

Equality and Human Rights Impact Assessment (EqHRIA) Summary of Results

Policy / Practice	Domestic Abuse Investigation SOP
Owning Department	SCD Public Protection
Date EqHRIA Completed	12/08/2019
Purpose of Policy / Practice	To define the expected policing response to, and investigation of domestic abuse.

A. Summary of Analysis / Decisions - What the assessment found and actions already taken.

The Domestic Abuse Investigation SOP defines the expected policing response and investigation of domestic abuse. It provides instruction for officers and police staff dealing with domestic abuse to ensure Police Scotland's commitment to providing all victims of domestic abuse with a consistent service. The SOP underpins Police Scotland's values and ensures officers and staff are respectful of the welfare and expectations of victims, witnesses and suspects.

In support of the SOP, the Joint Protocol between Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) 'in partnership challenging domestic abuse' outlines the procedures and practices followed by Police Scotland and COPFS in the investigation, reporting and prosecution of domestic abuse cases.

The SOP takes cognisance of the introduction of Domestic Abuse Scotland Act 2018 which introduced new legislation to criminalise coercive and controlling behaviour and includes a specific aggravator in relation to children.

Evidence gathered during the consultation period includes feedback from external partners and staff organisations/representatives. The guidance reflects the Scottish Governments 'Equally Safe' strategy where the vision is for all individuals to be equally safe and respected.

The protected characteristics will be positively impacted by the SOP and suite of associated guidance documents.

In addition, Human Rights Articles relating to this SOP were assessed accordingly. Any infringements identified were analysed carefully and where possible appropriately mitigated.

Article 5 of the Human Rights Act will be infringed as a result of arrest and detention of suspects in Police custody however this is justified due to legal basis and legitimate aim to investigate crime.

B. Summary of Mitigation Actions - What else we plan to do and how we are going to check that it has been done.

The owning department will monitor changes in legislation/circumstances which may affect the Domestic Abuse Investigation SOP and assess how these changes may impact on protected groups. The owning department will continue to work with key stakeholders to ensure the guidance provided is fit for purpose.

The owning department will be responsible for the ongoing review of both the Domestic Abuse SOP and EqHRIA.

Management Log – Policy Support Dept. Use Only

Review Date		Review Date	
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