



The Scottish Parliament
Pàrlamaid na h-Alba

Published 13 February 2026
SP Paper 1009
3rd Report, 2026 (Session 6)

Criminal Justice Committee

Summary of Evidence of the Withdrawn Prevention of Domestic Abuse (Scotland) Bill



Published in Scotland by the Scottish Parliamentary Corporate Body.

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Criminal Justice Committee

To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.

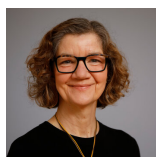


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Introduction


1. This report sets a **Summary of Evidence** on the withdrawn [Prevention of Domestic Abuse \(Scotland\) Bill](#) (“the Bill”).

Legislative background

2. The Bill was a Member’s Bill and was introduced to the Scottish Parliament by Dr Pam Gosal MBE MSP (the Member in Charge) on 7 May 2025, along with accompanying explanatory documents including [explanatory notes](#), a [Policy Memorandum](#), a [Financial Memorandum](#), and a [Delegated Powers Memorandum](#).
3. A draft [proposal for the Bill](#) was lodged by Dr Gosal in August 2022. A [consultation](#) on the proposal ran from August to November 2022 and received 247 responses. A [summary of the responses](#) was published in September 2023. A [final proposal](#) was lodged on 7 September 2023.
4. The Criminal Justice Committee (“the Committee”) was designated as the lead committee for Stage 1 consideration of the Bill on 20 May 2025.
5. On 16 January 2026, during the latter part of the Committee’s scrutiny process, the Bill was withdrawn by the Member in Charge. This occurred immediately prior to the Committee consideration of a draft Stage 1 Report.
6. The Committee subsequently agreed to publish this Summary of Evidence as a contribution to any future debate on any similar Bill introduced in session 7 of the Parliament.
7. The Committee does not offer any conclusions or recommendations in this Report as the Bill was withdrawn before these could be considered.

Aim of the Bill

8. According to the Bill’s [Policy Memorandum](#), the overarching objective of the Bill, was to:

 “... reduce the incidences of domestic abuse (including reducing levels of re-offending), through a series of measures including preventative measures, rehabilitation measures, increasing data to inform work to reduce domestic abuse, and long-term monitoring of those convicted of domestic abuse offences.”
9. The Scottish Parliament’s Information Centre (SPICe) published [a research briefing on the background to and provisions within the Bill](#).

Written and oral evidence

10. The Committee ran a [call for views](#) from 15 July 2025 to 15 September 2025. The call for views received 145 submissions. 52 submissions were from organisations with the remaining 93 from individuals.
11. The Committee also held five oral evidence sessions on the Bill. Details of which can be found on [the Bill webpage](#).

12. The Committee thanks all those who took the time to provide evidence on the Bill, both in-person and in writing. We hope that the publication of this Summary of Evidence does justice to the time and effort they put in to send us their views.

Consideration by other committees

13. The Finance and Public Administration Committee ran [a call for views on the Financial Memorandum for the Bill](#) from 25 August to 3 October 2025 and received [8 responses](#).
14. The Delegated Powers and Law Reform Committee considered the delegated powers in the Bill at its meeting on 24 June 2025 and reported to the Committee in its [56th Report, 2025](#).

Background and Context

Scale of domestic abuse in Scotland

15. Police Scotland recorded 63,867 incidents of domestic abuse in 2023-24. This was an increase of 3% compared to the previous year. Of these incidents, the majority (83%) of victims were female and 81% of the incidents involved a male perpetrator and female victim. (Policy memorandum).
16. In 2023-24, 38% of the incidents included the recording of at least one crime or offence.
17. In 2024-25, there were 30,227 charges reported to the Crown Office and Procurator Fiscal Service (COPFS) with a domestic abuse identifier. At the time the data was extracted, an initial decision had been made to proceed to court with 92% (27,715) of these charges. The vast majority (80%) of the charges that were prosecuted at court were at the summary level, meaning they were relating to less serious offences, with 20% prosecuted in solemn proceedings, relating to more serious offences.
18. In 2022-23, there were 763 people convicted with a main charge under the [Domestic Abuse \(Scotland\) Act 2018](#) and 7,807 people were convicted of aggravated offences under section 1(1)(a) of the [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#). These statistics cannot be read as an accurate reflection of the scale of domestic abuse in society in Scotland as many incidents of domestic abuse will go unreported.
19. In 2019/20, 16.5% of adults said that they had experienced at least one incident of partner abuse, both physical and psychological abuse, since the age of 16. Three in ten respondents (31%) who experienced partner abuse within the 12 months prior to interview had experienced more than one incident. Many domestic abusers go on to reoffend.

Existing frameworks

20. Part 1 of the Bill sought to introduce notification requirements for domestic abuse offenders. These were modelled on the current notification requirements set out in the [Sexual Offences Act 2003](#) that apply to those convicted of certain sexual offences. This meant anyone covered by this provision had to regularly provide certain information to the police, for example, all names used by them, their address, date of birth, National Insurance number and passport details. Their details were to be stored in the Violent and Sex Offender Register (ViSOR) system, which could be accessed by certain agencies, including the police and local authorities. This 'register' was not to be publicly available.
21. There are a number of existing notification requirements, processes and procedures that are relevant to the proposals in the Bill. Namely, Multi-Agency Public Protection Arrangements (MAPPA); Multi-Agency Risk Assessment Conferences (MARAC); Disclosure Scheme for Domestic Abuse Scotland; sentencing for domestic abuse offences.

Multi-Agency Public Protection Arrangements (MAPPA)

22. MAPPA are statutory partnership working arrangements introduced under Section 10 of the [Management of Offenders etc. \(Scotland\) Act 2005](#). They bring together Police Scotland, the Scottish Prison Service, Health Boards and Local Authorities and require that they jointly establish arrangements for the assessment and management of the risks posed by certain categories of offender: sex offenders, certain violent offenders and those offenders considered to be a continuing risk to the public. Some domestic abuse offenders will already be referred to MAPPA. This is where they have been convicted on indictment, the offence “infers personal violence” and the individual is made subject to a community payback order with a supervision requirement or where the person is required on release from prison to be subject to supervision in the community. This would also apply to domestic abuse offenders where it is assessed that they “may cause serious harm to the public at large”.

Multi-Agency Risk Assessment Conference (MARAC)

23. A MARAC is a local meeting held following a referral of a victim assessed to be at high risk from domestic abuse. The meeting is attended by statutory and non-statutory agencies, including the police, justice social work, education, health and housing. MARACs operate in all local authority areas in Scotland. The meeting allows agencies to share relevant and proportionate information about current risks, at the end of which agencies will be asked to volunteer actions to reduce risk and increase safety through the development of an action plan.
24. It should be noted that while MARACs support risk management for victims, they do not provide a statutory mechanism for monitoring offender behaviour. The Bill therefore introduces a distinct, offender-focused tool which may complement MARAC processes.

Disclosure Scheme for Domestic Abuse Scotland (DSDAS)

25. The DSDAS gives people the right to check if someone has a history of domestic abuse. They can apply to Police Scotland to find out about their partner’s history of domestic abuse, someone else’s partner or someone they work with if they are a professional. Following an application, the police meet with relevant partner agencies, such as social work or the prison service, and decide whether any disclosure is “lawful, necessary and proportionate” to protect the person from their partner. The scheme also gives the police the power to tell people that they may be at risk. This information can be given even if it is not asked for. The scheme is managed through police guidance and the rights are not contained in statute.
26. It should be noted that the Disclosure Scheme is discretionary and non-statutory. By contrast, the Bill proposed mandatory notification requirements, thereby placing offender accountability on a statutory footing.

Policy alignment with Equally Safe

27. The Bill aligned with the Scottish Government’s Equally Safe Strategy, which sets out its vision to address violence against women and girls in Scotland. The Equally Safe Strategy was refreshed in 2023 and the Equally Safe Delivery Plan was published in 2024, covering the period of summer 2024 to spring 2026. Similarly, the Bill was also in alignment with Equally Safe at School, an online intervention which supports secondary schools across Scotland to take a whole school

approach to addressing gender-based violence. This was co-created by Rape Crisis Scotland and the University of Glasgow.

