

Domestic Abuse (Scotland) Bill

2nd Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- a list of any amendments already debated;
- the text of amendments to be debated on day 2 of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

Annual report on support to victims

13

Duty to promote public awareness

26

Review of measures to exclude

38

Amendments already debated

Specialist domestic abuse courts

With 37 - 27, 28

Amendments in debating order

Annual report on support to victims

Mary Fee

13 After section 12, insert—

<Annual report

Annual report

- (1) The Scottish Ministers must as soon as practicable after 31 March each year prepare and publish an annual report setting out information about cases involving—
 - (a) the commission of an offence under section 1(1),
 - (b) the commission of an offence that is aggravated as described in section 1(1)(a) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.
- (2) The report must include in relation to the reporting year—
 - (a) information about the provision of support and assistance to a person who is, or appears to be a victim of an offence mentioned in subsection (1), including—
 - (i) the average period of time during which support and assistance was provided,
 - (ii) the types of support and assistance provided, and
 - (iii) the manner in which the support and assistance was provided,
 - (b) information about the provision of funding to secure the support and assistance mentioned in paragraph (a),
 - (c) information about the number of proceedings involving an offence mentioned in subsection (1) in relation to which special measures were applied for and authorised,
 - (d) any steps that the Scottish Ministers plan to take as a consequence of the information provided in accordance with paragraphs (a) to (c).
- (3) A report published under this section must be laid before the Parliament.
- (4) In this section,
 - the “reporting year” means—
 - (a) in the case of the first report, the period of time from the date on which the Bill for this Act receives Royal Assent until 31 March of the following year,
 - (b) in the case of each subsequent report, the period of time beginning with 1 April and ending with 31 March in the following year,
 - “special measures” means any of the special measures set out in, or prescribed under, section 271H of the Criminal Procedure (Scotland) Act 1995.>

THIS IS NOT THE MARSHALLED LIST

Duty to promote public awareness

Maurice Corry

26 After section 12, insert—

<Duty to promote public awareness

Duty to promote public awareness

The Scottish Ministers must take such steps as they consider appropriate to promote public awareness and understanding of the operation of this Act, including the kind of conduct that constitutes abusive behaviour for the purposes of an offence under section 1(1).>

Review of measures to exclude

Liam Kerr

38 After section 12, insert—

<Review of measures to exclude

Review of measures to exclude

- (1) The Scottish Ministers must carry out a review of legal measures that have the effect of temporarily excluding a person (“A”) from the home of A’s partner or ex-partner (“B”) where it appears that—
 - (a) A has, or may have, committed an offence against B under section 1(1), and
 - (b) there is a risk of immediate danger to B or a child usually residing with B.
- (2) In carrying out the review under subsection (1), the Scottish Ministers must consult—
 - (a) Police Scotland,
 - (b) the Crown Office and Procurator Fiscal Service,
 - (c) such persons as they consider to be representative of victims of domestic abuse, and
 - (d) such other persons as they consider appropriate.
- (3) The review must be carried out within 1 year from the day on which the Bill for this Act receives Royal Assent.
- (4) The Scottish Ministers must—
 - (a) publish a report setting out—
 - (i) the findings of the review under subsection (1),
 - (ii) any steps that they plan to take in consequence of the review,
 - (b) lay a copy of the report before the Parliament.
- (5) In this section, “home” means the dwelling where B is for the time being living, which B may or may not share with A.>

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