

Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations

Introduction

The Criminal Justice Committee launched its [call for views on the Prevention of Domestic Abuse \(Scotland\) Bill](#) on 15 July 2025. It closed on 15 September 2025.

The intention of this paper is not to be exhaustive, rather it is to provide an overview of the main themes raised in the submissions. The [submissions are published online](#) where the respondent gave permission for publication.

A [SPICe Briefing on the Bill](#) provides more information on the background to and provisions within this Bill.

Responses

The Committee received 136 submissions to the call for views. Of these submissions, 44 were from organisations, with the rest from individuals. It should be noted that not every respondent answered all of the questions.

This analysis is for the responses received from **organisations** only. A separate analysis of the individual responses to the call for views has also been produced.

Part 1 – Notification requirements for domestic abuse offenders

Part 1 of the Bill seeks to introduce notification requirements for domestic abuse offenders. It would require them to provide the police with details such as all the names used by them, their date of birth, address and passport details. The provisions in the Bill would enable them to be assessed and managed under multi-agency public protection arrangements (MAPPA).

Some organisations were supportive of this Part of the Bill, stating, for example:

“Our survivors would support this proposal. Knowing the perpetrator was being monitored would help them to feel safer, especially within their local community.” (Central Advocacy Partners)

“Introducing notification requirements would close an important gap in public safety. At the moment, people convicted of domestic abuse are not monitored in the same way as registered sex offenders, even though the risks to victims and communities can be just as serious. A requirement to inform police of details like their address or passport will improve safety by helping agencies manage the risks more effectively.” (EmilyTest)

“We agree with this proposal. It would be a measure to monitor offenders convicted of domestic abuse and minimise harm to survivors.”
(Clackmannanshire Women's Aid)

“We feel this may act as a good deterrent overall especially as it would require convicted persons to be monitored more closely, providing their personal information and circumstances in order to do so. This would hopefully mean that perpetrators of domestic abuse cannot move around as freely across borders where historically they have done so and continued to offend, falling under the radar and becoming 'lost' to agencies such as police and social work.” (Committed to Ending Abuse (CEA Ltd))

“I strongly support this proposal. Requiring convicted domestic abuse offenders to notify and be monitored by the police is a necessary step to enhance accountability and protection for victim-survivors. It ensures that offenders cannot easily evade oversight, and it helps create a safer environment for those affected by domestic abuse.” (Scottish Asian Ekta Group)

However, while many noted that they were supportive of the aims of the Bill, they went on to set out a number of issues or questions that they felt required to be considered. These are set out below under the following headings:

- current processes and provision
- definition
- notification requirements and monitoring
- notification periods and form of notification
- penalties
- resources
- further issues to be considered.

Current processes and provision

While some respondents noted that there were benefits to domestic abuse offenders becoming part of the Multi-Agency Public Protection Arrangements (MAPPA) process, others, including Edinburgh Women's Aid, stated that MAPPA processes are already in place for serious offenders, including for domestic abuse where they meet the criteria, and that:

“It is unclear what additionality this would bring to the already existing multi-agency risk management approach to DA [domestic abuse] in Scotland. MARAC¹, MATAC² and DSDAS [Disclosure Scheme for Domestic Abuse

¹ Multi Agency Risk Assessment Conferences – regular, local, confidential meetings to discuss how to help victims at high risk of being seriously harmed by domestic abuse.

² Multi Agency Tasking and Coordination – Police Scotland's initiative to identify and manage the most harmful domestic abuse perpetrators.

Scotland] provide the opportunity to discuss the complexities of cases and ensure the safety of victim/survivors while holding perpetrators to account.”

Scottish Women’s Aid noted that while the existing arrangements for all offenders may be “flawed” that they “provide a foundation for multi-agency information sharing, monitoring, and safety planning that this proposal fails to take account of”. They went on to state that they worried that the new procedure within this Bill may “damage the existing infrastructure designed to protect all victims/survivors”. They stated:

“The best way to improve safety is to invest in making good multi-agency work consistently available to all survivors across Scotland.”

The Wheatley Group stated that “allocated funding for MARAC posts across the public, third and charity sectors would help increase the safeguarding opportunities for the most vulnerable victim-survivors”.

Police Scotland noted the “substantial financial and resource investment across multiple agencies” that would be needed were MAPPA arrangements to apply to all domestic abuse offenders as defined in the Bill. They stated that given the existing multi-agency measures that are in place to prevent domestic abuse, “it is our opinion that the introduction of MAPPA would create duplication in terms of administrative and operational tasks across agencies and an overlap of responsibilities. This would also compound financial and resourcing challenges”.

COPFS questioned whether improved monitoring of domestic abuse offenders, and an improved public awareness of the same, could be better achieved by other means. They suggested improved resourcing of MAPPA and improved resourcing and public awareness of DSDAS. They also noted that, in relation to MAPPA, an amendment to the qualifying criteria in section 10 of the Management of Offenders etc. (Scotland) Act 2005 would appear not to depend on the creation of a new statutory notification scheme.

COPFS stated that the interplay of MAPPA, MATAC and MARAC is known to be effective in Scotland. They noted that “the current multi-agency response is governed by risk assessing and is not contingent on criminal conviction” and raised concerns that the introduction of a statutory monitoring scheme under the Bill would divert crucial police resource from the current, effective, multi-agency response to risk management, safety planning and offender management.

Disclosure Scheme for Domestic Abuse Scotland (DSDAS)

In terms of making, or assisting in the making, of disclosures, respondents noted that DSDAS already allows, when requested, or proactively in the case of someone deemed ‘at risk’, the disclosure of information that is “lawful and necessary”. Disclosure of information under DSDAS can be made in respect of a perpetrator’s abusive history and is not limited to previous convictions.

Some respondents, for example SafeLives and ASSIST, felt that the Bill’s provisions would not change how DSDAS operates. Though others did feel that the provisions in the Bill would increase the disclosures made, stating when asked if more disclosures would be made under DSDAS, for example:

“Yes, I do believe that this will be the case. The fact that a register exists, will mean that potential victims/survivors, will be more confident that their perpetrators’ names and potential previous behaviour is recorded by authorities.” (Sikh Sanjog)

The Faculty of Advocates stated that they were not aware of any evidence that Police Scotland are currently unable to maintain records of those ‘with a history of domestic abuse’ or to proactively disclose this information to persons deemed ‘at risk’ under DSDAS.

The Scottish Solicitors’ Bar Association / Edinburgh Bar Association noted that the information the Bill proposes an offender would require to give to the police does not appear to assist in the operation of DSDAS and that “it may discourage co-operation with the police if the information an offender must give is prescribed by law, they may be less likely to give any information they are not obliged to”.

Police Scotland themselves noted in their submission that they work with their partners to provide support at decision-making forums around whether a disclosure should proceed, how best to deliver it and thereafter assisting in the delivery of disclosures to ensure there is appropriate aftercare for those receiving the information. They advised that in 2024/25 they processed 7,296 applications to the scheme and delivered 3931 disclosures, stating this marked a continuation of a significant year-on-year rise in applications to the scheme since its inception in 2015.