Evidence and scrutiny by Part of the Bill

Part 1 – Notification requirements for domestic abuse offenders

Proposals in the Bill

28. The Bill proposed the introduction of notification requirements for domestic abuse offenders to ensure that they can be effectively monitored and subject to management through the existing multi-agency public protection arrangements (MAPPA) under the Management of Offenders etc. (Scotland) Act 2005. The provision was not retrospective and would only apply to those convicted after the Act comes into force. The provision was not retrospective and would only have applied to those convicted after the Act came into force.
29. Section 1(2) of the then Bill set out the relevant offences involving domestic abuse. The Bill proposed that a person convicted of one of these offences on indictment and given a sentence of imprisonment for 12 months or more, or a community payback order with an offender supervision requirement would be subject to the notification requirements. The relevant offences were:
 - Section 1(1) of the Domestic Abuse (Scotland) Act 2018 – abusive behaviour towards a partner or ex-partner;
 - Section 17 of the Domestic Abuse (Protection) (Scotland) Act 2021 – breach of a domestic abuse protection order (not yet in force);
 - Any offence which includes a statutory aggravation of domestic abuse, under section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.
30. The basis of this provision was noted in the Policy Memorandum (paras 8 and 9) which stated there—

” ...is no bespoke risk management pathway for domestic abuse offenders as a group. The Member seeks to create a specific pathway for risk management of domestic abuse offenders which will introduce the domestic abuse notification requirement. The existence of a specific pathway for domestic abuse offenders will reflect the serious risk that domestic abuse offenders pose in terms of reoffending and provide assurance to the public that the risk is being monitored.”
31. Section 2 of the Bill set out how long the notification period will be. It was determined by the sentence and would start from the date of conviction. For those sentenced to a period of imprisonment of between 12 and 30 months, the notification period would be three times the length of the sentence. Where the sentence is longer than 30 months, the notification period would be indefinite. For those convicted when they were under the age of 18, the notification period was half of that for adults. Where someone is made subject to a community payback order, the notification period would be the period during which the order is in effect.
32. Section 3 set out the initial notification requirements, and that these must be notified

to the police within the period of three days from when sentenced. This did not include any time where the person is in prison, and would instead be required within three days of the date of their release. Section 6 of the Bill set out that any notification must be given in person to a police officer, or any authorised person, at certain police stations.

33. Section 5 of the Bill set out that the person must re-confirm their details at least every 12 months, even if there were no changes, to ensure the information is accurate.
34. Section 7 of the Bill created a new offence of failing to comply with any of the notification provisions “without reasonable excuse”. The Bill proposed a maximum penalty if prosecuted under summary procedure of 12 months imprisonment, a fine not exceeding £10,000, or both. If prosecuted under solemn procedure, the maximum penalty was set out in the Bill as five years’ imprisonment.
35. Sections 8 to 14 of the Bill made provision for a system for the review of offenders who are subject to an indefinite notification period. This process mirrored that for the review of those subject to indefinite Sex Offender Notification Requirements, although with a slightly different time period for those aged under 18 at the time of conviction. The Bill set out that someone subject to indefinite notification requirements was able to apply for a review after a period of 15 years, or after 6 years if they were under the age of 18 at the time of conviction. The review would have been carried out by the Chief Constable of Police Scotland who would decide whether or not the notification requirements will continue.

Views expressed on Part 1 of the Bill during our scrutiny

36. The Committee heard from several organisations who expressed their support for the principle of monitoring, citing safety and accountability benefits. Some pointed out the disparity between the monitoring of those convicted of domestic abuse offences and those convicted of sexual offences. For instance, EmilyTest noted that the proposals to introduce notification requirements would “close an important gap in public safety.”ⁱ
37. In a written submission, Central Advocacy Partners stated that, “Our survivors would support this proposal. Knowing the perpetrator was being monitored would help them to feel safer, especially within their local community.”ⁱⁱ Similarly, the Scottish Asian Ekta Group noted that the proposals would ensure that offenders could not “easily evade oversight” and would help to create a “safer environment for those affected by domestic abuse.”ⁱⁱⁱ

i Scottish Parliament Criminal Justice Committee. Written evidence from EmilyTest (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=418392847

ii Scottish Parliament Criminal Justice Committee. Written submission from Central Advocacy Partners (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=185525391

iii Scottish Parliament Criminal Justice Committee. Written evidence from Scottish Asian Ekta Group (2025). Retrieved from: <https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/>

38. Sikh Sanjog expressed strong support in its written submission for the proposals in Part 1, stating that notification requirements would provide an additional layer of protection and could act as a deterrent. It highlighted the particular relevance of these measures for women from minority ethnic communities and suggested that including additional information, such as relationship status, could further enhance safeguarding.^{iv}
39. The Committee heard that monitoring could help prevent offenders from moving across local authority boundaries and becoming “lost” to agencies. For example, Debbie Jupp of Committed Against Abuse, told us that the proposals would help in tracking perpetrators who, in their experience, sometimes move from “one end of the country to the other”.^v
40. Several local Women’s Aid organisations expressed broadly supportive views in their written responses to the Committee, while also highlighting important caveats about implementation. Clackmannanshire Women’s Aid, Inverclyde Women’s Aid, Monklands Women’s Aid, Grampian Women’s Aid, Dundee Women’s Aid and Fife Women’s Aid all indicated support in principle for aspects of the Bill’s aims, including strengthening accountability for perpetrators, improving assessment and rehabilitation, enhancing education and prevention work, and improving understanding of domestic abuse. A number of these organisations emphasised that the effectiveness of any new measures would depend on appropriate resourcing, specialist training and trauma-informed practice. Several also highlighted the importance of safeguarding children, the need to avoid unintended consequences for victim-survivors, and the risk that services are already under significant capacity pressure.^{vi}
41. However, the Committee heard significantly more extensive evidence expressing concern about the effectiveness and consequences of the proposals.
42. Although some organisations welcomed the proposed notification and monitoring system for perpetrators of domestic abuse, the Committee heard strong concerns around how this would work in practice, particularly in an already complex landscape of multi-agency processes, and, crucially, that it may not be effective in improving the safety of victims of domestic abuse or as a preventative measure. We heard evidence that the definition of “domestic abuse offender” used in the Bill

[view_respondent?_b_index=60&uuld=457060833](#)

iv Scottish Parliament Criminal Justice Committee. Written submission from Sikh Sanjog (2025). Retrieved from: <https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/>

[view_respondent?show_all_questions=0&sort=submitted&order=ascending&q_text=sikh&uuld=3](#)

v Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 9). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

vi Scottish Parliament Criminal Justice Committee. Published responses to the Prevention of Domestic Abuse (Scotland) Bill Call for Views (2025), including Clackmannanshire Women’s Aid, Inverclyde Women’s Aid, Monklands Women’s Aid, Grampian Women’s Aid, Dundee Women’s Aid and Fife Women’s Aid. Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/published_select_respondent

means that the provisions in the Bill would not apply to the vast majority of those convicted of domestic abuse offences. For example, the Law Society of Scotland suggested that the Bill could create a “two-tier system” where some people who had committed an offence of a certain ‘level’ would be on the register, and those who were of “variable risk” but did not meet the definition would not be on the register.^{vii}

43. The Committee heard from a number of bodies that the definition of a “domestic abuse offender” used in the Bill was too narrow in scope as it only applied to those convicted on indictment. COPFS noted that the provisions in Part 1 of the Bill would not apply to the majority of domestic abuse offenders.^{viii} On the definition of domestic abuse more broadly, COPFS highlighted that the definition 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.”^{ix}
44. The Committee heard that the “vast majority” of domestic abuse cases are heard in Summary Courts.^x In other words, the majority of those convicted of domestic abuse would not be subject to the notification requirements as proposed in the Bill. In a written submission, Scottish Women’s Aid told us that “the notion that there is “serious” and “non-serious” domestic abuse flies in the face of the evidence of harm, fear, trauma, and injury described in Summary cases.”^{xi} That is, the majority of those convicted of domestic abuse would not be subject to the notification requirements as proposed in the then Bill.
45. Sharing these concerns, Victim Support Scotland noted that the provisions in the Bill would only provide potential protection for a small number of impacted people. In their written submission, they told us “the totality of risk from a perpetrator is not reflected in the case progressing through court, or by their convictions.”^{xii} Similarly, Public Health Scotland noted that those not convicted “may still pose a significant risk but would not be subject to monitoring.”^{xiii} COPFS, in a written submission, told the Committee that “...a criminal conviction cannot always reflect the totality of an offender’s risk and is not the most reliable barometer for domestic abuse prevention.”^{xiv} The Law Society of Scotland cautioned, in a written submission, that “the proposed provisions could create a real risk of labelling people as inherently dangerous” even where the risk was low.^{xv}

vii Scottish Parliament Criminal Justice Committee. Official report: 10 December 2025 (col 13). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=875616187

viii Scottish Parliament Criminal Justice Committee. Written evidence from COPFS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=133328525

ix Scottish Parliament Criminal Justice Committee. Written submission from COPFS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=133328525

x Scottish Parliament Criminal Justice Committee. Written submission from Scottish Women’s Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=295586288

xi Ibid.

