

Minister for Equalities  
Kaukab Stewart MSP



T: 0300 244 4000

E: MinisterforEqualities@gov.scot

Collette Stevenson MSP

Convener

Social Justice and Social Security Committee

By email: [SJSS.committee@parliament.scot](mailto:SJSS.committee@parliament.scot)

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Dear Convener

Thank you for your letter of 29 May 2025 inviting me to provide additional information to the Social Justice and Social Security Committee on themes related to the Committee's inquiry into financial considerations when leaving an abusive relationship.

I hope the following information, which addresses the themes you wished to hear more in relation to and the five specific questions within your letter, is helpful in understanding the Scottish Government's commitments to address these issues.

### **Theme 1: Provision of advice and information**

Advice services are critical to Scotland's communities, supporting people to understand their rights and entitlements, maximising incomes and helping to reduce poverty. That is why in 2025-26 the Scottish Government has allocated over £15 million to support the provision of free income maximisation support, welfare and debt advice. This investment supports advice services that can provide impartial and free advice on debt, money worries, social security payments and entitlements and a range of other issues.

We know that seeking advice can help to prevent problems from escalating and can help people to access the help, support and services they need which is why our funding supports a range of advice providers including Citizens Advice Scotland and their network of Bureaux, StepChange Debt Charity, Advice Direct Scotland, One Parent Families Scotland and others.

We also recognise that domestic abuse and other forms of violence against women and girls is a blight and can have a devastating impact on the lives of survivor/ victims. It is therefore vital that survivors have access to frontline support services and why, through the £21.6m Delivering Equally Safe Fund, we are supporting Women's Aid groups and other frontline services to provide support and advice to victims/ survivors. This includes £196,965 to GEMAP's Financially Included project, a trauma-informed, flexible and person centred, responsive approach to help individuals regain financial stability and through development and delivery of training and resources to the sector. The initiative was established as a result of Delivering Equally Safe funding.

In recognition of the particular issues and barriers faced by those experiencing financial and economic abuse, including coerced debt, this year we have provided additional funding to Financially Included to increase the provision of specialist advice, support and training to those experiencing economic abuse and to those supporting victim-survivors. This additional funding will also support the establishment of a Scottish Economic Abuse helpline, providing help, support and information to anyone experiencing financial or economic abuse.

For people in contact with Social Security Scotland, 'Our Charter' commits that all Social Security Scotland services will adopt trauma-informed practice as a standard. The Agency is proactively working to embed trauma-informed practices across the organisation, and all Social Security Scotland Health and Social Care staff currently undergo training on trauma-informed practices, in conjunction with NHS Education for Scotland. Social Security Scotland's induction programme includes trauma awareness and staff, including Local Delivery Advisors, complete annual training which covers the principles of safeguarding, abuse and public protection.

Scottish Government officials are also in discussion with Scottish Women's Aid to explore the feasibility of a pilot debt advice project which will see regulated debt advice provided directly to women experiencing domestic abuse who are currently receiving support from local Women's Aid groups.

In addition, we are committed to funding Scotland's Domestic Abuse and Forced Marriage (SDAFM) Helpline, which is available 24 hours a day, 7 days a week to provide confidential support and information to anyone experiencing domestic abuse or forced marriage. The Helpline is staffed by specialist call handlers trained in trauma-informed, person-centred, non-directive, and non-judgemental practice, who can provide support tailored to individual needs and can direct to appropriate specialist services for financial, legal, housing, or other practical advice.

Through the Equally Safe Delivery Plan, the Scottish Government, along with other key partners on the Equally Safe in Practice National Advisory Group, are supporting Scottish Women's Aid to progress the development of the training and workforce development framework.

The group is focused on the development of an implementation plan that will set out key actions that will aim to build cross sector support for the framework and ensure alignment with existing frameworks and workforce development programmes. In the spirit of Equally Safe, it is essential this work is taken forward collaboratively to ensure we have a national framework that works across settings and sectors, that provides organisations with the tools necessary to improve responses to VAWG and ensures safe and positive outcomes for women, children and young people. While the framework will not delivery specific training, it will support organisations to ensure that their workers have the appropriate knowledge and skills to provide effective support to those affected by VAWG, whichever services they use. This will necessarily include financial and economic abuse.