A number of respondents raised the need to raise awareness and understanding of DSDAS or noted that the Bill may raise awareness. The Corra Foundation stated in their response that several of the organisations they spoke to were not aware of the DSDAS scheme. ASSIST felt that “efforts should be focused on ensuring there is investment in training, oversight, promotion and development of DSDAS” and that they have not seen any justification for potentially diverting resources from this to the proposals in the Bill.

To improve DSDAS, respondents stated that embedding a duty to refer or proactively consider disclosure in relevant agencies could ensure a more consistent use of the scheme (Monklands Women’s Aid) or that placing a duty on police/services to inform vulnerable partners would be welcome (Central Advocacy Partners).

Definition

In terms of the definition of a ‘domestic abuse offender’ as set out in the Bill, a number of organisational respondents noted that this would exclude most perpetrators, either due to them not being charged or then not being convicted, being processed under summary procedure, or being unlikely to be sentenced to 12 months or longer even for serious offences. The Corra Foundation stated that “the offenders that this bill would apply to was described [by organisations] as “the tip of the iceberg””.

ASSIST stated that “even assuming a register would be effective in achieving its aims to improve safety, only a small number of victims would be protected”, going on

to note that they did “not believe that any definition that uses convictions alone is a safe way of identifying risk to victims of domestic abuse”.

COPFS also commented on the restricted definition of a “domestic abuse offender” within the Bill stating that it was “potentially confusing and inconsistent with the importance placed by criminal justice agencies and third sector organisations in Scotland of a consistent definition of domestic abuse”. They went on to state that:

“Risks of this include implying that the notification requirements will apply to all domestic abuse offenders, when they will not, or implying that victims of those the requirements will not apply to are in some way less deserving of protection. The provisions of Part 1 will not apply to the majority of domestic abuse offenders.”

Respondents noted that the definition is not based on any risk assessment and that people may be known to services but be outside the scope of the Bill. They noted this would undermine the Bill’s preventative aims. Public Health Scotland raised concerns that those who did not receive formal convictions may still pose a significant risk but would not be subject to the proposed notification or monitoring requirements. Victim Support Scotland also noted that “the totality of risk from a perpetrator is not reflected in the case progressing through court, or by their convictions”.

ASSIST stated that the provision risked offering a false sense of security about perpetrators who don’t qualify for registration as victims could assume that they represent a lower risk.

The Law Society of Scotland offered a differing view which was that not all of the circumstances defined in section 1(2) of the Bill cover behaviours committed against ex-partners and that the proposed definition “would capture a large number of individuals, including those who may, in reality, pose no appreciable risk to others”. They placed this in the context of a recent [Independent Review into the Police-led Management of Registered Sex Offenders in the Community](#) in England and Wales, and stated:

“We consider that the proposed provisions in Part 1 could create a real risk of labelling people as inherently dangerous. We are concerned that such label is imposed on people involved in a single incident that do not represent a high risk for victims and communities.”

The issue of repeat offenders was also raised, with respondents noting that consideration could be given to identifying and monitoring repeat offenders who have not been convicted, or that the length and type of sentence should not be relevant, particularly if someone has been found guilty of more than one domestic abuse related offence. West Dunbartonshire Violence Against Women and Girls Partnership stated that the definition overlooks repeat offenders who can subject multiple partners to lower levels of violence and control over time and that these patterns of behaviour can be just as dangerous as cases involving high levels of violence and control towards a single partner.

Another concern raised by a number of respondents, including by Victim Support Scotland, Monklands Women’s Aid, West Dunbartonshire VAWG Partnership,

Edinburgh Women's Aid and ASSIST, was that victim-survivors could be arrested and convicted of domestic abuse where they were not the primary abuser and that this group could fall under the definition within this part of the Bill.

Aspects which were not included in the definition, but which were raised by respondents included stalking and familial abuse, and where there may be multiple perpetrators in the family using coercive control tactics and abuse on the victim-survivor. Grampian Women's Aid also noted that the definition does not consider child victims on the child protection register or who were subject to a Compulsory Supervision Order where there has not been a conviction for domestic abuse.

Notification requirements and monitoring

Some concerns were raised by respondents in terms of the notification requirements. These mainly arose from the mirroring of any domestic abuse notification and monitoring scheme with that in place for sex offenders and around potential unintended consequences of the introduction a notification scheme.

Mirroring of sexual offences notification and monitoring

In the context of the Bill mirroring the notification and monitoring requirements under the Sexual Offences Act 2003, some respondents highlighted the differences between domestic abuse offenders and those convicted of sexual offences.

The Scottish Solicitors' Bar Association / Edinburgh Bar Association stated that the "parallel with sexual offences is limited". They noted that unlike with sexual offences, where many are committed online or through social media, that a register for domestic abuse offenders is unlikely to be necessary for the identification of offenders and therefore any deterrent effect will be reduced. They stated this is emphasised by the fact that more than half of incidents of domestic abuse committed in 2023-24 were committed by people with an existing history of domestic abuse and therefore, they stated, "it is not clear how a registration requirement would deter them from offending again".

Police Scotland also noted that the tactical benefits that can arise from notification "are more limited in domestic abuse cases than in the case of a sex offender". For example, in terms of holiday passport data or in conducting environmental assessments to ensure a new address is not in the proximity of people who may be vulnerable to their particular type of offending.

In terms of training and expertise, the differences between monitoring those convicted of sexual offences and domestic abuse offenders was raised.

"Technically violent domestic abuse offenders can be monitored through existing MAPPA 3 Violent Offender arrangements; however our experience is that this can be challenging when presented with a violent domestic abuse perpetrator (an individual can be very dangerous and a risk of violence even when that risk to date has presented with a single partner and not the wider community)." (Dumfries and Galloway Public Protection Partnership/ D&G Community Justice Partnership)

Scottish Women's Aid also stated that MAPPA arrangements "are not and never have been fit for purpose for domestic abuse offenders". They went on to state that:

"...using the MAPPA framework for these domestic abuse cases will be using the wrong tool, and most worrying, create a competition for resources that operations and arrangements NOT on a statutory footing like MARACs will inevitably lose. Women and children will thus lose the multi-agency supports most likely to protect them."

East Lothian and Midlothian Public Protection Office, Social Work Scotland and ASSIST noted that we need to understand how the differences in sexual offences and domestic abuse offences can be accounted for, with some stating that the notification and monitoring must be bespoke to domestic abuse offending. Grampian Women's Aid also stated that those involved in the notification and monitoring processes needed to be trained in domestic abuse.

Social Work Scotland went on to note that "standalone registration of DA [domestic abuse] offenders without a tailored programme which is proportional and addresses needs and risks, may be insufficient to reduce the likelihood of reoffending".

