gathering relevant information and consulting with employees, service users and others to set those objectives.
- Carrying out gender impact assessments on all current and new policies.
- Reviewing and revising the Gender Equality Scheme at least every three years.
- Reporting on progress against the Scheme annually.

The specific duties are enforceable by the Equality and Human Rights Commission only, although inspectorates and regulatory bodies should monitor performance against the duties. There are statutory Codes of Practice for England and Wales and for Scotland, as well as guidance for specific sectors (e.g. health and education) and on issues such as carrying out gender impact assessments and procurement. These are available on the Commission's website.

There are also public sector duties to promote equality on the grounds of race and disability.

Violence against women

Violence against women includes rape, sexual assault, domestic violence, sexual harassment, stalking, trafficking, sexual exploitation, female genital mutilation, forced marriage and crimes in the name of honour. It is both a cause and consequence of women's inequality and can have a devastating impact on individual victims, affecting their mental and physical health, as well as employment and educational opportunities. But it is also a serious problem for society more broadly - government research puts the cost of domestic violence alone in England and Wales at £23 billion a year².



The following statistics give an idea of the nature, scale and impact of violence against women:

- Almost half of women in England & Wales experience domestic violence, sexual assault or stalking during their lifetime³.
- 85% of forced marriage cases involve female victims⁴.
- Around 85% of rapes are never reported to the police and of cases that are reported, the conviction rate is less than 6% in England and Wales⁵.
- Although the incidence of rape is not decreasing, Rape Crisis Centres are closing for lack of funding - today there are only 36 rape crisis centres in England and none in Wales.
- The health-related cost of a single rape case is estimated at £73,487⁶.

How can the Gender Equality Duty address violence against women?

Here are just some of the ways that the new law can address violence against women:

- Local authorities will need to consider the different impact of funding decisions on gender equality. E.g. if a council cuts the funding of a rape crisis centre, what effect will this have on equality between women and men? Under the GED, it may be hard to justify the closure.
- The Crown Prosecution Service and the Metropolitan Police are both joining up their policies on violence against women. Other criminal justice agencies and social services should do the same so that the links between rape, stalking, domestic violence and child sexual abuse are understood and acted upon.
- Local health services must recognise the extent to which violence against women is related to women's physical and mental ill-health, teenage pregnancy, and substance misuse, and develop policies to address this.
- In order to take action on violence against women, and to fulfil their statutory obligations under the GED, public bodies will have to consult with stakeholders and collect data to create an accurate picture of the impact of violence against women locally.

1 The Gender Equality Duty is contained in the Equality Act 2006 and applies to all bodies carrying out 'public functions'. For further information on this please see the Code of Practice for the Gender Equality Duty.

2 S Walby, *The cost of domestic violence*, Department for Trade and Industry, 2004.

3 S Walby and J Allen *Domestic violence, sexual assault and stalking: Findings from the British Crime Survey*, Home Office, 2004.

4 *Forced Marriage: A wrong not a right*, Home Office and Foreign and Commonwealth Office, 2005.

5 *Cross Government Action Plan on Sexual Violence and Abuse*, April 2007.

6 R Dubourg, J Hamed and J Thorns. *The economic and social costs of crime against individuals and households 2003/4*, Home Office Online Report 30/05.

To download ***Tools for Change***, a toolkit of factsheets and enforcement letters, and for more information on violence against women go to www.endviolenceagainstwomen.org.uk.

For more information on the Gender Equality Duty go to www.equalityhumanrights.com.