

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

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, 92 were from individuals, with the rest from organisations. It should be noted that not every respondent answered all of the questions.

This analysis is for the responses received from **individuals** only. A separate analysis of the organisational 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).

There was almost unanimous support for the provisions in this part of the Bill by the individuals who responded to the call for views. Some respondents mentioned their own history as a victim-survivor of domestic abuse and drew on their own experiences when answering the questions.

Respondents spoke about how the justice system currently fails to protect victims' safety and that there was a need to address the culture around domestic abuse in Scotland. Some stated that this part of the Bill showed that people were listening and that they considered the victims and their safety as a priority rather than the perpetrators, which some felt was currently the case. One respondent stated that it "sends a clear message that domestic abuse is a serious crime" while another felt it offered reassurance to victims that their safety was being taken seriously. One

stated it could help to shift public attitudes through the recognition of the seriousness of domestic abuse.

Some respondents saw the monitoring and notification scheme as acting as a deterrent and a way of addressing a common situation where perpetrators of domestic abuse move on to new partners who then become victims.

Respondents highlighted that victim safety planning was essential as part of this process, with one respondent stating that victims must be “supported with clear communication about what monitoring does and does not mean for their safety”.

Resources

Some respondents mentioned the resources and funding that was required in terms of this part of the Bill, with one noting the system would only work if there was the capacity there. Another respondent felt that this aspect had not been considered.

Another, however, placed the costs, and potential future savings, in the context of the harm that could be caused by domestic abuse:

“I've watched with interest on this topic! The debates and have noted Ministers response of cost implications! Yes agree they have a job to do though how can you put a cost on someone's life! 2-3 lives lost a week due to DV. On the flip side having said if Ministers don't put something meaningful in place to take hold of an increasing crime. The flip side the costs compared ..victims unable to work and living on benefits, the advocacy support to victims, Police/COPFS and Court time! Not to mention the cost to the Legal Aid system for perpetrators Defence.”

Current provision – Disclosure Scheme for Domestic Abuse Scotland (DSDAS)

When respondents were asked about the interaction between Part 1 of the Bill and disclosures being made under DSDAS, many felt that the Bill would increase disclosures. Though some did also state that there needed to be an increased awareness of the scheme where it was made more visible and accessible. For example, when responding to the question on whether the provisions in the Bill would mean more disclosures would be made under DSDAS one individual stated:

“Not really as most women I have spoken to do not know about the disclosure scheme or that it even exists.”

One respondent suggested making the scheme statutory and linking it to serious convictions as a way of encouraging victim-survivors to use the disclosure process more confidently.

Another respondent, however, felt that the scheme should only be able to make disclosures on convictions and not intelligence or insufficient evidence complaints.

Definition

In terms of the definition of a 'domestic abuse offender' as included in the Bill, some respondents felt that it did not go far enough and that it would only capture a small number of domestic abuse offenders.

Some highlighted that it does not cover those who are not convicted, raising the issues of the lack of reporting and difficulties in securing convictions and stating that this needed to be addressed more generally. Some respondents also provided examples of what were felt to be lenient sentences, given the offences and harm caused to the victim, and that would therefore not have been covered by the definition in the Bill.

Suggestions for changes to the definition included that it should include:

- all those who are convicted
- all those given Community Payback Orders, not just where it includes a supervision requirement
- repeat offenders who have been given lower sentences or other penalties
- offences of stalking, harassment, sharing of intimate images, forced marriage, and convictions under the Communications Act 2003 and section 27 of the Criminal Procedure (Scotland) Act 1995 (breach of bail)
- consideration of what international convictions are taken into account
- those who are given Orders but not convicted.

Some respondents also stated that there should be some discretion to notification and monitoring based on an assessment of the risk someone poses.

Notification requirements

When asked specifically about the notification requirements and if any aspects were missing, respondents stated that the following should be included:

- emails, phone numbers and social media accounts
- GP details and medical history
- current relationship status
- employment/volunteer/education changes
- vulnerable people they have contact with
- access to vehicles
- travel
- access to / contact with children
- change of gender
- changes in mental health or access to drugs and alcohol

- assets and finances
- pet ownership (linked to violence against animals)
- being on dating websites.

Notification periods

There was general agreement with the notification periods in the Bill. Some respondents did feel that they should be extended or be indefinite, with one stating they should be “much shorter”.

Some respondents raised concerns that the periods were only linked to sentence length and that they should instead be proportionate to risk and, in some cases, subject to review, for example:

“Therefore, notification requirements should extend beyond fixed periods and include provisions for ongoing or indefinite monitoring where risk assessments justify it. Flexibility to tailor notification lengths based on individual risk rather than a one-size-fits-all is crucial to protect survivors effectively.”