xii Scottish Parliament Criminal Justice Committee. Written submission from Victim Support

46. The Committee also heard that using convictions as a way to identify risk was unsafe and “risks offering a false sense of security to victims.”^{xvi} Expressing similar apprehensions, Scottish Women’s Aid, in a written submission, told us that most survivors would experience years of post-separation abuse, particularly when young children are involved, and in this context, the proposed notification and monitoring scheme was “likely to create a false sense of safety for survivors”.^{xvii} Police Scotland also noted that a conviction for Domestic Abuse “rarely encapsulates or provides relevant context to the risk presented by a perpetrator.”^{xviii} Dr Emma Forbes of COPFS told the Committee that they prove offences in court “beyond reasonable doubt” and by categorising the offending, and this does not “reflect the totality of someone’s lived experience of abuse, our understanding of abuse, or where the most-high risk offenders are.”^{xix}
47. It should be noted that existing multi-agency interventions, such as MARAC and MATAAC, of which some domestic abuse offenders will already be subject to, does not rely on convictions. Detective Superintendent Adam Brown of Police Scotland noted that in existing processes, criminal convictions are taken into account but that they “do not necessarily illustrate the totality of risk that a perpetrator poses.”^{xx}

Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=101944306

xiii Scottish Parliament Criminal Justice Committee. Written submission from Public Health Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=20968356

xiv Scottish Parliament Criminal Justice Committee. Written submission from COPFS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=133328525

xv Scottish Parliament Criminal Justice Committee. Written submission by the Law Society of Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=875616187

xvi Scottish Parliament Criminal Justice Committee. Written submission from ASSIST (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1005089729

xvii Scottish Parliament Criminal Justice Committee. Written submission from Scottish Women’s Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=295586288

xviii Scottish Parliament Criminal Justice Committee. Written submission from Police Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=381310712

xix Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 12). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xx Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 5). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/>

48. The Policy Memorandum stated that the Member in Charge hoped that ongoing monitoring would act as a “wider deterrent in society”.^{xxi} However, the Committee heard concerns that the measures proposed in Part 1 of the Bill were unlikely to be effective as a preventative measure for domestic abuse. For instance, the Corra Foundation, in a collective written response from 12 community-led organisations primarily working to support women and girls affected by domestic violence, told us that it was not seen as a viable solution to prevent domestic abuse as it relied on convictions. They said “almost all organisations who participated told us that most people they support do not get to the point of reporting domestic abuse – let alone reach a conviction stage.”^{xxii} Both the Law Society of Scotland and COPFS expressed scepticism on the deterrent effect of a register.^{xxiii} Dr Emma Forbes, representing COPFS, noted that there was no evidence base to show that the creation of a register would prevent domestic abuse.^{xxiv} Professor Gilchrist stated that she was unsure if a register would pose a deterrent effect owing to those who perpetrate domestic abuse tending to “breach orders managing their risk and safety”.^{xxv}
49. Committed to Ending Abuse (CEA Ltd) suggested in its written submission that notification requirements may act as a deterrent and could contribute to survivors feeling safer, particularly if they support improved multi-agency information sharing.^{xxvi} Sikh Sanjog similarly suggested that such requirements could deter offending by increasing accountability. Both organisations also raised issues about implementation, including the need to ensure proportionality, clarity about how compliance would be monitored, and the resource implications of managing any system in practice.^{xxvii}

[OfficialReport?meetingId=16751](#)

^{xxi} Prevention of Domestic Abuse (Scotland) Bill, Policy Memorandum, p.4.

^{xxii} Scottish Parliament Criminal Justice Committee. Written submission from Corra Foundation (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=323620027

^{xxiii} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 8). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{xxiv} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{xxv} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 8). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{xxvi} Scottish Parliament Criminal Justice Committee. Written submission from Committed to Ending Abuse (CEA Ltd) (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&_q__text=committed&uuld=

^{xxvii} Scottish Parliament Criminal Justice Committee. Written submission from Sikh Sanjog (2025). Retrieved from: <https://yourviews.parliament.scot/justice/prevention-of-domestic->

50. Although the proposed notification and monitoring requirements may not deter abusers from committing an offence, we did hear evidence that it may deter perpetrators from pleading guilty. The Committee heard that there is a risk that perpetrators may be disincentivised from pleading guilty owing to the prospect of being added to a register. This made it more likely that victims would be subjected to the “trauma of a trial”, and increase pressure on the courts.^{xxviii}
51. Dr Forbes of COPFS raised concerns that the “stigma of a register” would prevent people from pleading guilty which would “prolong the justice journey for victims and compound their retraumatisation throughout the process. This would make it harder for us to engage with those victims and to bring cases to court.”^{xxix} Making similar remarks, Professor Gilchrist of the Law Society of Scotland noted that the mandatory nature of the monitoring requirements means that there would be no incentive for a guilty plea.^{xxx}
52. A number of organisations, including key justice agencies, had concerns about this provision in the Bill owing to potential duplication of existing monitoring systems. In a written submission, Police Scotland warned that extending MAPPA to all offenders under the Bill would “create duplication in administrative and operational tasks” and “compound financial and resourcing challenges” faced by Police Scotland.^{xxxi}
53. Police Scotland emphasised the significant burden this would place on them as an organisation in terms of time and resource. We were told that it would require extensive research and development and effectively need a new discipline within policing. Police Scotland estimated that this would require the creation of 13 new teams across each local policing division in Scotland which would, inevitably, take resources away from frontline staffing.^{xxxii}
54. Scottish Women’s Aid expressed concerns about the “particularly heavy bureaucratic burden” that would be placed on the organisations being asked to engage, particularly in terms of the use of MAPPA structures.^{xxxiii} Scottish Women’s

[abuse-scotland-bill/consultation/](#)

[view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=sikh&uuld=3](#)

xxviii Scottish Parliament Criminal Justice Committee. Written submission from Assist (2025).

Retrieved from: ; Written submission from Victim Support Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=101944306; Official Report: 10 December 2025 (col 8). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xxix Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 10). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xxx Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 11). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xxxi Scottish Parliament Criminal Justice Committee. Written submission from Police Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=381310712

xxxii Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 32). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

Aid noted that, in their view, “the best way to improve public safety is to invest in making good multi-agency work consistently available to all survivors across Scotland.”^{xxxiv}

55. The Committee also heard concerns that MAPPA may not be the most appropriate system for managing domestic abuse offenders. Dr Marsha Scott, of Scottish Women’s Aid, told us that MAPPA works very well for sexual offenders, for whom it was designed, but that a very different design would be required to monitor and scrutinise the behaviour of domestic abuse offenders.^{xxxv}
56. In a written submission, Social Work Scotland also highlighted the difference between sexual offending and domestic abuse and stressed the need for a bespoke approach.^{xxxvi} Police Scotland similarly pointed out that MAPPA is designed to deal with sex offenders and they require a very different management technique than for domestic abuse offenders.^{xxxvii}
57. We also heard concerns about the mandatory nature of the monitoring requirements proposed in Part 1 of the Bill. Social Work Scotland also felt the mandatory requirement was problematic and said that there needed to be a risk assessment on an individual basis.^{xxxviii} Glyn Lloyd of Social Work Scotland suggested that giving the court the ability to add the monitoring requirement, at their discretion, to a Community Payback Order, for instance, would be helpful.^{xxxix}
58. COPFS argued that public safety could be better achieved by improving existing MAPPA resourcing and awareness of DSDAS, rather than creating a new register.^{xi}

xxxiii Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 2). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

xxxiv Scottish Parliament Criminal Justice Committee. Written submission from Scottish Women’s Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=295586288

xxxv Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 26). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

xxxvi Scottish Parliament Criminal Justice Committee. Written submission from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=770006612

xxxvii Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 31). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xxxviii Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (cols 13-14). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xxxix Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 14). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