Related to this, Public Health Scotland stated that before implementation, a review should be undertaken to examine how existing monitoring programmes have impacted reoffending rates to ensure that any new measures introduced by the Bill are evidence-based.

Police Scotland advised in their submission that "there is no evidence to indicate that the prospect of registration is a deterrent to sexual offending in the first place". They stated that between 2020 and 2025, the total number of sex offenders being managed rose from 6150 to 7831, an increase of 27.33%.

Unintended consequences of notification and monitoring

Respondents were asked specifically if they felt there were any risks of unintended consequences from the introduction of notification requirements and monitoring for domestic abuse offenders.

Some of these related to the issues set out above in terms of the differences between those convicted of domestic abuse and of sexual offences.

Some respondents highlighted that in the case of domestic abuse offenders the victim-survivor may stay with someone who is subject to these notification requirements. SafeLives and the Corra Foundation raised concerns around where the victim-survivor may still reside with the perpetrator who is subject to the notification requirements and monitoring with concerns that this could lead to an escalation of the domestic abuse, additional pressures or risk to the victim-survivor.

The Stirling Gender Based Violence Partnership stated that "considerations of implications of the notification for family is also relevant", while East Lothian and Midlothian Public Protection Office questioned "how would the victim-survivor be protected and not impacted by the register, for example travelling as a family". Social

Work Scotland also stated that there required to be consideration of implications of the notification for family.

The Scottish Solicitors' Bar Association / Edinburgh Bar Association noted that an unintended consequence of the notification provision could be the potential that an ongoing registration requirement "may harbour and continue ill feeling from one party to another and increase the possibility of further offending". Social Work Scotland stated that "the imposition of additional requirements could result in unintended retaliatory action against a partner".

Respondents also raised concerns that where someone's partner was subject to notification and monitoring requirements that this may create a false sense of security and safety.

SafeLives raised concerns that "notification could put victims off reporting due to concerns about stigmatisation and the impact it may have on the perpetrator (particularly where a relationship may continue or care of dependents is involved)".

ASSIST raised concerns that "the prospect of registration would be so objectionable as to encourage perpetrators to take steps necessary to avoid a conviction". They, along with the Law Society of Scotland, COPFS and Victim Support Scotland, specifically raised the issue of this potentially making guilty pleas less likely, pleas being made later and an increase in disputes within trials about sensitive information.

Other issues

Other issues raised by respondents in terms of notification and monitoring requirements included:

- concerns around offenders requiring to self-report and that this may undermine the Bill's effectiveness where people do not voluntarily comply
- clearer enforcement mechanisms and inter-agency collaboration to detect and respond to non-compliance
- that the Bill should ensure that monitoring and notification practices are applied fairly, avoiding reinforcing systemic inequalities and to this end that equality monitoring should be built in
- that an individual's Article 8 rights are protected and that any data which is recorded or shared must be no more than what is strictly necessary to achieve the aims of the Bill
- that the notification requirements meet the recommendation of the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in its report that "concern for the victim's safety must lie at the heart of any intervention in cases of all forms of violence covered by the Istanbul Convention"

- that the stigma attached to being a registered offender may be a barrier to rehabilitation, with the labelling of an offender potentially making securing housing or a job more difficult
- that while notification and monitoring requirements may support compliance, reduce reoffending, and improve information sharing, risk assessment, and safety planning, the without behavioural interventions, the impact of these measures is limited.

When asked specifically about further information that should be included in the Bill, many organisational respondents felt that this should include where someone entered a new relationship and details of the person's children. Social Work Scotland noted that were this to be included in notification requirements then it would provide the police with information to consider in disclosure under DSDAS. Details of the person's workplace or employment were also mentioned by a smaller number of respondents, including Scottish Women's Convention, who said it could be a discretionary requirement which could be requested where relevant.

Other information respondents felt should be included in notification requirements were:

- disclosure of any ongoing civil protection measures (e.g. interdicts, non-harassment orders)
- details of mental health, addiction and additional needs
- gender reassignment
- bank details, to address potential financial abuse
- animal abuse.

Respondents also asked for more detail on:

- how to account for people who have no fixed abode
- how the scheme would operate when someone moves to another of the UK nations
- what the information sought from offenders means in terms of police management in practice.

One respondent (For Women Scotland) also stated that they wanted to see moves that would prevent sex offenders changing their names and that this should apply to domestic abuse offenders as well.

Notification periods and form of notification

While some respondents did agree with the details of the notification periods in the Bill, those who did not raised the following issues:

- that the periods should be linked to risk levels and not sentence length, particularly given the nature and different dynamic of domestic abuse offending which can see patterns of repeat offending and coercive control

- that the rationale for the multiplier in the Bill is not clearly articulated and requires further scrutiny
- that the notification periods do not completely align with those in place for those convicted of sexual offences which the notification requirements mirror
- why periods are halved for those aged under 18 and how the indefinite notification period works for this age group
- whether the 3-day notification period refers to 3 days or 3 working days
- the possibility of extending the period for individuals who are assessed as posing an ongoing risk of reoffending.

Social Work Scotland stated that it would be helpful to understand the rationale for the notification periods. They set out that the police will monitor notification requirements for far longer than the person would be in prison and with no justice social work involvement for sentences of less than four years. They questioned what evidence there was that monitoring alone for this period of time would have an impact and what learning there has been from the Sex Offender Notification Requirements.

South Lanarkshire Council (Children and Justice Services) noted that “individuals sentenced to less than four years may face extended notification without structured support” and that “evidence supports the need for behavioural interventions to support desistance”.

In terms of how individuals fulfil the notification requirements, West Dunbartonshire Violence Against Women and Girls Partnership stated that “the Bill does not outline how individuals should notify the police; this may have impacts on those who are disabled and unable to travel to a police station or those who may have lower literacy levels if they need to complete forms”.

The Faculty of Advocates raised concerns around potential risks to an individual’s Article 8 rights where there is a requirement to repeatedly attend at a police station to give their notification orally to a police officer. They stated this could see a risk that the reasons for these repeated visits may be discovered by a third party. They noted, however, that while this was the view of Lord Philips, sitting as a Justice in the UK Supreme Court, that this is not a unanimous view and that the provision mirrors the equivalent provision in the Sexual Offences Act 2003.

Specifically in terms of procedures where there is a review of indefinite notification periods, the Faculty of Advocates stated that:

“We consider that it would be appropriate, if the chief constable is serving a copy of a notification continuation order on an individual as per Sections 10(5) and 10(6) of the Bill, to require that the individual also be given notice that:

- they may appeal the decision of the chief constable within 21 days of the date of discharge as per Section 13(3) of the Bill
- that it may be in their interests to seek independent legal advice.”

In terms of the provision for those aged under 18 at conviction, Social Work Scotland noted that given the time it takes to establish a conviction that the age should be related to the time of the offence. South Lanarkshire Council (Children and Justice Services) noted that while the Bill proposes halved notification periods for those under 18, that further consideration should be given to under-25s with care experience, in line with The Promise.