Penalties

There was general agreement by respondents with the penalties included in the Bill, though some did mention that they must actually be enforced and noted that the maximum penalties for an offence are rarely given. One respondent stated that the penalties for non-compliance by registered sex offenders are rarely used, while others noted that victim safety must be prioritised.

One respondent stated that imprisonment rather than a fine must be the penalty for failure to comply with the notification requirements.

Further issues to be considered

A number of issues were raised by respondents in terms of this Part of the Bill.

Unintended consequences

Some unintended consequences of the introduction of notification requirements and monitoring were raised by respondents.

This included a potential increased risk to victims where a perpetrator may increase their level of violence and threat due to the greater consequences if their behaviour is reported. One respondent stated:

“It is likely that abusers will use the fact they are being monitored as a justification for attacking the victim insisting it is the victim’s “fault” they are being monitored.”

A respondent also noted that offenders may be more likely to carry out relationships in secret and lie to the police and partners if these notification requirements were in place.

Some respondents also raised the issue of the notification requirements providing “false reassurance” to victims.

Another respondent also highlighted that victims can sometimes be pressured into not engaging with the justice system, going on to state that this may increase if “the stakes are higher for the offender if subject to notification requirements”.

Another unintended consequence that was raised was the potential for victim-survivors who have been subject to counter allegations to find themselves on the register.

One respondent also raised the issue of where high levels of visibility or police involvement arising from notification and monitoring requirements may unintentionally alert abusers to the victim’s location or situation.

In terms of the domestic abuse offenders, one respondent highlighted the potential unintended impact on them noting that there were “potential barriers to rehabilitation” and “challenges with reintegration into society”.

Other issues

Other issues raised by respondents included:

- public access to the register, with some respondents assuming this would be the case and others stating this should happen
- the need for a duty or mechanism for the police to review or automatically make a disclosure where someone updated their information, such as starting a new relationship or moving in with a new partner [though this is not currently a notification requirement in the Bill]
- concerns that this approach signals a shift away from the full prosecution of domestic abuse offences
- that the monitoring of domestic abuse offenders is different to that of sex offenders and requires specialist training
- the need for support of victim-survivors
- concerns for those who share children with a perpetrator
- potential human rights / privacy concerns around the provision
- that domestic abuse offenders should not be allowed to change their name.

One respondent also raised the importance of the use of Orders to protect victims, with the need to strengthen Non-Harassment Orders (NHO) in particular mentioned.

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.

A number of respondents were supportive of this Part of the Bill, for example stating:

"It is vital that perpetrators are educated on their wrong doing and required to spend time in a place of rehabilitation to ensure future safety of those around them."

"I think this is a very important part of making the changes needed to keep people safe from reoffenders."

"It is a good proposal as we want people to be rehabilitated as it will reduce incidences of domestic abuse."

Some respondents, however, set out that they felt that these programmes do not work. Some stated that they did not think that perpetrators of domestic abuse could change and that in fact these programmes could result in them learning better ways of disguising their behaviour.

One respondent stated:

"While well-intentioned, these programmes often fail to address the underlying dynamics of power, control, and misogyny that drive domestic abuse."

One respondent stated that these programmes meant there was a "misplaced focus on treatment over accountability" and that they suggested that this type of behaviour can be managed rather than being punished.

Many respondents noted the need for victims to be supported, either in contrast with the focus on perpetrators, or support provided in parallel with that for perpetrators.

Respondents raised the issue of there being a lack of evidence and data on whether these types of programmes work, particularly in terms of reducing reoffending, and that there required to be follow-up work with those attending the programmes to collect data in this area.

Some respondents questioned whether there were sufficient resources in place for these programmes and that they needed to be properly funded. However, other respondents felt that the money should be spent on victims and not perpetrators.

The importance of funding and monitoring was emphasised by one respondent:

"Yes, these programmes can be effective in reducing harm when they are well designed, properly resourced, and carefully monitored."

While there was mixed knowledge by respondents of whether there were sufficient programmes in place, with most saying no or don't know, some did note that there was limited capacity and inconsistent provision across Scotland. One respondent noted the potential risk that someone may be deemed suitable to take part in a behavioural programme but then there is no provision there for them to do so.

A small number of respondents mentioned the need for mandatory attendance on these programmes and that there should be consequences for non-compliance.

Some respondents highlighted the need for these types of programmes to complement and not replace other protective measures, as well as the need for integrated services, such as links to housing, mental health, substance misuse and employment support, as factors that can influence reoffending.

Part 3 – Data collection and reporting

Part 3 of the Bill aims to improve data collection by placing a requirement on Police Scotland, the Crown Office and Procurator Fiscal Service (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”.

There was significant support for this Part of the Bill from respondents. Respondents provided the following statements on how this data collection could improve support for victim-survivors:

“It allows policymakers to identify who is being excluded or underserved, where support is falling short and which groups face the biggest barriers. Without it, victims with complex needs often go unseen.”