Police Scotland also pointed to DSDAS, which allows Police Scotland to disclose information about a perpetrator’s abusive history, and is not limited to previous convictions.^{xli}

59. Detective Superintendent Adam Brown of Police Scotland told us that for the past few years they had witnessed an average of 20% annual increase in the number of requests to the disclosure scheme, owing to increased public awareness.^{xlii}
60. The Committee heard evidence that a statutory monitoring scheme would draw resources away from existing non-statutory processes. Both Scottish Women’s Aid and COPFS raised concerns that the creation of a statutory monitoring scheme would divert “crucial police resource from a currently effective, non-statutory partnership and multi-agency response to risk management, safety planning and offender management.”^{xliii}
61. We heard evidence of a number of potential unintended consequences of the monitoring and notification requirements proposed in Part 1 of the then Bill, particularly in relation to the safety of victims and survivors of domestic abuse.
62. The Corra Foundation, in their written submission to the Committee, noted concerns that ongoing monitoring and restriction could lead to escalation of the domestic abuse, particularly in relation to potential visits from the police at home.^{xliv} SafeLives told us that some aspects of notification and management used for sexual offenders would not be appropriate for domestic abuse. For example, unannounced visits could increase the risks to victims.^{xlv}
63. Agnes Tolmie of Scottish Women’s Convention told us that “we fear that some of the proposals in the bill would “make him madder”. Women do not want that; they just want the abuse to stop”.^{xlvi}

xli Scottish Parliament Criminal Justice Committee. Written submission from COPFS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=133328525

xlii Scottish Parliament Criminal Justice Committee. Written submission from Police Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=381310712

xliii Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 30). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

xliiii Scottish Parliament Criminal Justice Committee. Written submission from COPFS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=133328525

xliv Scottish Parliament Criminal Justice Committee. Written submission from Corra Foundation (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=323620027

xlv Scottish Parliament Criminal Justice Committee. Written submission from SafeLives (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1013049793

xlvi Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col

64. The Committee heard that it is not uncommon for perpetrators of domestic abuse to make retaliatory and malicious allegations of abuse against victims. For example, Social Work Scotland noted that, in some circumstances, self-defence action may lead to the victim being convicted of an offence.^{xlvii} In these instances, victims of domestic abuse may end up subject to the monitoring requirements proposed in the Bill.
65. Tumay Forster of Shakti Women’s Aid highlighted the experiences of BME women who may have particular difficulties navigating the legal system. In their written submission to the Committee, Shakti Women’s Aid stated that “BME women often find the legislative process difficult to navigate. Coupled with language barriers and a lack of legal aid in many situations, they may be left completely dependent on their perpetrators and legal professionals.”^{xlviii} We were also given the example of women being advised that they should plead guilty if they want to regain custody of their children, leaving victims of domestic abuse with a criminal conviction as a result of retaliatory allegations from abusers.^{xlix}

Position of the Scottish Government

66. In written evidence provided to the Criminal Justice Committee, the Scottish Government stated that it was not supportive of Part 1 of the Bill. The Scottish Government echoed the comments of bodies such as COPFS who were unconvinced by the assertion that the provisions in Part 1 of the Bill would be a disincentive to commit the crime of domestic abuse. The Scottish Government also expressed concerns around a lack of detail in the Bill on how the proposals “would interact with existing processes and procedures.”ⁱ
67. When giving her evidence, the Minister for Victims and Community Safety said, on the provisions of Part 1 of the Bill, that “it remains unclear how the proposals would work in practice, including their perceived interaction with existing schemes, such as MAPPA and DSDAS, and the operational and financial challenges that would be presented, especially for Police Scotland.”ⁱⁱ

14). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{xlvii} Scottish Parliament Criminal Justice Committee. Written submission from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=770006612

^{xlviii} Scottish Parliament Criminal Justice Committee. Written submission from Shakti Women’s Aid (2025). Retrieved from: <https://www.parliament.scot/~media/committ/12005/Paper-2--Domestic-Abuse-Bill-Note-by-the-Clerk>

^{xlix} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 19). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

ⁱ Correspondence from the Minister for Victims and Community Safety to the Convener of the Criminal Justice Committee. 16 December 2025. Retrieved from: <https://www.parliament.scot/~media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

ⁱⁱ Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col

68. The Scottish Government shared the concerns of Police Scotland and Scottish Women’s Aid on the proposals being led by offence category rather than by risk. The Minister for Victims and Community Safety told us that if the register were to bring people under MAPPA, then the proposed approach “might be at odds with Scotland’s aspiration for MAPPA to be led less by offence category and more by assessed risk.”^{lii}
69. The Scottish Government highlighted ongoing work with Police Scotland around raising public awareness of DSDAS and “reviewing whether any potential changes or enhancements to the current scheme are required”.^{liii}
70. The Minister for Victims and Community Safety gave further details, stating that the Scottish Government were considering how to “expand the power to tell and the right to ask”.^{liv} The Scottish Government recognised that there was a lack of public awareness of the scheme.^{lv}
71. Jeff Gibbons, Head of the Violence Against Women and Girls Unit at the Scottish Government highlighted the discussions with Police Scotland on whether the branding of the scheme as DSDAS, as opposed to “Claire’s Law” as it is in England and Wales, was “one of the reasons why it is not as recognised.”^{lvi}

View of the Member in Charge

72. On the provisions of Part 1 of the Bill, the Member in Charge of the Bill, Dr Pam Gosal MBE MSP stated that this Bill would set up a “series of notification requirements for those who are convicted of the most serious domestic abuse offences.”^{lvii} She said that the decision to focus on the “most serious” offences was taken following the consultation process which highlighted that “including lower-level offences could lead to those defending themselves being required to be on what I term “the register”.”^{lviii}

5). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

lii Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 5). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

liii Correspondence from the Minister for Victims and Community Safety to the Convener of the Criminal Justice Committee. 16 December 2025. Retrieved from: <https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-criminal-justice-committee/correspondence/2025/prevention-domestic-abuse-scotland-bill>

liv Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 7). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

lv Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 8). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

lvi Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 8). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

lvii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 2).

73. The Committee heard concerns about how the proposed notification requirements would interact with existing multi-agency processes. In response, the Member in Charge told us that “the register” was “not a stand-alone process – rather, the data from the notification system will feed into the multi-agency public protection arrangements and, by extension, the multi-agency risk assessment conference.”^{lix} The Member in Charge noted that this information could also feed into DSDAS.^{lx} When asked about how the provisions in Part 1 of the Bill would interact with MARAC, MATAAC and MAPPA, the Member in Charge noted that “[the bill] will simply extend who is monitored to include domestic abuse offenders...they are managed in the same way sex offenders are managed.”^{lxi}
74. The monitoring requirements in Part 1 of the Bill were modelled on the sex offenders register. The Committee heard concerns about limited parallels between sex offenders and domestic abuse offenders. Similarly, the Committee heard that MAPPA was not designed to deal with domestic abuse offenders. When asked about these concerns, the Member in Charge cited the inclusion of domestic abuse offenders on the list of those ineligible for early release from prison - in relation to the Bail and Release from Custody (Scotland) Act 2023 - alongside those subject to notification requirements under the Sexual Offences Act 2003.^{lixii} The Member in Charge concluded “I absolutely reject the idea that MAPPA is not designed for that.”^{lixiii} It should be noted that some domestic abuse offenders are already managed under MAPPA.
75. The Committee heard concerns, namely from Police Scotland, that the provisions contained in Part 1 of the Bill would create duplication in administrative and monitoring tasks. When asked about this, the Member in Charge dismissed these concerns, stating that “I do not believe for one minute...that part 1 of my bill would duplicate anything. It would complement the systems that are already in place.”^{lixiv}

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lixiii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 2).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lix Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 2).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lx Ibid.

lxi Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 10).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lixii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 15).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lixiii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 15).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

lixiv Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 28).