Penalties

While many respondents supported the penalties in the Bill, some did raise the issue that perpetrators currently frequently breach bail conditions and non-harassment orders and that this is not addressed effectively. Therefore, there requires to be consequences to failing to comply with notification requirements.

Though South Lanarkshire Council (Children and Justice Services) noted that where breaches result in court returns and potential custody this may conflict with wider efforts to reduce imprisonment.

The practicalities of imposing the penalties were raised:

“Financial penalties are unlikely to serve as a deterrent for people committing these offences. With the current local and national levels of deprivation, high monetary fines are unrealistic and unaffordable for many. This approach could put people into further poverty, placing additional financial strain on families, potentially contributing to child poverty. There is a concern that future partners might be exploited to help pay fines, further perpetuating abusive and controlling behaviours.” (West Dunbartonshire Violence Against Women and Girls Partnership)

Social Work Scotland also highlighted that any monetary penalty would impact the whole family and not just the individual in question. While South Lanarkshire Council (Children and Justice Services) noted that financial penalties may risk disproportionately affecting those already facing hardship, particularly younger individuals.

Committed to Ending Abuse (CEA Ltd), however, stated:

“It was also agreed in our discussion that offenders (if issued a fine) should be expected to pay it or go to jail. Courts have been known to issue unrealistic 'payment plans' that allow for extremely small payments that still go unpaid and are allowed to be deferred for different reasons. This does not deter offenders.”

The timescales of dealing with failures to comply were also raised in terms of ensuring effectiveness.

In terms of the length of sentence that could be imposed for failing to comply with notification periods, the Corra Foundation stated:

“Penalties should be relative to those given to people convicted of domestic abuse offences. Some felt that these penalties were more severe than those for domestic abuse offences and “would be laughed at by offenders”. For

victim-survivors it could be deeply upsetting to see an offender receive a harsher penalty for failing to notify the register, than they did for the domestic abuse offence.”

Public Health Scotland noted that the Bill (section 7(3)) states that an offender cannot be prosecuted more than once in terms of the same failure to notify (though they continue to commit the offence during any period where the failure continues). They stated that “this suggests if someone repeatedly doesn’t notify of changes then there is not an escalation of any penalty”.

Resources

The issues of resources and funding were raised by a number of respondents, for example:

“Without adequate and sustained investment, services will struggle to meet demand, and the ambitions of the Bill may not be realised in practice.” (Public Health Scotland)

“More clarity is needed on the funding, implementation and management of the register, as it will only be an effective deterrent if adequately resourced.” (Action Against Stalking)

Resourcing was highlighted in terms of the impact on frontline staff, and in particular in terms of the current capacity of Police Scotland and justice social work. Respondents noted that many organisations were already stretched.

The Scottish Police Federation (SPF) stated that they supported the overarching aims of the Bill, however said that “effective delivery of the Bill’s provisions will only be possible if Police Scotland is provided with the necessary resources and financial assistance”. They highlighted that when sex offender notification requirements were introduced there was an initial underestimation of the demand and that the resources required were “well beyond the original planning assumptions”.

In Police Scotland’s submission they stated that they “are not of the opinion that the significant investment of budget and resources needed to meet its [Part 1 of the Bill] requirements are proportionate to the potential benefit”. They went on to state that the notification and MAPPA management of registered domestic abuse offenders would require the development and delivery of training, recruitment from frontline policing, upgrades to systems and consideration of suitable locations to base teams. They concluded that:

“Considering the likely demand and impact outlined above, Part 1 of the bill will be impossible to implement as written without significant ongoing investment across the police and our partner agencies. Due to this and the existing mechanisms to proactively intervene with victims and perpetrators as detailed, we do not view Part 1 of the bill as being realistically achievable or as impactful as it aspires to be.”

COPFS noted that it was unclear what proportion of the domestic abuse offenders who would be subject to notification requirements under the Bill were not already within MAPPA or added to ViSOR, stating:

“The member has stated in correspondence with COPFS that “many” in that estimated cohort “will already be subject to MAPPA”.”

They went on to state that it is “unclear from the Financial Memorandum whether evolution in the numbers over time has been considered, and to what extent costings have been considered for future years”.

Social Work Scotland stated that:

“There are potential significant implications for Police Scotland in managing such a register as well as Justice Social Work (JSW) in supervising more individuals, under certain circumstances.”

In terms of this part of the Bill they specifically raised the issue of whether the domestic abuse offenders would be managed on ViSOR/MAPPS³ and highlighted the resource implications if justice social work are designated the ‘lead’ for MAPPS in relation to the cohort. They also questioned whether there would be additional resource for justice social work in their MAPPA units if their workload was to expand.

The Scottish Courts and Tribunals Service (SCTS) noted that a number of the provisions in this part of the Bill may impact on court programming and associated resources (e.g. Sections 7, 12 and 13) and that they “cannot estimate how extensive the impact of these will be at this stage as it is unclear how many prosecutions, applications and appeals to the court would be made”.

The reputational risk to organisations and the negative impact on public confidence and trust was raised by West Dunbartonshire Violence Against Women and Girls Partnership if changes in the Bill were felt to be imposed on organisations given current resources and capacity issues. They went on to note the risk to victims and survivors feeling further let down if the legislative changes within the Bill could not be implemented effectively.

ASSIST felt that any additional resource should be used to strengthen what is already in place, and that a statutory register could divert resources from the already established but non-statutory structures that are in place (MARAC/MATAC/DSDAS). They went on to state that allocating resources to a domestic abuse register ahead of existing structures and services “would risk further demoralising an already exhausted workforce”.

³ ViSOR is the Violent and Sex Offender Register that provides a central database for individuals managed under MAPPA in the UK. The Home Office and the Ministry of Justice have jointly funded a project to create the new Multi-Agency Public Protection System (MAPPS) which will allow ViSOR, which is now outdated, to be decommissioned.

Further issues to be considered

Further issues raised by respondents in terms of this Part of the Bill that they felt required to be considered included:

- that any animal abuse should be included in notification and monitoring
- that consideration may need to be given as to whether the terms of the Bill would interfere with an individual's UNCRC rights given that it is intended to apply to those who are under 18 at the time of their conviction
- a consideration of homicide escalation due to the stigma of being on a register
- a potential limitation of the Bill is that it wouldn't include records of perpetrators from England, or elsewhere, moving to Scotland, unless cross-border data sharing is considered
- the need to address the distrust of the police amongst some communities, including Black and racialised communities, and concerns about the misuse of power for those on the register from those communities
- the need for housing associations to be notified about perpetrators moving into or routinely visiting their properties to ensure they can help and support victims, and further clarification on how notification and monitoring would work for Housing Associations
- the need to recognise the Scottish Sentencing Council's Sentencing Young People Guideline and that those aged under 25 at the point of sentence are to be treated differently under this
- clarification on whether other duties associated with MAPPA that the Bill does not reference, for example Environmental Risk Assessments for housing, will be expected for those covered by the Bill.

