

EQUALITY ACT 2010

GENUINE OCCUPATIONAL REQUIREMENT STATEMENT

POST: SWRC Solicitor

JRS (JustRight Scotland) require to recruit for a Solicitor position within the SWRC. The post recruited is to provide legal information, advice and representation to women affected by gender-based violence throughout Scotland. This will include the provision of outreach work (helpline and legal surgeries). There will also be the opportunity to contribute to policy, training and research work but the expectation for this specific role holder at the start will be to primarily undertake legal outreach and legal representation work and thus will largely be a client facing role.

Schedule 9 (part 1) of the Equality Act 2010 provides that in certain circumstances it is lawful for an employer to apply a requirement to have a particular protected characteristic where, having regard to the nature or context of the work; there is an occupational requirement, and the application of the requirement is a proportionate means of achieving a legitimate aim.

JRS believe that, for reasons stated below relating to the nature of the post, the requirement to have a solicitor who is a woman is a genuine occupational requirement.

The SWRC provides legal information, advice and representation to women affected by gender-based violence. It does so through the delivery of a national helpline, outreach surgeries, direct legal representation and information sharing and awareness raising. The SWRC is a collaboration between JRS, Rape Crisis Scotland and the University of Strathclyde Law Clinic.

Due to the nature of the violence suffered, women are more likely to access the services of the centre if it is a women-only service. All staff employed within the centre, including volunteers from the law clinic, are women. Moreover, the SWRC are providing surgeries linked to local Women's Aid and Rape Crisis centres. These places are all women spaces. Whilst these are currently managed online/remotely, the plan is to host outreach in person at such spaces where there are specific barriers to engaging remotely.

The responsibilities of the post holder are to largely provide frontline direct services to the SWRC. This means the operation of the helplines, outreach surgeries and direct cases. Being a woman is therefore essential to the post and there is a legitimate aim for applying the requirement to have a woman-only post. For the same reasons, and in particular the direct services the post holder will require to perform, the requirement is proportionate.

5th June, 2025