Finance Committee

The Abusive Behaviour and Sexual Harm (Scotland) Bill’s Financial Memorandum

Submission from North Ayrshire Health and Social Care Partnership

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

   No.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

   Not applicable.

3. Did you have sufficient time to contribute to the consultation exercise?

   Not applicable.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

   The only part of the Bill which appears to have cost implications for the Local Authority is in regard to the new specific offence for the non-consensual sharing of intimate images. The new offence is estimated to give rise to between 16 and 26 convictions each year where a community sentence would be imposed. We would concur with the statement in the ‘Financial Memorandum’ that these costs will be met from existing resources provided to Local Authorities in this area and will not require any additional funding.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

   Yes. As far as the Local Authority is concerned but our comments under “Wider Issues” also need to be taken into account.
6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Yes.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

Not applicable.

Wider Issues

We support in principle any moves to address abuse and harm to women in all its forms. We would like any new legislation to ensure that victims have swift access to justice and that perpetrators’ behaviour is challenged and opportunities given for them to change. We believe that there are currently very limited programmes and initiatives in place to help perpetrators change their behaviour. The development of this type of resource would have cost implications.

The justice system is currently unable to cope with the number of existing domestic abuse cases being processed. There would be a need for additional capacity within all justice agencies, and also relevant partner agencies, e.g. statutory and third sector agencies liaising with Police Concern Hubs and Getting It Right for every child (GIRFEC) arrangements. As alluded to above, our experience is that we currently have very few non court mandated services and programmes across Scotland to help perpetrators of domestic abuse to address their offending. There are no prison programmes at all in Scotland and only one programme, Caledonian, for those on community sentences. The common practice of fining perpetrators simply continues to persecute the victim and the children where the family remains together and finance is already limited or controlled by the abusive partner. Whilst keeping victims safe is our primary concern, we must recognise that perpetrators will go on to develop new relationships and form new families, so they must also be supported to change.

Iona Colvin
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