Part 2 – Assessment of offenders for rehabilitation programmes and services

Part 2 of the Bill would require there to be consideration of whether someone who is convicted of a domestic abuse offence is a suitable candidate to take part in rehabilitation programmes or services with the aim of reducing reoffending. This consideration would take place prior to sentencing, while the offender is in custody and prior to the offender's release.

There was support for the introduction of mandated assessments, for example:

“We believe that this is a good measure as it will help re-integrated perpetrators into society as opposed to simply punishing them. We especially agree with the aspect of the mandatory assessment, given that some perpetrators are not eligible for rehabilitation.” (Sikh Sanjog)

However, many organisations offered qualified support or raised issues with the provision, examples of which are set out below.

Current processes

Some respondents highlighted that there are already processes in place which allow an assessment of an offender's suitability for programmes to take place:

"Whilst we do feel this is a positive move in general, we wanted to highlight that some of the current processes in place do already attempt to address this. For example, inclusion in rehabilitation programmes are based on assessment of need and resources and are made at key points in an offender's journey – pre-sentence (court report stage), at point of sentence commencing or pre-release." (East Lothian and Midlothian Public Protection Office)

They went on to note that:

"Suitability for programmed work is always considered where a Justice Social Work Report is requested in our local areas, and we have a pro-active approach to screening for Caledonian suitability."

Social Work Scotland noted that the current justice social work report is a pre-sentence report that assesses risk, needs, motivation and suitability for programmes where that is appropriate. They went on to note that training is required to equip social workers in the use of some specialist tools, such as SARA (Spousal Assault Risk Assessment).

Programmes, availability and efficacy

Respondents often mentioned the Caledonian System specifically when responding to questions on this part of the Bill.

In terms of what programmes are provided for those assessed as suitable, Dumfries and Galloway Public Protection Partnership/ D&G Community Justice Partnership questioned whether this applied only to the Caledonian programme, that they said only works with medium and high-risk offenders. It is currently only available in 20 of the 32 local authorities.

East Lothian and Midlothian Public Protection Office and Social Work Scotland also noted that there were further limitations as to who was suitable for the Caledonian programme, as it is gender specific so not suitable for those in same sex relationships or female perpetrators.

If it is not the Caledonian System that is provided, respondents questioned where the support for women and their children would come from, with Scottish Women's Aid stating:

"One of the minimum requirements for safety is a coordinated partner and child support service. A significant body of research has developed to support the Caledonian model, and we hear from our network that in areas without a program, local criminal justice social work teams are pressured to deliver programs that are cheaper, require less time and less expertise with no infrastructure. This is dangerous practice. We are not confident that the

proposal improves on existing practice and may indeed impede progress in this area.”

Should the provision of rehabilitation programmes or services include those beyond the Caledonian System, then respondents raised some issues with this. SafeLives stated that “clarity would be required of exactly what is meant by rehabilitation and behaviour change programmes”.

Respondents also highlighted the need for evaluation of any such programmes, with SafeLives stating:

“We would not support this proposal without comprehensive provision of evaluated perpetrator programmes in Scotland. Without this, the proposal is meaningless and potentially creates a dangerous situation where poor quality programmes fill the vacuum and increase risk to victims and survivors.”

Edinburgh Women’s Aid stated that any programme would need to be “robustly developed, tested and evaluated”, going on to state that this would take time and significant resources and that this should not be at the expense of existing services for victims-survivors.

A [2016 evaluation of the Caledonian System](#) was said to have shown success, however, SafeLives noted that there were limitations of time and available data for the evaluation. They, along with other respondents, noted that evaluation and updated data was needed with a requirement for data to link reoffending rates for those who have taken part in domestic abuse programmes being mentioned specifically.

Respondents stated that long term evaluation should be included in the Bill to ensure the programmes continue to be effective, with Public Health Scotland stating outcomes for perpetrators, survivors and their families should be monitored. EmilyTest stated that a “more thorough evaluation of efficacy is needed” in terms of behavioural change programmes.

The Corra Foundation stated that behaviour change programmes should also be available before someone is convicted noting that “if we are to prevent domestic abuse – we need to reach potential perpetrators before they offend”.

Related to this, South Lanarkshire Council (Children and Justice Social Work) stated that “national support (such as training and guidance from Community Justice Scotland) would help ensure consistency and quality across interventions, particularly for individuals at different stages of the justice process”.

Social Work Scotland highlighted the importance of having other integrated services beyond any behavioural change programme, for example, to address addiction, trauma and mental health issues. Scottish Asian Ekta Group also stated that for these programmes to be meaningful they required to be “paired with consistent follow-up and ongoing support” and that this included providing access to counselling and mental health services and ensuring collaboration with victim-support organisations.

Action Against Stalking raised the issue of stalking, noting that stalking intervention programmes do not currently exist in Scotland and stating that this could be added to the current Caledonian programme.

Sentencing

The Scottish Solicitors' Bar Association / Edinburgh Bar Association commented specifically on section 17 of the Bill, in terms of the assessment at the point of sentencing. They noted that the Bill does not specifically seek to amend sentencing policy and that in the absence of a clear statement of the purpose of this policy, for example rehabilitation of the offender, that "it is not clear what obliging the court to obtain a report will achieve".

Custody

Some respondents specifically addressed the situation for those in custody, noting that there was limited provision for specific programmes in prison. East Lothian and Midlothian Public Protection Office noted that to their knowledge "there are no domestic-specific programmes for people in custody" while Dumfries and Galloway Public Protection Partnership/ D&G Community Justice Partnership stated, "currently programmes are only available at certain prison establishments, requiring local prisoners in Dumfries and Galloway to move further away from partners, families, friends and other supports in order to access them".

Social Work Scotland stated that ideally programme work could be started in custody and be concluded in the community, however there are currently no domestic abuse specific programmes running in custody. South Lanarkshire Council (Children and Justice Services) also stated that "continuity between custody and community delivery would strengthen outcomes".

Dumfries and Galloway Public Protection Partnership/ D&G Community Justice Partnership raised the issue of the efficacy of specific domestic abuse behaviour change work while in custody, noting that "prison is a false environment where there are limited opportunities to practice any skills learned through such behaviour change work with partners".

The Scottish Solicitors' Bar Association / Edinburgh Bar Association noted the issues there can be when someone is serving a short-term sentence (less than four years) where they stated that:

"There is often little opportunity for rehabilitative work to be carried out for those serving such sentences and the intention of facilitating it needs to be backed up by the resources necessary to achieve it."

The Scottish Human Rights Commission (SHRC) raised the issue of compliance with the European Convention on Human Rights (ECHR), noting in particular the current context where there are issues with access to rehabilitation programmes in prisons and the HM Inspectorate of Prisons for Scotland (HMIPS) finding that the system of prisoner progression in Scotland is in need of re-evaluation and further investment.