With regard to Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021, the Cabinet Secretary for Justice and Home Affairs wrote to the Convenor of the Equalities, Human Rights and Civil Justice Committee on 11 March to provide an update on some of the challenges that remained around implementation of this part of the Act. Within the update, the Cabinet Secretary confirmed the intention to hold a workshop, chaired by Scottish Government officials and involving members from the originally established Implementation Advisory Board to support progress in this area. The purpose of the workshop was two- fold, namely:

- To attempt to agree an approach which would allow commencement of the legislation without legislative change, recognising that this may require flexibility around which parts of the Act can be commenced immediately and what may require further consideration, the need to develop detailed guidance that can adapt to lessons learnt from the use of the new powers; and to provide a clear assessment around anticipated costs; or
- To determine by consensus that without legislative change the provisions within the Act cannot be implemented effectively and through my officials, for advice to be provided to me on options on potential next steps.

That workshop has now taken place and will help inform considerations around next steps. The Cabinet Secretary has committed to write to the Committee once that process has concluded.

## **Theme 2: Public Debt**

The Scottish Government recognises the impact that all debt, including public sector debt, has on families and continues to encourage all public bodies to share good practice on debt assistance and collection, promoting empathy and dignity for people struggling with debt. It is a multi-faceted issue that requires a range of responses from all public bodies as part of our collective responsibility for the most vulnerable households in our communities. –Therefore it is important to be clear on the roles and responsibilities of all partners in this space and to recognise and respect the independent decision-making powers of other public bodies, particularly local authorities.

Council Tax is a local tax, and is set and collected by each local authority. Local authorities are independent bodies, democratically elected and accountable to their local electorate, and the power to write-off Council Tax arrears rests with them, and not the Scottish Government.

Notwithstanding that independence, the Scottish Government is partnering with local government with the aim at supporting those with debts who may need additional support. Scottish Ministers are working with COSLA through the 'Joint Working Group on Sources of Local Government Funding and Council Tax Reform' to encourage the adoption of best practice on debt collection and advice. Further, that group has identified ways to furnish councils with data they need to improve practices and better identify those with debts who may need additional support. Stronger data sharing on recovery will aid in identifying those who would benefit from Council Tax Reduction.

The Council Tax Reduction Scheme exists to ensure that nobody in Scotland should have to meet a council tax liability they cannot be expected to afford. It reduces a household's liability based on an assessment of their income, capital, and other circumstances. Over 460,000 households receive some level of CTR, and on average recipients save over £850 a year. We will continue to work with local government and other stakeholders to encourage best practice and support for vulnerable debtors, including through the uptake of CTR.

Following two initial small-scale projects in 2023 and 2024, Citizens Advice Scotland have now been awarded £2.22 m to roll out a Council Tax Debt project across Scotland. This new, national project, delivered by Citizens Advice Bureaux builds on the work from the initial pilot projects to deliver increased debt advice with an emphasis on Council Tax arrears as well as developing initiatives and resources to support the best practice principles of Council Tax debt collection, as outlined in the Collaborative Council Tax Collection Guide. This will not only increase support and advice provision for those in Council Tax arrears but will also continue to strengthen relationships between local authorities and debt advice providers.

The Scottish Government's School Meal Debt Fund was a one off fund available to all local authorities to bid into for support to clear their current and historic debt up to April 2024. The fund was available during financial year 2024/25. While the fund was open 30 local authorities applied for support from the Fund and offers of support were issued to them on 3 December 2024. Funding has now been issued to all 30 local authorities whom applied to us. Due to the increased interest in the fund, the Scottish Government increased the funding from £1.5m to £2.8m. As part of the terms and conditions of the grant, there was an expectation that local authorities will implement COSLA's good practice principles for the management of school meal debt.