Part 2 – Assessment of offenders for rehabilitation programmes and services

Overview of provisions

76. Part 2 of the Bill (sections 17 to 19) required consideration of whether, in certain circumstances, a person convicted of a domestic abuse offence would be a suitable candidate to take part in rehabilitation programmes or services. The Bill proposed that the offender's suitability be assessed at three separate points:
- prior to sentencing: the local authority must provide a report to the court which sets out an assessment of the suitability of the offender for participation in a programme of appropriate rehabilitation services;
 - while the offender is in custody: throughcare support must include an assessment of the suitability of the offender for participation in appropriate rehabilitation services;
 - prior to the offender's release: the local authority must provide a report to the Parole Board setting out an assessment of the suitability of the prisoner for participation in appropriate rehabilitation services.
77. The Member in Charge of the Bill told the Committee that these provisions were intended to ensure that every key phase of an offender's passage through the criminal justice system included an assessment of their suitability for the appropriate rehabilitation services.^{lxv}
78. The Policy Memorandum further explained that this sought to ensure that effective rehabilitation features in every experience of the system by a domestic abuse offender in order to reduce the likelihood of an individual committing further domestic abuse offences.^{lxvi}
79. The Caledonian System is a behaviour programme developed by the Scottish Government for men convicted of domestic abuse related offences in Scotland. It has been in operation since 2011 and was designed to replace several local authority initiatives that were previously in place. At present, it is delivered in 23 out of 32 Scottish local authority areas.^{lxvii} This uneven availability was cited repeatedly as a practical barrier to the implementation of statutory assessment duties.
80. According to the Scottish Government, it is a "whole systems"^{lxviii} approach which combines a court-ordered programme for men, aimed at changing their behaviour, with support services for women and children.

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

^{lxv} Scottish Parliament Criminal Justice Committee. Official Report: 25 June 2025 (cols 3-4).

Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16531>

^{lxvi} Prevention of Domestic Abuse (Scotland) Bill, Policy Memorandum, p.4.

^{lxvii} Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 17). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

81. Men who have been convicted of domestic abuse offences can be referred to the programme, either as part of a supervision requirement of a community payback order, or as a supervision requirement when released from prison. However, in certain areas, they can self-refer without going through the court process.^{lxix}
82. At present, individuals have to agree to take part in the programme before assessments for suitability are made and before that suggestion is made in the pre-sentence reports to the court.^{lxx}
83. The Policy Memorandum acknowledged the provision of the Caledonian System stating—
- ” “The Member considers there are complementary measures that can be pursued at a policy level as opposed to through primary legislation. For example, adequately resourcing and ensuring the roll out of accredited rehabilitation programmes such as the Caledonian System across the whole of Scotland is crucial to the effective implementation of the provisions in the Bill related to rehabilitation as an alternative to custody or following custody.”^{lxxi}

Views on the proposals during our scrutiny

84. In much of the evidence we received, there was support in principle for the proposals in Part 2 of the Bill but the support was often caveated or raised certain issues with the provisions.
85. For example, Tumay Forster, of Shakti Women’s Aid told the Committee that the Bill “holds a lot of opportunity”, but that a better understanding is needed of “how the proposals would fit with the existing structures, such as the MARACs, the Caledonian programme and the equally safe at school programme.”^{lxxii}
86. Shakti Women’s Aid also stated in its written submission that they believe the assessments should include all perpetrators who have been charged under both summary and solemn procedures.^{lxxiii}
87. Sikh Sanjog believed the proposals are a “good measure as it will help re-integrated

^{lxviii} Scottish Government. Learning from 25 years of preventative interventions in Scotland. Retrieved from: <https://www.gov.scot/publications/learning-25-years-preventative-interventions-scotland/pages/24/>

^{lxix} Scottish Sentencing Council. CJS Caledonian System blog. Retrieved from: <https://www.scottishsentencingcouncil.org.uk/news-and-media/spotlight-on-sentencing-blog/cjs-caledonian-system-blog>

^{lxx} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (cols 28 and 29). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{lxxi} Prevention of Domestic Abuse (Scotland) Bill, Policy Memorandum, p. 24.

^{lxxii} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{lxxiii} Scottish Parliament Criminal Justice Committee. Written submission from Shakti Women’s Aid (2025). Retrieved from: <https://www.parliament.scot/~media/committ/12005/Paper-2--Domestic-Abuse-Bill-Note-by-the-Clerk>

perpetrators into society as opposed to simply punishing them^{lxxiv} and was supportive of the plan to introduce mandatory assessment. Sikh Sanjog believed the proposals were a “good measure as it will help re-integrated perpetrators into society as opposed to simply punishing them^{lxxv} and was supportive of the plan to introduce mandatory assessment.

88. Sikh Sanjog supported the proposal to introduce mandatory assessment for behaviour change programmes, stating that this could support accountability and reintegration, while noting that availability of programmes is currently inconsistent across Scotland.^{lxxvi} Central Advocacy Partners highlighted that access to perpetrator programmes currently varies significantly by area, describing provision as a “postcode lottery”.^{lxxvii} EmilyTest supported the principle of assessment but cautioned that behavioural change programmes must be subject to robust evaluation, clear quality standards and survivor-focused safeguards.^{lxxviii}
89. However, in contrast, Social Work Scotland was of the view that if the proposals to assess individuals are to be implemented it would also be “essential to engage and motivate individuals to participate in a behaviour change programme, in order to see successful outcomes.”^{lxxix}
90. Similarly, in its response to the call for views, West Dunbartonshire Violence Against Women and Girls Partnership commented that mandatory participation in a rehabilitation programme alone is not sufficient and that “domestic abuse offenders need to be willing and motivated to change.”^{lxxx}

^{lxxiv} Scottish Parliament Criminal Justice Committee. Written evidence from Sikh Sanjog (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=356719871

^{lxxv} Scottish Parliament Criminal Justice Committee. Written evidence from Sikh Sanjog (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=356719871

^{lxxvi} Scottish Parliament Criminal Justice Committee. Written submission from Sikh Sanjog (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=sikh&uuld=3

^{lxxvii} Scottish Parliament Criminal Justice Committee. Written submission from Central Advocacy Partners (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=central+adv

^{lxxviii} Scottish Parliament Criminal Justice Committee. Written submission from EmilyTest (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=emilytest&u

^{lxxix} Scottish Parliament Criminal Justice Committee. Written evidence from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=770006612

^{lxxx} Scottish Parliament Criminal Justice Committee. Written evidence from West Dunbartonshire Violence Against Women and Girls Partnership (2025). Retrieved from:

91. Professor Liz Gilchrist told the Committee that international evidence suggests that all programmes have a small positive effect but they are not a “magic wand” and the evidence suggests “the most effective programmes are CBT based and have a motivational element to them”.^{lxxxix} Professor Gilchrist also stated that “the issue is not the assessment but the availability of the intervention”.^{lxxxii}

92. Similarly, ASSIST believed that instead of mandated assessment, a more targeted approach is required, and said in its response to the call for views—

” “If accredited programmes were available in every local authority area, and Sheriffs could identify which offenders would be most suitable for assessment, this would be the best way to target access to behaviour change programmes. We believe this would be more effective than introducing mandated assessment for certain offenders”^{lxxxiii}

Current processes

93. A number of organisations noted the risk of potential duplication with existing processes as, at present, assessment of an offender's suitability for rehabilitation programmes already takes place at key stages in their journey through the justice system and concerns were raised that the proposals in the Bill risk adding further bureaucracy without clear benefit.

94. For example, East Lothian and Midlothian Public Protection Office, noted the proposals were ‘a positive move in general’ but highlighted—

” “...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 (Parole). 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.”^{lxxxiv}

95. Social Work Scotland, also noted that the current justice social work report is a pre-sentence report which assesses risk, needs, motivation and suitability for programmes where that is appropriate.^{lxxxv}

https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=920683364

^{lxxxix} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 28). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{lxxxii} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 15). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{lxxxiii} Scottish Parliament Criminal Justice Committee. Written evidence from ASSIST (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1005089729

^{lxxxiv} Scottish Parliament Criminal Justice Committee. Written evidence from East Lothian and Midlothian Public Protection Office (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=221170860

96. In its written submission, the Scottish Solicitors' Bar Association stated that as the Bill does not specifically seek to amend sentencing policy, "it is not clear what obliging the court to obtain a report will achieve".^{lxxxvi}
97. The Parole Board for Scotland was 'supportive of the intent' of assessment prior to the offender's release, however it stated that for it to be of any real use in assessing risk and manageability it "must also set out whether such a programme is available in the community, and the likelihood of the offender being able to access it."^{lxxxvii}
98. Similarly, the Scottish Solicitors' Bar Association commented that "without any 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."^{lxxxviii}