Parole

The Parole Board for Scotland provided comments specifically on the assessment at the point prior to the offender's release. They stated:

“Whilst the Board is supportive of the intent, we are not really sure of the purpose and value of assessing suitability as a standalone process. For it to be of any real use to Board members in assessing risk and manageability, the report should, in my view, also set out whether such a programme is available in the community, and the likelihood of the offender being able to access it. Suitability in itself is unlikely to really tell the Board anything additional to what is otherwise likely to be in the dossier.”

They went on to state that they were concerned if any change to the 2022 Rules [\[The Parole Board \(Scotland\) Rules 2022\]](#) “required” them to take a report into account rather than it being something that they “may” take into account.

The Scottish Solicitors' Bar Association / Edinburgh Bar Association also commented on this section of the Bill stating that:

“Experience tells us that the Parole Board only release those who are already rehabilitated and whose risk can be managed within the community. Those who are unrehabilitated after their time in custody are unlikely to be released. In the absence of a specific direction within the Bill as to the effect such a report is to have on a prisoner's release, the provision is unlikely to have any practical effect.”

Resources

A number of the respondents who raised issues in terms of this part of the Bill did so in relation to resourcing and said that clarity was required in terms of this.

When asked whether there were currently enough services in place, respondents overwhelmingly answered, no.

Respondents noted that the interventions must be meaningful and not divert resources from frontline services.

“However, we are concerned that the proposals do not sufficiently address the current capacity limitations within criminal justice social work services. The success of any rehabilitative approach depends heavily on the availability of skilled staff, appropriate resources, and consistent access to evidence-based interventions. At present, many local authorities face significant challenges in meeting demand, and therefore increasing pressures may increase risk.”
(Scottish Women's Convention)

Scottish Women's Convention went on to note that the Bill should be altered to consider how it will support the scaling up of criminal justice social work capacity and that it must be accompanied by a robust monitoring framework to assess the effectiveness of rehabilitative measures and identify any gaps in service provision.

Committed to Ending Abuse (CEA Ltd) raised issues around the need for further funding and investment being required to ensure availability nationally of programmes such as the Caledonian System. They noted that currently provision

was inconsistent and that in some areas demand already exceeds capacity, resulting in long waits. This means that survivors can be left waiting while perpetrators receive no intervention, which they noted “undermines confidence in the system”.

Social Work Scotland noted that there are plans for 2026/27 to distribute funding for the Caledonian System across all of Scotland, however “insufficient levels of funding for some local authorities will make it very difficult to deliver the programme to accreditation standards”.

In terms of resources, South Lanarkshire Council (Children and Justice Social Work) raised the issue that “recruitment and retention in justice social work remain challenging” and that “without sufficient workforce and investment, implementation will be difficult”.

Social Work Scotland noted that there was the potential for assessments for court to be more time consuming than current processes when taking account of notification requirements and any implications. They also stated that workforce as a resource and recruitment issue may be a challenge in an already demanding social work environment.

Stirling Gender Based Violence Partnership stated that “the current environment for service delivery is incredibly challenging” and that “locally we have already had notification of a reduction in the funding for Caledonian programme delivery, where we have had a lot of success”.

Some respondents also stated that “the best use of resources would be to focus on primary abuse prevention” (Mairsinn) and that “by prioritising mental health and community services, less money will be needed in expensive rehabilitation and reintegration services” (Stirling Gender Based Violence Partnership).

Victim Support Scotland stated that the reality of rehabilitation programmes is that these are “under-funded, non-mandatory, and can take place after release from custody, which is too late to facilitate real change before returning to their community”. Instead of implementing the provisions in the Bill, they stated that available finance should be directed towards fully funding current services.

Other issues

Other issues that were raised by respondents included:

- potential consequences for someone not engaging with these programmes or services
- the need to provide holistic support and care for victims as well as rehabilitation and resource for perpetrators
- that programmes should be accessible and meet the needs of minority ethnic groups, disabled people and LGBT+ service users

- a concern that the criteria included in the Bill does not “sway Sheriffs away from considering a perpetrator programme for a first offence at summary level”
- that using criteria related to convictions is “insufficient” and that “if domestic abuse court advocacy was widely available in Scotland, Sheriffs would be more likely to have additional information to help them identify the need for an assessment at the earliest opportunity” (ASSIST).

Part 3 – Data collection and reporting

Part 3 of the Bill aims to improve data collection by placing a requirement on Police Scotland, COPFS and charities to ask for specific information (including ethnicity and whether someone has a disability) from victims of domestic abuse. This information would be provided on a voluntary basis and the Scottish Government would need to publish an annual report on the data gathered.

Charities do not have to collect the data if “it would be unreasonable to do so having regard to the person’s circumstances”, or “it would be impracticable to do so having regard to the charity’s resources”.

A number of the respondents supported these provisions, for example:

“Yes, I fully support this proposal. Requiring Police Scotland, COPFS, and supporting charities to collect data, and for the Scottish Government to report on it annually, is essential to understanding patterns of domestic abuse and ensuring that responses and services are effective and evidence-based.” (Scottish Asian Ekta Group)

“Strengthening data collection is critical, especially to ensure appropriate and adequate services are funded. Currently, there is limited information on intersections between characteristics such as race, disability and domestic violence. A better understanding of the victim-survivor profiles would help to target resources. Similarly, there needs to be better data on offenders so that targeted interventions can be deployed to prevent violence.” (For Women Scotland)

“The more we know about victim-survivors, the better we can tailor support for them.” (Wheatley Group)

The Scottish Human Rights Commission noted that Article 11 of the Istanbul Convention states:

“Parties shall undertake to... collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention.”

However, respondents also raised issues with this part of the Bill. These included that:

- poor data practices, such as inconsistent or inexperienced data input, could skew evidence
- data should be collected on perpetrators as well as victim-survivors and incorporated into annual reporting requirements for the Scottish Government
- there is a need for greater consistency of data collection and analysis across Scotland, allowing individuals to be tracked through the justice system and assess its effectiveness
- organisations need support and resourcing to enable them to collect and report on the required data in a robust and consistent way
- data collection must be implemented with measures to avoid duplicate counting as victim-survivors will engage with multiple services who may all be required to collect and report data
- data should only be published where it is comprehensive and this may not be the case if information is gathered from victim-survivors on a voluntary basis
- there is no requirement for the NHS to collect and report data, despite research telling us that health settings are significant ‘frontlines’ in relation to domestic abuse
- data from children affected by domestic abuse should be included too.

Some respondents also felt that the purpose of this provision required to be clarified, and that the data required to be used for a clear purpose, for example shaping services, ensuring targeted service planning and resource allocation, closing any gaps in support provision for victim-survivors, identifying disparities and ensuring equity of access. The issue of resources being in place to ensure responses to any annual reporting on the data collected was mentioned.