We have made a commitment to carry out a public consultation on bank arrestments and other elements of diligence against debt. This will provide an opportunity to consider views on changes to address financial and economic abuse, including the

types of fund that can be arrested, and changes to the 'unduly harsh' test which allows for the individual to apply for amounts arrested from banks to be returned to them.

### **Theme 3: Social Security and other financial support**

The Scottish Government invested £500,000 in the pilot fund to leave over a five month period in the five local authority areas with the highest number of homelessness presentations due to domestic abuse by women.

No decision has been made on the next steps and the Scottish Government has not fully examined the cost of a national or permanent fund. The pilot was undertaken in the spirit of experimentation so that we could test the impact of the fund, particularly in relation to improving housing outcomes.

As part of the next phase of our assessment, we are considering how to improve the national offer for women who need financial support to leave an abusive partner, wherever they live in Scotland.

This work is underway and includes careful consideration of other funds that already provide financial support to people leaving an abusive relationship, and an assessment of how effectively they are meeting the needs of women experiencing domestic abuse. We are also considering any lessons learnt from the Home Office's national 'flexible fund' which provided one-off payments to survivors in England and Wales to leave an abuser.

Although the Fund to Leave pilot has ended, anybody who needs to leave their home in an emergency as a result of domestic abuse can apply to the Scottish Welfare Fund for a crisis grant for living expenses.

Some women may also be eligible for discretionary housing payments (DHPs). The Scottish Government invests significantly – £97m in 2025-26 – in discretionary housing payments (DHPs) to enable local authorities to assist eligible households who are struggling with housing costs. Those in receipt of housing benefit or the housing element of universal credit are eligible to apply. Scottish Government guidance on DHPs is clear that local authorities should consider prioritising certain groups, including people affected by domestic abuse.

Following an extensive period of review and the work of a multi-stakeholder standing Statutory Guidance Review Committee, the Scottish Government has provided updated statutory guidance for the Scottish Welfare Fund. Published in April this year, the revised guidance states that decision makers can prioritise applications by need, and that staff delivering the Fund should be able to recognise and respond appropriately to support people escaping domestic abuse. This includes understanding of what constitutes domestic abuse, including coercive control and financial abuse, and that

they should have established good relations and referrals processes with specialist domestic abuse services. The Scottish Government is also working with organisations such as the Scottish Women's Aid via forums including the Scottish Welfare Fund Practitioners Forum.

Decision makers are advised that when awarding a Scottish Welfare Fund Crisis Grant they should ensure that the award made covers the period of crisis, to avoid repeat applications. For a Crisis Grant applicant on Universal Credit (UC), a decision maker can make an award for a longer duration if it is known that the next UC payment is more than two weeks away to help bridge the gap.

The Scottish Government provided a Policy Design Specification document for the DWP to carry out a formal impact assessment regarding UC split payments in October 2023 which set out how the Scottish Government would like the policy to be delivered.

Following the submission of the Policy Design Specification, a number of meetings have been held and DWP provided an initial response last summer, which identified a range of practical and financial constraints in delivering split payments through the UC system. The Scottish Government continues to consider that response and officials remain in contact on the policy. The Cabinet Secretary for Social Justice also recently met with Sir Stephen Timms MP on 30 April 2025 to discuss the UK Government's Universal Credit review. During this meeting the Cabinet Secretary highlighted the importance of the split payments policy and the need for the UC review to include a gendered analysis.

#### **Theme 4: Housing and homelessness**

The Housing (Scotland) Bill contains provisions to require social landlords to develop, implement and maintain a domestic abuse policy setting out how they support their tenants experiencing domestic abuse.

Work has already begun to prepare the social housing sector to embed gender equality through stakeholder engagement and we will continue to work closely with partners stakeholders to develop the necessary statutory guidance and training to ensure effective implementation of the legislation.

Scottish Women's Aid (SWA) in partnership with the Chartered Institute of Housing (CIH), The Association of Local Authority Chief Housing Officers (ALACHO), , the Scottish Federation of Housing Associations (SFHA) and Shelter Scotland have previously produced and published good practice guidance for social landlords Domestic-abuse-guidance-for-social-landlords-FINAL.pdf to support them to respond effectively to domestic abuse. This includes the importance of gender equality in policies.