“Collecting data may allow for more bespoke, effective and impactful measures to aid victim-survivors through the justice process and allow us to better understand the specific vulnerabilities of different demographics.”

“Collecting this data will show where services are working and where there are gaps. It will help direct resources to the areas and groups most in need, improve equality of access, and make sure support is tailored to victims’ circumstances.”

“Yes, I support this proposal because collecting and reporting data on victims’ experiences, including disability and ethnicity, is essential for understanding the full picture of who is affected by domestic abuse and how different groups access support. This information will help identify barriers to services and highlight any disparities, ensuring that policies and resources are better targeted to meet the needs of all survivors.”

Some respondents, however, did raise that the data collection should be used to drive improvements and not simply produce reports.

Other issues raised by respondents included that the data needs to be collected sensitively, that there is a resource requirement attached to this data collection and that data should also be collected on perpetrators.

One respondent highlighted their concern that the data “should not be politicised or weaponised by national media” and that “sufficient risk assessment should be done to consider how to prevent misuse”. Another noted that care must be taken for the data collection and publication “not being judgement laden and a possible source of prejudice, stereotyping and a rationale for strategic and budgetary decisions that are negative to victims and their children”.

A few respondents noted that sex at birth rather than gender should be recorded.

Other data that respondents suggested could be collected included:

- on children – if the victim has children, if they are shared with the perpetrator, and if the children witnessed the abuse
- the method of abuse, e.g. financial, mental or physical
- whether victims were exposed to abuse as a child
- geographical data, e.g. rural/urban location
- socio-economic data
- all protected characteristics of the Equality Act 2010
- neurodivergence
- social categories, e.g. housing status, immigration status, educational attainment, lone parent status, if they are a carer, addiction issues, unemployment, mental or physical health issues.

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 significant support by respondents for this Part of the Bill. Some did disagree with the provision which allowed a parent to withdraw their child from this education, stating that it should be compulsory for all and that there was a risk that perpetrators of domestic abuse may remove their children from this education to protect themselves.

There was a mix of responses on what age children should receive this education from. Some respondents felt it should begin in primary school, some were specific to the later stages of primary school and others felt that it should be offered in secondary schools.

One respondent did raise the issue of homeschooled or “missing” pupils and how to ensure that they were also able to access any education provision in this area.

Some respondents highlighted the training and support that teachers would require if they were providing this education, and also the need to involve professionals and specialist organisations, with the related funding required to support this involvement.

Some respondents also highlighted the need for there to be support systems in place and the need for safeguarding protocols within schools providing this education, including that it required to be trauma-informed.

One respondent noted that it should be part of the PSHE [Personal, Social, Health and Economic Education] already provided in schools, with another noting that there should be a whole-school approach, with respect, equality and safeguarding being embedded into the wider school culture rather than just one-off lessons.

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

- aspects of (un)healthy relationships, indicators of abusive relationships and the forms this abuse can take
- how children can keep themselves safe (on and offline)
- consent
- misogyny, discrimination, gender equality and gender stereotypes
- pornography
- where to go for support and seek help, whether as a victim or in terms of your own behaviour
- communication and conflict resolution, including how to exit abusive relationships.

Financial issues

When asked specifically about the practical challenges or resource implications of the Bill, some respondents noted that resources would be required to implement all sections of the Bill. They noted that this would be in terms of providing monitoring and notification of offenders, to ensure there was adequate capacity and training of police, social workers and teachers, as well as programme availability.

Some respondents noted that services were already under pressure, and that investment was required.

However, one respondent stated:

“There are clear challenges and resource implications however these are best regarded as short term costs. Long term there is a benefit in civil, financial and community terms.”

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 when asked whether the Bill went far enough. For example:

“The Bill talks prevention, but victims are still left unsupported, with long waits and underfunded services. Until survivors are prioritised and protective measures are taken seriously, this remains surface level reform.”

They highlighted the need for trauma-informed training for those working across the justice system and adequate resources to fund victim services.

Respondents stated that there required to be adequate funding, provision and access to specialist services, advocacy, safe and secure housing and refuges, mental and physical health services, counselling, financial support, legal assistance and access to practical safety items such as panic buttons and home video cameras.

Respondents also highlighted that there required to be dedicated support for children who had been exposed to domestic abuse.

Some respondents also felt there required to be further early intervention, such as more community outreach, as well as public awareness campaigns.

One respondent specifically raised the fact that the Bill could be an opportunity to ensure the Scottish Prison Service has a duty to ask victim-survivors if they would prefer for their details to be blocked from the prisoner communication systems. They went on to state that this could potentially be integrated into the current Victim Information Scheme onboarding process.

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