There was a concern from one respondent (The Corra Foundation) that the data collection could be seen as a tick box exercise, used to write reports rather than improve services.

Respondents mentioned other organisations they thought should be subject to this data collection provision:

- Scottish Courts and Tribunals Service
- Scottish Legal Aid Board
- Community Interest Companies who deliver services to victim-survivors.

Some respondents also felt that the list of relevant data needed to be expanded to include all the protected characteristics under the Equality Act 2010. With others mentioned collecting data on if the person has served with the armed forces, socioeconomic status, mental health, substance use, marital status and if they have children, type of domestic abuse and geography. The Law Society of Scotland

wondered whether it would be more useful to analyse data regarding the offence itself rather than the complainers' characteristics.

Some respondents noted that there are already legislative requirements in place to collect equalities data and that, if necessary, these could be expanded.

Respondents also noted that some specialist services or organisations already collect data on those who use their services. The requirement to share this with the Scottish Government was seen as an unnecessary administrative burden and that it could undermine the relationships with, and trust of, those they support.

Respondents also mentioned that this data collection requirement could result in people stopping using the service or discourage them from accessing support from these charities. Committed to Ending Abuse (CEA Ltd) stated that they have seen survivors disengage when data requests felt intrusive or poorly timed and that any data collection must be trauma-informed, with opt-outs clearly explained.

Police Scotland commented that while they already routinely collect much of the relevant personal data that not all victims of domestic abuse may wish to share this information with police officers. They went on to state that implementation of this part of the Bill would require Police Scotland to "develop training mechanisms to ensure that the relevant data was collected appropriately and sensitively, along with updates to internal systems to ensure that data is recorded and reported accurately".

COPFS raised several issues with this Part of the Bill. They noted that an identified focus of the Domestic abuse: justice partners group (established in 2023 and attended quarterly by Scottish Government, COPFS, Justice Analytical Services, the Judicial Institute for Scotland, Police Scotland and the Scottish Courts and Tribunals Service) is "developing the evidence base". In this context, they questioned whether the provisions within Part 3 were necessary to improve the dataset.

They also questioned whether a justice system that is working towards embedding trauma-informed practice, a more victim-centred approach and, where possible, a single point of contact, should be asking victims repeatedly for the same comprehensive data, regardless of whether victims may decline to provide this data.

Finally, COPFS raised the issue of resources, noting that while the Bill's Financial Memorandum suggested that the costs of implementation of this Part of the Bill for COPFS will be low and met within existing budgets that "given the range of data to be collected and the interface of COPFS systems, implementation is likely to require significant system updates with corresponding resource implications". Given the volume of domestic abuse cases that COPFS deals with, they stated "the resourcing impact of these provisions is not insignificant for COPFS and requires to be assessed".

Respondents also raised the issue of ensuring that the information must be stored securely with clarity around how the information would be shared. Some respondents raised the issue of potential misuse of the data and therefore of ensuring that careful consideration was given to how this information is published, with Scottish Women's Aid stating:

“Survivors who have experienced domestic abuse exist across society, as do the offenders who abuse. Unfortunately, unhelpful stereotypes persist. Published data could be interpreted in a way that perpetuates these stereotypes and that feeds misogyny, racism, able-ism, and other dangerous attitudes.”

Stirling Gender Based Violence Partnership raised a concern that due consideration is required for where information is recorded and publicly available that it may lead to individuals becoming identifiable to the wider public. Victim Support Scotland stated, “we believe that any information collated on victims of crime should be anonymised and not contain any personal information or information that could be reasonably expected to identify them”.

Part 4 – School education

Part 4 of the Bill includes provisions requiring the Scottish Government and education authorities to promote, facilitate and support domestic abuse education in schools.

There was generally a great deal of support for this provision from respondents.

Respondents emphasised the importance of prevention and the role that education could play in changing attitudes and reducing future harm, for example:

“I strongly support this proposal. Providing education about domestic abuse and healthy relationships in schools is vital to prevent abuse, promote respectful relationships, and empower children and young people with the knowledge to recognise and respond to unhealthy or abusive behaviours. Early education can play a key role in changing attitudes and reducing future harm.” (Scottish Asian Ekta Group)

Victim Support Scotland included feedback from a young person affected by domestic abuse by their partner at the time in their submission:

“I want to spread the message to others about awareness of domestic abuse, to get more folk to open up about it... We need to educate children, go into schools, and tell them what domestic abuse is.”

Despite this support, some respondents did raise issues with the provision.

Some respondents mentioned Equally Safe at School (ESAS), Relationships, Sexual Health and Parenthood (RSHP) education and other work that was already taking place in schools around healthy relationships. The Educational Institute of Scotland (EIS) also noted the work of the Scottish Government’s Gender Based Violence in Schools Working Group, which resulted in the publication of a national framework and whole school approach to prevent and respond to gender-based violence in schools.

Respondents noted the need for any provision in the Bill to fit in with, or be embedded into, the existing provision within schools, or that the existing work itself should be utilised to achieve the aim of this part of the Bill.

“SWA supports Equally Safe in Schools, an evaluated and positive resource for many schools in Scotland, and we suggest that properly funding and rolling out that program would deliver the intention of this proposal.” (Scottish Women’s Aid)

“We support the proposal to provide education about domestic abuse and healthy relationships in all schools. However, it is important to clarify how this proposal builds on or differs from the existing Relationships, Sexual Health and Parenthood Education (RSHPE) curriculum and the Equally Safe at School intervention. RSHPE already includes elements of healthy relationships, consent, and respect, so the Bill should specify whether it intends to enhance, standardise, or mandate additional content. This clarity would help avoid duplication and ensure alignment with current educational frameworks.” (Public Health Scotland)

“Once updated, the RHSP guidance would sit alongside national whole school approaches such as Equally Safe at School and the Gender-Based Violence in Schools Framework. This suite of documents, backed by proper funding and resources, could go some way towards providing a broad relationships and sexual health education for children and young people, with a focus on gender equality, consent and healthy relationships.” (NASUWT: The Teachers’ Union)

“... the Policy Memorandum [for the Bill] suggests that there is no requirement in the curriculum to place a specific focus on understanding domestic abuse. The EIS would question this assertion and highlight the role of Relationships, Sexual Health and Parenthood Education [RSHP], which is a key part of the Health and Wellbeing curriculum in Scottish schools. RSHP in Scotland covers abuse and relationships, including partner control, coercion and violence, and feminism and equalities in third and fourth levels. It is designed to support learning and understanding of healthy relationships and specifically references in the accompanying guidance, its aim to ‘reduce domestic abuse, gender-based violence’ and to ‘ensure the importance of appropriate boundaries for all children and young people are understood’. (EIS)

The EIS advised that the Scottish Government was currently analysing the responses to their consultation on statutory guidance to support the delivery of RSHP education in schools.

