DOMAIN 2 PHYSICAL AND LEGAL SECURITY

THE MULTIDIMENSIONAL INEQUALITY FRAMEWORK: THE OXFAM TOOLKIT

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This domain covers inequalities in the capability to be and feel physically safe and secure, as well as in being protected and treated equally and fairly by the law. The domain captures all forms of physical and psychological violation, such as torture, forms of inhuman or degrading treatment or punishment, including female genital mutilation, harassment or "disappearance", with special attention to violence against women and children.

DOMAIN 2 – PHYSICAL AND LEGAL SECURITY

Inequality in the capability to live in physical safety and legal security

The multidimensional inequality framework allows you to measure inequalities in seven domains that matter for human life, through a number of suggested indicators, measures and variables of disaggregation.

This paper contains a brief description of the physical and legal security domain and the list of sub-domains, indicators and measures suggested to measure and assess inequalities in the capability to live in physical safety and legal security. Please, remember that the MIF is flexible and it is up to you to decide how to use it, based on what makes sense in your unique context.

Brief description

For individuals to be capable of living the kind of life they have reason to value, they need to be, and feel, **physically safe and secure**. This domain covers all forms of physical and psychological violation influencing people's capability to be and feel physically secure. This includes the incidence of torture and other forms of inhuman or degrading treatment or punishment, female genital mutilation, harassment, kidnap, 'disappearance', human trafficking and arbitrary detention.

Special attention is given in this domain to **violence against women** (physical, sexual and psychological) and to violence perpetrated **against children**. The physical mistreatment of those living **in institutions** (care homes, hospitals, etc.) and **in detention** (prison, secure hospitals, police custody) is also considered, given the special circumstances and vulnerability of people in these situations.

Another critical aspect of security is **legal security**. People need to be protected and treated equally and fairly by the law. The legal treatment of children in terms of parental rights, rights of children and the treatment of minors before the law are important aspects. This domain also captures how **some advantaged people can receive preferential treatment**. This may be through the nature, scope and range of behaviours that are criminalised; disproportionate power and influence in the setting of laws and how laws are enforced; as well as how those found guilty of committing a crime are punished (being let off without charge or through more lenient sentences). All of these aspects would be considered under this domain.

The **sub-domains** covered in the physical and legal security domain are:

2.A. Be free from violence including sexual and gender-based violence, domestic violence and violence based on who you are

2.B. Feel able to use public spaces safely and securely without fear

2.C. Know you will be treated with equality, fairness and non-discrimination before the law

2.D: Have the right to identity, name, gender and nationality

Indicators and measures

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It is highly unlikely that you will find data for your city, country or region for *all* measures across *all* domains. What is suggested here is a relatively comprehensive list of indicators and measures, presented by each sub-domain. You can choose priority measures from this list and add or adapt measures to suit your context.

To find data related to this domain, as well as using any national surveys and sources available, you can consider the following global data sources (please, visit the online Oxfam toolkit for updated global and regional data sources):

- Barometer Surveys
- Demographic and Health Surveys
- OSCE – Office for Democratic Institutions and Human Rights (Hate crime reporting)
- Sustainable Development Goal Indicators Global Database
- World Values Survey

Sub-domain 2.A. Be free from violence including sexual and gender-based violence, domestic violence based on who you are

Indicator 2.1: Violent crime

Measure 2.1.1: Percentage of population subjected to physical, psychological or sexual violence in the previous 12 months

Measure 2.1.2: Percentage of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months

Measure 2.1.3: Percentage of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months

Measure 2.1.4: Percentage of children aged 0-17 years who experienced any physical punishment and/or psychological aggression by caregivers

Measure 2.1.5: Percentage of children aged 0-15 years who experienced any sexual violence in the previous 12 months

Indicator 2.2: Bodily and psychological integrity and security

Measure 2.2.1: Percentage of girls and women who have undergone female genital mutilation

Measure 2.2.2: Number of victims of human trafficking per 100,000 population

Measure 2.2.3: Number of verified cases of kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months

Sub-domain 2.B. Feel able to use public spaces safely and securely without fear

Indicator 2.3: Fear for personal safety

Measure 2.3.1: Percentage that feel very unsafe or unsafe being alone at home and/or in local area (during the day and after dark)

Measure 2.3.2: Percentage that feel very worried/worried about physical attack, sexual assault, intimidation and acquisitive crime

Measure 2.3.3: Percentage concerned about their personal safety using public transport (during the day and after dark)

Measure 2.3.4: Percentage paying for security: (a) for personal protection; (b) security guards protecting private property; (c) to live in gated communities

Sub-domain 2.C. Know you will be treated with equality, fairness and non-discrimination before the law

Indicator 2.4: Fair and equal treatment by the police and legal system

Measure 2.4.1: Percentage of population who the police have: (a) stopped on foot or vehicles; (b) stopped and searched; (c) conducted unannounced property/dwelling search

Measure 2.4.2: Percentage who are confident that the criminal justice system (police, courts, prison and probation service): (a) meets the needs of victims; (b) respects the rights of those accused of an offence and treats them fairly

Measure 2.4.3. Share of the population who believe that the public administration makes fair and impartial decisions

Measure 2.4.4: Number of cases of (a) rape (b) domestic violence (c) hate crime estimated from population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted

Remember make the framework yours! You can choose priority measures from this list and add or adapt measures to suit your context

Measure 2.4.5: Percentage of the population who believe that poor people are treated worse by the police

Measure 2.4.6: Percentage of the population who believe that the police make fair and impartial decisions

Measure 2.4.7: Perception of how fair the courts are to majority versus minority race/ethnic group

Measure 2.4.8: Trust in the criminal justice system: (a) trust in courts' procedural fairness and trust in their competence; (b) trust in the police

Measure 2.4.9: Perceptions of judicial and police corruption: (a) how often the police take bribes; (b) how often judges take bribes

Measure 2.4.10: Sentencing disparities: evidence by gender, race/ethnic group, economic or social status

Measure 2.4.11: Detention numbers, physical assaults and conditions in prisons and other establishments (young offender institutions, secure hospitals, immigration centres, military prisons, house arrest)

Sub-domain 2.D. Have the right to identity, name, gender and nationality

Indicator 2.5: Right to identity, name, gender and nationality

Measure 2.5.1: Percentage of children under five years of age whose birth is registered with a civil authority

Measure 2.5.2: Percentage of the population with no official identity card stating name, gender and nationality

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