Caledonian System/other behaviour change programmes

99. The Caledonian System was mentioned by several witnesses in oral evidence and also in written submissions.
100. In the Committee's initial evidence session on the Bill, Charlie Pound, Head of Policy and Research, Scottish Conservatives, told the Committee that the intention is not to conflict with the Caledonian System or any other rehabilitation programme as it is "about ensuring that an assessment is carried out and that a person can then be referred to a programme such as the Caledonian system."^{lxxxix}
101. Both Scottish Women's Aid and Dumfries and Galloway Public Protection Partnership/D&G Community Justice Partnership raised concerns regarding support for women and children if it was not the Caledonian System that was used. Scottish Women's Aid said—

^{lxxxv} Scottish Parliament Criminal Justice Committee. Written evidence from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=770006612

^{lxxxvi} Scottish Parliament Criminal Justice Committee. Written evidence from the Scottish Solicitors' Bar Association (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=820961812

^{lxxxvii} Scottish Parliament Criminal Justice Committee. Written evidence from the Parole Board for Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=&_b_index=

^{lxxxviii} Scottish Parliament Criminal Justice Committee. Written evidence from the Scottish Solicitors' Bar Association (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=820961812

^{lxxxix} Scottish Parliament Criminal Justice Committee. Official Report: 25 June 2025 (col 17). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16531>

” “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. The Committee is not confident that the proposal improves on existing practice and may indeed impede progress in this area”.^{xc}

102. Similarly, Debbie Jupp of Committed to Ending Abuse, told the Committee that more rehabilitation and psychological support is needed for women. She said—

“General practitioners and other members of the health service are referring to our small charity to get support for clients who are psychologically traumatised. There is not enough support for them”.^{xcii}

103. In its written submission, Committed to Ending Abuse (CEA Ltd) supported the principle of embedding assessment for behaviour change programmes but expressed concern about the effectiveness of existing provision. It emphasised that programmes must remain survivor-focused and evidence-based and noted that feedback from survivors whose partners had completed programmes had often been poor. It also highlighted the limited availability of accredited provision and the resource implications of expanding access.^{xciii}

104. In its written submission, SafeLives also noted concerns regarding the provision of rehabilitation programmes or services outwith the Caledonian System stating that the description of rehabilitation in the Bill was “extremely broad” and “clarity would be required of exactly what is meant by rehabilitation and behaviour change programmes”.^{xciii}

105. It also highlighted that evaluation of any such programmes would be required, 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

^{xc} Scottish Parliament Criminal Justice Committee. Written evidence from Scottish Women’s Aid Association (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=295586288

^{xcii} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 11). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{xciii} Scottish Parliament Criminal Justice Committee. Written submission from Committed to Ending Abuse (CEA Ltd) (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&_q__text=committed&uuld=

^{xciii} Scottish Parliament Criminal Justice Committee. Written evidence from the SafeLives (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1013049793

- vacuum and increase risk to victims and survivors".^{xciv}
106. Edinburgh Women's Aid were also of the view that any programme would need to be "robustly developed, tested and evaluated"^{xcv} and noted that this would take time and significant resources and that it should not be at the expense of existing services for victims-survivors.
107. There was also some suggestion that long term evaluation of programmes be included in the Bill to ensure they continue to be effective, with Public Health Scotland commenting that outcomes for perpetrators, survivors and their families should be monitored.^{xcvi} EmilyTest's submission also stated that in terms of behavioural change programmes, a "more thorough evaluation of efficacy is needed".^{xcvii}
108. In addition, the Law Society of Scotland commented that evaluation of the effectiveness of rehabilitation programmes is "outdated" with the last evaluation of the Caledonian System being published in 2016.^{xcviii} They believed that having updated data available would be helpful in analysing the impact that rehabilitation programmes have on domestic abuse offenders.
109. In relation to this, Professor Liz Gilchrist, told the Committee that it was "extremely important" that such information was collected and advised that research is currently being carried out using routine health and justice data, looking at, following a 2-year time period, whether interventions have the impact of changing behaviour and outcomes.^{xcix}
110. Further limitations with the Caledonian System were highlighted by Tumay Forster

^{xciv} Scottish Parliament Criminal Justice Committee. Written evidence from the SafeLives (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1013049793

^{xcv} Scottish Parliament Criminal Justice Committee. Written evidence from Edinburgh Women's Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=881793427

^{xcvi} Scottish Parliament Criminal Justice Committee. Written evidence from Public Health Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=&_b_index=

^{xcvii} Scottish Parliament Criminal Justice Committee. Written evidence from EmilyTest (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=&_b_index=

^{xcviii} Scottish Parliament Criminal Justice Committee. Written evidence from the Law Society of Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=law+society

^{xcix} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 29). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

of Shakti Women’s Aid, who said from a BME perspective, it was not very “bespoke” and did not take into account that many of the domestic abuse behaviours in BME communities are driven by culture and tradition.^c

111. Dumfries and Galloway Public Protection Partnership/D&G Community Justice Partnership also noted that the Caledonian System only works with medium and high-risk offenders and was not currently available in all local authority areas.^{ci}
112. East Lothian and Midlothian Public Protection Office and Social Work Scotland both commented that there were limitations in terms of who is suitable for the Caledonian System, as it was gender specific and therefore not suitable for those in same-sex relationships or for female offenders.^{cii}
113. Witnesses also noted that programmes need to be consistently available for those assessed as unsuitable for the Caledonian System as well as non-court mandated programmes. Speaking on behalf of Social Work Scotland, Glyn Lloyd told the Committee that at present there are no other accredited programmes available for perpetrators who do not meet the criteria for the Caledonian System and for those cases “intervention would be designed on a local authority, case-by-case and individual basis. which means there was no consistency across the 32 local authorities”.^{ciii}
114. In addition, Social Work Scotland noted that there are currently no domestic abuse specific programmes running in prisons and the Scottish Solicitors Bar Association stated in its response to the call for views that when someone is serving a short-term sentence (of less than four years) “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”.^{civ}

^c Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{ci} Scottish Parliament Criminal Justice Committee. Written evidence from Dumfries and Galloway Public Protection Partnership/D&G Community Justice Partnership (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=dumfries&uuld=8

^{cii} Scottish Parliament Criminal Justice Committee. Written evidence from East Lothian Public Protection Office (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=east+lothian&uuld=8

Scottish Parliament Criminal Justice Committee. Written evidence from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=social+work&uuld=8

^{ciii} Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 15). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

^{civ} Scottish Parliament Criminal Justice Committee. Written evidence from the Scottish Solicitors’ Bar Association (2025). Retrieved from: <https://yourviews.parliament.scot/>

Resources

115. Several submissions highlighted issues with this part of the Bill related to resourcing, with a strong view among different organisations that there are not currently enough services in place.^{cv}
116. The Committee heard from Marsha Scott of Scottish Women’s Aid that although rehabilitation programmes shouldn’t be seen as a “quick fix”, sufficient resources should be made available for the Caledonian System to be expanded to all local authority areas and for it to be funded it appropriately.^{cvi}
117. Scottish Women’s Convention was of a similar view that the effectiveness of the Caledonian System is limited by its availability and by the resource-intensive nature of its delivery. It noted in its written submission that “to maximise its impact, the programme must be expanded and adequately resourced across Scotland”.^{cvii}
118. In its response to the call for views, Social Work Scotland noted that although there are plans to distribute funding for the Caledonian System across all of Scotland during 2026/27, insufficient levels of funding for some local authorities will make it very difficult to deliver the programme to accreditation standards.^{cviii}
119. Social Work Scotland also raised concerns that the proposals in the Bill did not sufficiently address current capacity limitations within criminal justice social work services. It said—
- “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”.^{cix}
120. Similarly, Scottish Women’s Convention, raised concerns that the proposals did “not

[justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=820961812](https://www.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=820961812)

^{cv} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025). Retrieved from:

<https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cvi} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 12). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{cvii} Scottish Parliament Criminal Justice Committee. Written evidence from Scottish Women’s Convention (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=702933713

^{cviii} Scottish Parliament Criminal Justice Committee. Written evidence from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q_text=social+work

^{cix} Scottish Parliament Criminal Justice Committee. Written evidence from Social Work Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=770006612

sufficiently address the current capacity limitations within justice social work services".^{cx} While South Lanarkshire Council's (Children and Justice Social Work) submission raised the issue that "recruitment and retention in justice social work remain challenging" and that "without sufficient workforce and investment, implementation will be difficult".^{cxii}

Position of the Scottish Government

121. In written evidence to the Committee^{cxii}, the Scottish Government stated that it is already investing in rehabilitation work through the Caledonian System and was of the view that "fundamentally it does not require legislation to expand the programme"^{cxiii}. It had committed to extending the programme across Scotland and noted that it had provided additional funding to local areas to ensure it remains sustainable.