Some respondents also noted that providing this type of education in schools required to be adequately funded, including the NASUWT and the EIS. Scottish Women's Convention recommended that the Bill should include a resourcing strategy or commitment to funding. As an illustrative example of resourcing, Clackmannanshire Women's Aid noted that it would be challenging to implement this part of the Bill as their local authority has four secondary and nineteen primary schools and only one prevention worker, with this being only one part of their role.

The NASUWT noted that teachers would require the “support and resources they need to teach and embed these programmes effectively” and that this support “should include access to relevant training and development opportunities”. The EIS also stated that teachers would “benefit from teaching and learning resources

developed by expert organisations on these topics, which can enable them to more easily engage in best practice in this area”.

It was stated by Dumfries and Galloway Public Protection Partnership/ D&G Community Justice Partnership and the EIS that the existing provision in schools, such as Mentors in Violence Prevention, Rape Crisis’ Sexual Assault Prevention Programme and ESAS, requires significant resource and are aimed at secondary school pupils only. To expand any provision for younger pupils this would require additional resources. In particular, it was raised by Edinburgh Women's Aid that any additional funding or resources should not come from frontline services.

Concerns were expressed by some respondents around the option for parents or guardians to withdraw their child from this education and that this could limit its effectiveness and coverage. This was particularly in terms of those who may be within a household experiencing domestic abuse. COPFS noted that the provision allowing pupils to be withdrawn from this education, and that no pupil is to be placed at any disadvantage from their being withdrawn, required to be considered in terms of potential implications under the UNCRC.

The EIS also stated that the right to withdrawal must be balanced with a child’s right to education and that clarity must be provided as to how schools can balance potentially conflicting rights, and what constitutes a legitimate reason to withdraw a child from this aspect of the curriculum. They also noted that this right for parents to withdraw a child would “not guarantee that children who have direct or lived experience of domestic abuse will be considered” and also would not ensure that “the learners who would benefit most from this type of education would access it”.

While Victim Support Scotland did not comment on whether the training should be a mandatory part of the curriculum, they did say that the training material should be consistent across the country.

Concerns were also raised by respondents around how disclosures of abuse would be handled, and the need for adequate training and support for those delivering these services in respect of this. SafeLives stated that “it cannot be education without a process for managing disclosures appropriately, and support pathways should be identified before delivery”. ASSIST noted that “if safety isn’t sufficiently considered [when providing education on domestic abuse], the proposals could increase risk to victims and their children”. Lynn J Harris Ltd stated that there may be a risk to victims of domestic abuse at home where children receive this education and then took it home in a way that was challenging to the perpetrator at home. ASSIST went on to state:

“Education on domestic abuse must be resourced properly. Tokenistic or perfunctory delivery could be dangerous – if a child is given information at school that suggests they or someone they know is experiencing abuse, risk increases. It should be recognised that the perpetrator could be in the same class as the victim and receiving the same teaching. Safe support from domestic abuse specialists should be available for pupils whenever they disclose concerns.”

Related to this, respondents highlighted the need for programmes to be developed in collaboration with third sector experts.

Respondents noted that this education should be provided to children as early as possible and be part of the overall curriculum in an age and stage-appropriate way. Public Health Scotland noted that RSHP education spans children aged 3 to 18 with this curriculum introducing “concepts of respect, kindness, and emotional wellbeing from nursery age, gradually building toward more complex topics such as consent and coercive control in secondary school”.

In terms of other aspects respondents raised as requiring to be considered, these included that:

- males can also be victims of domestic abuse, and this must be covered in any education provided
- domestic abuse must be delivered to national standards, with statutory minimum requirements put in place
- the education needs to be delivered by experts
- there is no reference or commitment to intersectionality in the Bill
- it needs to be provided to those in alternative education settings outside of the mainstream, including those with additional support needs.

Respondents provided a number of areas that they felt any domestic abuse education would be required to cover, including:

- aspects of (un)healthy relationships, indicators of abusive relationships and how children can keep themselves safe (on and offline)
- misogyny and prejudicial attitudes
- structural and cultural causes of domestic abuse
- discrimination, (in)equality and rights
- gender equality and the causes and impact of gender based violence
- empathy and respect
- links between domestic abuse and animals (recognising controlling and abusive behaviour)
- where to go for support and building confidence to disclose such behaviour
- applying an intersectional lens to any education and considering cultural diversity.

The NASUWT commented on the overall purpose of the domestic abuse education as set out in the Bill, that it is to ‘raise understanding and awareness of domestic abuse and facilitate a longer-term cultural shift necessary to prevent domestic abuse in Scotland’. They stated that it requires to be refocused and that “rather than educating children and young people about the existence of domestic abuse, it should be framed around prevention”.

NASUWT also provided a summary of the recommendations within their MSP Briefing, 'Behaviour in Schools: Misogyny and Online Spaces' which was issued on 26 March 2025 which they felt were relevant.

Part 5 – Final provisions

This part of the Bill contains regulation making powers and ancillary provision. This includes that this part of the Bill will come into force automatically the day after the Bill receives Royal Assent while the rest of the Bill provisions will come into force 2 months after the day of Royal Assent.

The SCTS stated that there may be a need for court rules for some of the Bill provisions and the need for IT system changes and that “it is unlikely that either of these would be possible to complete within these timescales”.

Other issues

While recognising that the Bill has a focus on preventing domestic abuse through introducing measures for perpetrators, respondents did raise the lack of a focus on victim-survivors.

A number of respondents noted that additional funding and resources were required to ensure that there was adequate, consistent and timely support in place for victim-survivors of domestic abuse.

To strengthen the existing support for victim-survivors, respondents mentioned that the following was required:

- adequate funding, provision and access to specialist services, advocacy, safe and secure housing and refuges, mental and physical health services, counselling, financial support and legal assistance
- strengthening links between justice, health, education, and third sector services to further enhance outcomes and ensure a more holistic response
- specific measures to support children affected by domestic abuse and address any risk though their contact with a perpetrator granted through a court order
- access opened for people subject to no recourse to public funds (NRPF)
- multi-agency collaboration across policy areas
- mechanisms for evaluation to identify gaps in service delivery to ensure everyone has equitable access to support, including across all geographic areas and demographics
- ensuring there is adequate training of professionals within the criminal justice system on domestic abuse and that a trauma-informed approach is taken.

Raising awareness of domestic abuse for those outside of the justice system, including wider society was also raised. This was in terms of running media campaigns, engaging with social media to raise the awareness of current initiatives, such as DSDAS, or for organisations who connect with families through their work.

Public Health Scotland noted that without addressing the underlying drivers of violence against women and girls, that the long-term effectiveness of the Bill may be limited.

While the SHRC provided some comments in terms of the specific provisions within the Bill, which are included where relevant above, they also commented on the human rights position in terms of domestic abuse more widely. They noted that violence against women and girls is “a pervasive and deeply rooted human rights violation”, going on to state that the Scottish Parliament must ensure compliance with the ECHR and setting out relevant considerations from the human rights framework in the area of domestic abuse.

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