

Scottish Women's Aid Survivor Reference Group

Reflections on stakeholder and Ministerial evidence

11 June 2025

Housing related issues

- **Damage to property, inconsistencies of approach. Needs whole system change:** One woman said she was made to pay for damage to her property before it was sold, despite the damage being the fault of the perpetrator. This comes down to a system-wide problem.
- **Older women in their 60s and 70s may have to access refuge accommodation:** Their husbands may have controlled everything, and they cannot access money the couple jointly hold.
- **There is a shortage of temporary and refuge accommodation:** Would be good to have more funding for this. Especially for single women and those with additional support needs, e.g. addiction, mental wellbeing, etc.
- **What will provisions in the Housing (Scotland) Bill mean for victim/survivors in practice:** Need outcomes attached to the policy.

A whole-systems approach to support victim/survivors dealing with economic abuse

- **Whole-systems approach:** Often there is a need to engage with many different departments and agencies for the first time. It may have been that the ex-partner was previously in charge of all financial matters – this is common.
- One woman said she had never had to deal with social security before, or deal with issues around council tax and rent.
- **Without a whole-systems approach, victim/survivors may be re-traumatised if they are forced to tell their stories repeatedly:** A single point of contact would be good, and trauma-informed training should be mandatory. It would be good if organisations and agencies all undertook the same training. And committed to a good standard of practice.
- **Need a much clearer pathway for dealing with economic abuse:** E.g. as an integrated part of coercive control/domestic abuse Court proceedings with criminal sanctions for abusers and recompense for victims.
- When you are leaving an abusive relationship the focus is on safety. There is a sense that police and lawyers are not interested in economic abuse.

- One woman explained her ex-partner had engaged in fraudulent behaviour, but she felt no one in an official position wanted to hear about this, and she did not have the capacity to deal with it on top of everything else.
- **Social housing sector, new duties:** An example of a woman who was only weeks from needing to move out due to house sale, and she didn't have clarity on where she was going. Didn't know whether to book storage or removals. Told by social work she was upsetting her children by telling them they might all be going into a hotel.
- **“Guidance has been produced” is not enough when women and children are facing homelessness.**
- **When women are moving, safety is the priority.** Domestic Abuse is not treated as an urgent safety issue the way something like a gas leak or faulty electricals would be.
- **There is a real lack of temporary, safe accommodation.**
- **Women still being placed in mixed accommodation, even after having left abusive relationships. This is not appropriate.**

Legal aid

- **Why have the Scottish Legal Aid Board (SLAB) not looked at financial thresholds when they know they are a problem:** Lack of proactive interest in this from SLAB is astounding. They have known for years the thresholds are a problem. Could information about “discretionary” awards be added to website or application forms to increase awareness?
- **There is a lot of opportunity for solicitors and SLAB to find out more info that could be used to decide whether to apply discretion:** Feeling that solicitors aren't interested and don't listen. Why are people not asked automatically about domestic abuse, seems surprising that a victim/survivor would not state this anyway – what is happening to this information? No interest from SLAB in making victim/survivors aware of what is available in terms of its discretionary powers.
- **Victim survivors don't have the bandwidth after leaving an abusive relationship to have to chase SLAB for information it should be forthcoming with.**
- **Have SLAB backed up their claims with audit data:** Information they provided seemed “wishy washy”.
- **SLAB not clear about the data they are using to back up their claims about main shifts in civil legal aid availability being mostly in Glasgow and Dundee:** Is there an impact of people from rural areas using central belt services that is not being investigated? An example of a Women's Aid in Inverness referring people to central belt services.

- **Seemed like The Law Society of Scotland and SLAB were just shifting accountability between each other during the evidence session with Members.**
- **Online information offered by SLAB not good enough. List of law firms (100s) that do legal aid, but the list does not specify which offer legal aid for family law:** This wastes the time of victim/survivors who have to phone many different solicitors. Need a separate system for those seeking legal aid for family law. Example of a woman using the list and phoning 20 different legal firms who told her they don't offer legal aid for family law.
- **Ministers need to be applying pressure to ensure SLAB's working practices are adequate now, and not allow SLAB to just wait for reform to come through:** There are grassroot things SLAB could be doing to help women now.
- **Modern legal qualifications are still not sufficiently trauma informed, and this is obvious when victim/survivors are dealing with solicitors:** An SRG participant is studying for her LLB and she says the family law units are quite "antiquated", and not up to date in terms of trauma informed practice. She also senses that the attitude from her peers is that domestic abuse/family law is an "argument between parties", and is not relevant to finances and separation.
- **Cost of legal services without legal aid:** One woman explained that she did not qualify for legal aid and the cost of legal support was therefore £350/hour plus VAT. She added that even if she did qualify for legal aid this would be clawed back from any eventual financial settlement.
- **Huge issues in getting a solicitor:** If ex-partner has used most of them in the area – conflict of interest. Not always being believed by lawyers and having to repeat story over and over. One woman described her case in which she was unable to get a lawyer so her ex-partner automatically got parental rights of the children. There was no safety consideration despite concerns about her ex-partner's criminal history.
- One woman shared that she had considered suicide as she was not coping and felt overwhelmed. Extended court proceedings were cited as a major source of stress and ongoing control.
- **Pilot project in Edinburgh – what are the expected outcomes and timelines around this.**
- **Economic abuse and coercive control is in law, but no mention of police or civil courts, and what perpetrators are doing:** Perpetrators are able to drag out legal proceedings and drain women's resources, often sabotaging a divorce while the victim/survivor is still trying to pay for it. There is often an "automatic right to appeal" – could this be tempered to have a threshold

requiring evidence of material change or evidence, to prevent malicious disruptions.