122. The Scottish Government also stated that the costs for Part 2 of the Bill are "significant" for local authorities and "are likely to be underestimates".^{cxiv}

123. When giving evidence to the Committee, Siobhian Brown MSP, Minister for Victims and Community Safety, said—

"In 2025-26, the total ring-fenced budget allocation for the 23 local authorities that are operating the Caledonian system is close to £4.5 million, and the Scottish Government has provided a further £1.4 million to local authorities this year. The Caledonian system is operated by local authority criminal justice social work departments, and the Scottish Government is committed to rolling it out across Scotland. At the moment, 23 of the 32 local authorities are delivering it, and it will be rolled out in a further two areas by summer 2026. That is an example of how we can roll out more support without having legislation in place".^{cxv}

cx Scottish Parliament Criminal Justice Committee. Written evidence from Scottish Women's Convention (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=702933713

cxii Scottish Parliament Criminal Justice Committee. Written evidence from South Lanarkshire Council (Children and Justice Social Work) (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=lanarkshire&uuld=

cxiii Scottish Parliament Criminal Justice Committee Written evidence from the Scottish Government (2025). Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

cxiv Scottish Parliament Criminal Justice Committee Written evidence from the Scottish Government (2025). Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

cxv Scottish Parliament Criminal Justice Committee Written evidence from the Scottish Government (2025). Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

124. In addition, Graham Robertson of the Scottish Government’s Public Protection Unit told the Committee that a further two local authorities are looking at delivering the Caledonian System towards the latter end of 2026. He also noted that the Scottish Government is engaging with remaining areas, such as those in the islands, as to how best the programme can be delivered to meet the particular challenges they face such as geography and smaller numbers.^{cxvi}

Views of the Member in Charge

125. The Member in Charge told the Committee that the provisions in Part 2 of the Bill sought to ensure that, when someone is convicted of domestic abuse, there was a pathway for them to receive rehabilitation and it was not the case that the measures would be new and separate from existing work in the area or represent a duplication of effort as was suggested by some stakeholders.^{cxvii}

126. The Member in Charge told the Committee that the provisions in Part 2 of the Bill sought to ensure that, when someone is convicted of domestic abuse, there was a pathway for them to receive rehabilitation and it was not the case that the measures would be new and separate from existing work in the area or represent a duplication of effort as was suggested by some stakeholders.

127. The Member in Charge stated that she wanted to remove “the postcode lottery”^{cxviii} in relation to whether someone is offered rehabilitation at the point of sentencing and noted that the roll-out of the Caledonian System and other programmes “has been painfully slow, while reoffending rates continue to increase”.^{cxix}

128. In relation to rehabilitation measures in prison, she indicated that the provisions in the Bill aimed to be a “complimentary measure”^{cxx} to the statutory provisions that were already being implemented on throughcare and sought to ensure there was tailored throughcare specifically for domestic abuse offenders.

129. On the question of whether there was scope to continue to develop and expand

cxv Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 17). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

cxvi Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 17). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

cxvii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

cxviii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

cxix Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

cxx Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

existing rehabilitation programmes and services without the need for underpinning legislation, she told the Committee—

“I believe that the proposed statute is very important, because we currently have a postcode lottery. Certain local authorities have services available. There are other programmes, too. It is not for me to say what rehabilitation programmes should look like, or whether they would come under the Caledonian system or not. However, it is for me to ensure that an assessment would be in place, from court to prison to parole, and it is very important to put that in statute. That has not been done or rolled out so far, and the process is painfully slow.”^{cxxi}

Part 3 – Data Collection and Reporting

Overview of the provisions

130. Part 3 of the Bill would have placed duties on specified public bodies to collect, retain and share information relating to people affected by domestic abuse, and would have required the Scottish Ministers to publish an annual report drawing together that information.
131. The provisions focused in particular on the collection of demographic data, including protected characteristics, with the stated aim of improving understanding of who is affected by domestic abuse in Scotland and enabling services and policy responses to be better targeted.
132. The Member in Charge argued that the current absence of consistent data on protected characteristics is a serious gap. She told the Committee—
- “I find it shocking that, to this day, we are still not collecting data on protected characteristics when we collect that information for so many other reasons”.^{cxxii}
133. She further argued that the lack of such data undermines effective service planning, stating—
- “We need to understand that, if, say, 100 people from ethnic backgrounds are coming through... and they are facing issues, we need to have the right services in place”.^{cxxiii}
134. The Committee heard that data on domestic abuse is already collected across a range of agencies. Police Scotland publishes annual domestic abuse statistics, while COPFS, courts and social work hold further information within their own case-

^{cxxi} Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 30). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

^{cxxii} Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 31). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

^{cxxiii} Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 31). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

management systems.

135. The Minister confirmed that data improvement is already a focus of joint work across justice partners. She told the Committee—

“The issue of data collection has been raised in the evidence sessions - I am acutely aware of it, and there needs to be improvement there. Data improvement has been a clear focus of the domestic abuse justice partners round table...”^{cxxiv}

She explained that work is underway to map existing datasets—

“...work to date has included reviewing and mapping domestic abuse-related data held by justice partners, with particular reference to data on protected characteristics. The group is currently progressing a working paper that will draw together the findings of the data-mapping exercise, including identifying data gaps and what opportunities there might be for data improvement”.^{cxxv}

136. Jeff Gibbons of the Scottish Government similarly described this as a structured exercise to understand what is already collected and how it is used, noting—

“We are thinking about why we collect the data, rather than just collecting it for the sake of it”.^{cxxvi}

Support for improved data

137. Across evidence from different organisations, there was strong support in principle for better data collection.

138. Scottish Women’s Aid expressed clear support for the objectives of Part 3 of the Bill. Dr Marsha Scott told the Committee—

“We are really supportive of part 3, which is on data. We are concerned about the failure of the justice organisations to collect equalities data and to disaggregate it, despite our whining about that for a decade now. Therefore, we would welcome any kind of statutory approach to that.”^{cxxvii}

139. She also highlighted that existing equality duties have not delivered meaningful change, stating—

“Although we have laws in place already with the public sector equality duty that, in

^{cxxiv} Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 10). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

^{cxxv} Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 10). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

^{cxxvi} Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 18). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

^{cxxvii} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 2). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

essence, require the collection and disaggregation of data, to date, we have failed to see any real progress on that."^{cxxviii}

140. Shakti Women's Aid, representing minority ethnic women, strongly supported improved data collection. Tumay Forster told the Committee—

"We fully support the measures on data collection, because anything that supports data on BME-specific abuse is welcome. Unfortunately, we do not hold such data, which makes it extremely difficult for any organisation... to say, 'This is the problem at hand.' We do not have a data set that we can start from and build on."^{cxxix}

141. She gave specific examples of missing data—

"We would welcome it if Police Scotland could tell us the number of cases of honour-based abuse, forced marriage or transnational abandonment. That would be amazing."^{cxxx}

Wider organisational evidence

142. The SPICe analysis of organisational responses to the Call for Views highlighted similar themes.^{cxxxi} Respondents emphasised that stronger data could support identifying unmet need, shaping services, targeting resources, identifying disparities, and supporting ensuring equity of access.