In recognition of the significant housing pressures in some local authorities, particularly in the central belt, we have targeted funding in 2024-25 to the local authorities with the most sustained temporary accommodation pressures.

Eighty per cent of our £80 million capital funding for voids and acquisitions over 2024-25 and 2025-26 has been targeted to areas with the most sustained temporary accommodation pressures to increase the supply of social and affordable homes through acquisitions and, where appropriate, to bring long term empty social homes back into use. This policy is designed to reduce long periods in temporary accommodation, especially for families with children.

We are mapping all existing funding schemes that provide financial support to people seeking to leave an abusive relationship to assess how effectively they are meeting the needs of women experiencing domestic abuse. We are also engaging with counterparts in the UK government to capture learning from the operation of the 'flexible fund'. This will inform any next steps on the fund to leave.

We will provide an update on progress to the Committee after the summer recess.

## **Theme 5: No Recourse to Public Funds**

The Ending Destitution Together strategy continues to deliver its vision and principles to ensure no one in Scotland is forced into destitution because of their immigration status. The Scottish Government is pleased to continue funding Fair Way Scotland this year to deliver a casework and cash-first initiative. This project contributes to the First Minister's key national mission to eradicate child poverty. This funding is increasing caseworker capacity, extending the geographical reach across Scotland, and providing cash-first crisis support and interpretation services.

Earlier this year, the Scottish Government facilitated several engagement sessions with key stakeholders, third sector organisations, local authorities, experts by experience and policy leads in the Scottish Government. These engagement sessions focussed on a number of key areas including housing, housing support, employability, advice and advocacy support services,. The feedback and insights gathered from these sessions has been collated and is being used to develop deliverables and key areas of work for the next phase of delivery of the strategy. The work plan will be published later this year.

On 31 January 2025, the UK Government introduced its Border Security, Asylum and Immigration Bill. The Committee will be aware of proposals set out in the Border Security, Asylum and Immigration Bill to repeal substantial elements of the Illegal Migration Act 2023. The Scottish Government is monitoring the Bill as it proceeds through the UK Parliament.

## **Theme 6: Legal Aid**

The Minister for Victims and Community Safety recently discussed this with the Scottish Legal Aid Board (SLAB) members and Chair on 21 May 2025. SLAB have provided an analysis paper to the Scottish Government that advises on a range of possible changes to financial eligibility thresholds for civil legal aid and advice and assistance. The modelling includes their impacts on eligibility levels and costs. Any changes at a policy level will not be cost neutral. Scottish Government officials will carefully consider this paper in conjunction with the wider set of reforms set out in the discussion paper and provide advice to the Minister on possible options.

The Scottish Government recognises the importance of civil protection orders such as interdicts and non-harassment orders against domestic abuse. However, we do have a number of concerns about providing automatic Civil Legal Aid in this area:

- There would be costs to the public purse.
- To ensure equality of arms, we might need to give automatic legal aid to the defender – the person who it is alleged is causing harm – as well as to the applicant.
- Some civil protection orders might be part of a wider family case, such as divorce. If we removed the means test for the civil protection order, we might need to do so for the case generally. That would increase costs further.
- Interdicts can cover a wide variety of areas, and not just domestic abuse. We'd need to be clear when the means test would apply and when it would not.

Therefore, removing the means test in this area would not be straightforward and would have costs.

The Scottish Government is open to ideas on legal aid and civil protection orders, to improve things both for domestic abuse victims and for the lawyers advising them. Any suggestions for clarifying or simplifying the legal aid process in this area are welcome.

I hope this letter provides the Committee with the information it requires to understand the work the Scottish Government is undertaking, with vital partners, to address the financial and economic abuse.

A handwritten signature in black ink, appearing to read 'K. Stewart', is positioned above the printed name of the Minister.

**Kaukab Stewart MSP, Minister for Equalities**