Social security and public debt

- **What witnesses said was reflective of what members of the SRG had discussed previously.**
- **How can a consistent approach to council tax be created.**
- A participant described being tracked down in refuge accommodation for rent arrears totalling £70. This was despite the fact the local authority owed her a council tax rebate. She argued that her address should have been protected because she was in a refuge, and no-one would tell her how they found her. She said this felt like living with abuse again.
- Another woman said she was overpaid Universal Credit. When she contacted the DWP she explained her situation and the DWP said the debt would be written off. However, she was later contacted by other staff within the DWP who said they were going to recover the debt by deducting seven per cent of her salary per month. When she followed this up to say she had already been told it would be written off, she learned there had been no contact between the staff she had spoken to each time. She said it was mortifying to have to tell her employer that money would be taken from her salary, as she said it made her appear fraudulent. She emphasised its not necessarily that individual staff members were insensitive, its more about the lack of a joined-up system.
- **Services have a poor understanding of domestic abuse. Why are people still having to re-tell their stories?**
- **School meal debt should not be chased.** Paying for a child's school meals can both be an extra financial burden as well as more life admin that is difficult to cope with after leaving an abusive relationship.
- **Scottish Welfare Fund (SWF) is too restrictive** to be able to help someone leaving an abusive relationship. Need to evidence everything, process is too complicated. A fund to leave should be easy to access. Could there be a special domestic abuse claim process within the SWF equivalent to Fund to Leave?
- One woman described how her credit card and a loan were taken into protection by the bank, which resulted in defaulted payments and eventual bankruptcy. She said this could have been dealt with differently.
- **Many reviews have taken place already on joint and several liabilities for council tax. Surely, we don't need to wait for a review of impact before taking action.**

- **School meal debt should be written off generally anyway, but for someone in an abusive relationship, this really is something they should not have to worry about:** Some of this comes directly from schools, militant with meal debt. It's about training and leadership within the school.
- **Additional school clothing grant would be really helpful, how quickly could something like this be put in place:** Some schools are very particular about this, regardless of people's circumstances. An emergency fund for this given they are compulsory. An example of someone who was given an additional grant when moving to a new school, so there are different practices.
- **Scottish Welfare Fund: if staff lack training how can they respond appropriately.**
- **Discretionary Housing Payments: whole system is disjointed and working practices vary across local authorities.**

Education and training

- **More education, training and support is needed for young boys and men:** Need to address the root of the problem and the trauma. Should be part of Equally Safe.
- Need more **public awareness of financial abuse** and a better understanding that it goes on beyond the end of the relationship
- **Trauma informed training is too much of a tick-box exercise – online modules mostly:** How is the training implemented into working practices.
- **More awareness of the devastating consequences of post-separation abuse and associated mental health crises.**
- **Staff should be trauma-informed:** Good to see that trauma informed training is being called for as part of professional qualifications. In terms of finances there should also be a better understanding of how victim/survivors can be coerced.
- **Solicitors:** Need to have more understanding and compassion toward victim/survivors, this should be part of training.
- **Perpetrators enabled by solicitors, the system and judges:** A huge problem in Scotland that needs looked at.
- **Age Scotland digital exclusion – not just an age thing, anyone who is being monitored, and having their devices monitored, will face digital exclusion:** If someone's partner is checking their phone, this makes it harder to use tech.

- **Trauma-informed training should be compulsory:** How do you get assurance that public bodies/the civil justice system have the right education and training.
- **Public services should include solicitors, and solicitors should receive the same trauma-informed training:** Divorces often start with solicitors, they need to be able to spot economic abuse.
- **Issues around local authorities, inconsistencies in working practices. Who is going to hold councils to account:** Defunding of women's services in Highlands and Islands. Scottish Government just says it's up to local authorities. Not going to make changes unless forced to. Needs to be more accountability for local authorities.
- **Domestic abuse needs to be recognised in the same way that safeguarding and child protection is.** More robust policies and procedures are needed.

Burden of proof

- **Gender imbalance in burden of proof:** Sense that women have to provide much more evidence than their abusive partners, which may be difficult when abuse is economic or psychological (coercive control). Sometimes women do not even realise they have experienced abuse.
- Having a file open with Women's Aid should be enough proof.
- **There are inconsistencies in approaches from services, and if someone is obliged to prove domestic abuse, this is much harder if they have never reported it to the police. Many women are in this situation:** An example of a woman who was not required to prove domestic abuse in the Highlands and Islands because of help from Inverness Women's Aid.

Evidence session with Minister for Equalities

- **Want to see joined-up working within Scottish Government and between Ministers.**
- **Why has Fund to Leave not been rolled out following the pilot.**
- **Comments made by Minister on legal aid were not good enough ("word salad") and didn't get to the point. A three-year plan for something that seems like it could be done more quickly.**
- **We have Equally Safe and the Domestic Abuse (Scotland) Act, but it doesn't match the reality of what is available to victim/survivors.**
- **Too easy for Ministers to say they cannot interfere with legal practice.**

- **Don't think the Scottish Government is committed to dealing with legal aid before the next election. Disappointed.**