143. Amina – The Muslim Women's Resource Centre and Sikh Sanjog both expressed support for strengthened data collection requirements. Amina welcomed the inclusion of ethnicity and disability within data collection, noting that without accurate disaggregated data the needs of BME and disabled women risk continuing to be overlooked.^{cxxxii} Sikh Sanjog similarly emphasised that improved data could help build a clearer understanding of domestic abuse within minority ethnic communities, while also noting that grassroots organisations would require appropriate infrastructure and support to collect data effectively.^{cxxxiii}

^{cxxviii} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 2). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{cxxix} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{cxxx} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 4). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{cxxxi} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025). Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cxxxii} Scottish Parliament Criminal Justice Committee. Letter from Amina – The Muslim Women's Resource Centre on the Prevention of Domestic Abuse (Scotland) Bill (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=muslim&uuld=71

144. However, the analysis also highlighted that respondents stressed the need for clarity of purpose. Many organisations felt that the Bill needed to be clearer about how the data would actually be used, rather than simply collected.^{cxxxiv}
145. While there was broad support for improving data, the Committee also heard substantial concerns about how the proposals in Part 3 would operate in practice.
146. Central Advocacy Partners supported the principle of improved data collection but stated that it would be important to understand how the data would be used in practice and how it would shape future services. It suggested that additional information, such as whether a victim-survivor is pregnant or has children, could help better identify risk and improve service planning.^{cxxxv}
147. The SPICe organisational analysis notes that some specialist services already collect sensitive demographic data and expressed concern that being required to share this centrally could:
- be an unnecessary administrative burden;
 - undermine trust with service users;
 - discourage survivors from engaging with services.
148. The analysis records that Committed to Ending Abuse stated that they had seen survivors disengage when data requests felt intrusive, and that “any data collection must be trauma-informed, with opt-outs clearly explained”.^{cxxxvi}
149. COPFS raised a specific concern about the tension between comprehensive data collection and trauma-informed practice, questioning whether a justice system that is working towards embedding trauma-informed and victim-centred approaches “should be asking victims repeatedly for the same comprehensive data, regardless of whether victims may decline to provide this data.”^{cxxxvii}

^{cxxxiii} Scottish Parliament Criminal Justice Committee. Written submission from Sikh Sanjog (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=sikh&uuld=3

^{cxxxiv} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025). Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cxxxv} Scottish Parliament Criminal Justice Committee. Written submission from Central Advocacy Partners (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=central+adv

^{cxxxvi} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p. 22. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cxxxvii} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p. 22. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/>

150. Police Scotland expressed support for the principles of Part 3, but warned that implementation would not be straightforward. Its evidence states that implementation would require—

“develop[ing] 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.”^{cxxxviii}

151. COPFS made similar points. In its submission, it stated 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.”^{cxxxix}

152. It further noted that, given the volume of domestic abuse cases COPFS handles, the “resourcing impact of these provisions is not insignificant for COPFS and requires to be assessed.”^{cxl}

Data protection, identifiability and misuse

153. Another theme raised consistently by organisations was concern about how data would be published and interpreted.

154. Scottish Women’s Aid warned that—

“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.”^{cxli}

155. Other respondents, including Stirling Gender Based Violence Partnership, raised concerns that in smaller communities individuals might become identifiable from

[prevention-da-analysis-of-the-call-for-views-orgs.pdf](https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=381310712)

^{cxxxviii} Scottish Parliament Criminal Justice Committee. Police Scotland - Response to the Call for Views on the Prevention of Domestic Abuse (Scotland) Bill. (2025), p. 4. Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?uuld=381310712

^{cxxxix} Scottish Parliament Criminal Justice Committee. Crown Office and Procurator Fiscal Service (COPFS) - Response to the Call for Views on the Prevention of Domestic Abuse (Scotland) Bill. (2025), p. 3. Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=crown&uuld=133

^{cxl} Scottish Parliament Criminal Justice Committee. Crown Office and Procurator Fiscal Service (COPFS) - Response to the Call for Views on the Prevention of Domestic Abuse (Scotland) Bill. (2025), p. 4. Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=crown&uuld=133

^{cxli} Scottish Parliament Criminal Justice Committee. Scottish Women’s Aid - Response to the Call for Views on the Prevention of Domestic Abuse (Scotland) Bill. (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=scottish+women&

published datasets, even if anonymised.^{cxlii}

156. These concerns reinforced the importance of safeguards around anonymisation, publication thresholds and ethical use of data.

Scope of data and protected characteristics

157. Several organisations argued that, if data collection is to be strengthened, the scope should be clearer and potentially broader. Respondents suggested expanding the list of data to include all protected characteristics under the Equality Act 2010, as well as factors such as socioeconomic status, mental health, substance use, whether a person has children, geography, and type of abuse.^{cxliii}
158. Conversely, the Law Society of Scotland questioned whether it would be more useful to analyse data about the offence itself rather than focusing primarily on complainers' characteristics.^{cxliv}
159. The Scottish Human Rights Commission indicated support for improved data collection and quality, noting that Article 11 of the Istanbul Convention requires parties to collect disaggregated statistical data on all forms of violence covered by the convention.^{cxlv}
160. The Scottish Asian Ekta Group stated—
- “Yes, [we] 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.”^{cxlvi}
161. For Women Scotland highlighted the importance of intersectional data for funding and service design, stating—

cxlii Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p. 23. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

cxliii Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), pp. 21-22. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

cxliv Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), pp. 21-22. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

cxlv Scottish Human Rights Commission. Response to the Call for Views on the Prevention of Domestic Abuse (Scotland) Bill. (2025), p. 7. Retrieved from: <https://www.scottishhumanrights.com/media/3098/consultationresponse-policy-preventionofdomesticabusebill-september2025.pdf>

cxlvi Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p 20. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

“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.”^{cxlvii}

Children and under-16s

162. Part 3 included provision allowing Ministers to modify how data is collected for victims under 16.
163. Charlie Pound of the Scottish Conservatives explained that this reflects the fact that “different data collection rules apply for under-16s” and that the purpose of the provision is to ensure flexibility if the approach used for adults proves inappropriate for children.^{cxlviii}
164. The SPICe organisational analysis noted that respondents broadly welcomed the inclusion of children in the data framework but stressed that this must be accompanied by clear consent processes, ethical standards, appropriate safeguards, and exemptions where collecting data would be unreasonable or unsafe.^{cxlix}
165. The analysis further noted that respondents emphasised the importance of recognising that children affected by domestic abuse may include both children who are directly subjected to abuse and children who experience harm as a result of living in an abusive household. Respondents considered that any data collection framework should be capable of reflecting both experiences.^{cl}

Part 4 – School Education

Proposals in the Bill

166. Sections 28 to 32 of the Bill included provisions requiring the Scottish Government
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^{cxlvii} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p 20. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cxlviii} Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 32). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

^{cxlix} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p 21. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

^{cl} Scottish Parliament Criminal Justice Committee. Prevention of Domestic Abuse (Scotland) Bill: analysis of the call for views – organisations. (2025), p 23. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/prevention-da-analysis-of-the-call-for-views-orgs.pdf>

and education authorities to promote, facilitate and support domestic abuse education in school.

167. The Policy Memorandum sets out why the Member in Charge believed this provision was necessary—

“...introducing domestic abuse education to young people will help raise understanding and awareness of domestic abuse and facilitate a longer-term cultural shift necessary to prevent domestic abuse in Scotland. In the shorter-term young people could come to be more aware of the types of domestic abuse and the indicators of it. As well as ensuring young people grow up mindful of the harm that domestic abuse causes, this education could also lead to more young people identifying concerning behaviour and confiding in school staff and peers.”^{cli}

168. It went on to state that—

“...the Member is very supportive of current work undertaken under the auspices of the Equally Safe programme in schools. Her concern is that the provision of domestic abuse education is not happening on a systematic basis and she is seeking, through her provisions in the Bill, to ensure that such education is available on a Scotland wide basis.”^{clii}

169. Domestic abuse education was defined in the Bill as “education consisting of teaching and learning about the causes of, occurrence of and prevention of domestic abuse, including about what constitutes domestic abuse and the law relating to domestic abuse.”

170. Section 29 of the Bill would have created a provision for the Scottish Government to issue and review guidance to education authorities on domestic abuse education. The Bill set out that the Scottish Ministers must consult with charities who provide support for victims and survivors of domestic abuse, and any other appropriate persons, when producing this guidance. The Bill also provided that the Scottish Ministers must prepare, and lay before the Scottish Parliament, reports setting out progress made in the delivery of domestic abuse education in schools.

171. In a letter to the Committee, dated 23 June 2025, the Scottish Government described the proposals in Part 4 of the Bill as “out of line with the current discretionary and non-prescriptive approach to the delivery of learning and teaching within the curricular framework currently in place”.

Views on Part 4 during our scrutiny

172. While we heard some strong support for the intention behind this provision in the Bill, witnesses repeatedly told us that education alone is unlikely to prevent domestic abuse. We did hear some evidence on the role domestic abuse education could play in attitudinal and cultural change in Scotland, potentially reducing future harm. For instance, the Scottish Asian Ekta Group expressed strong support for the proposal, stating—

^{cli} Prevention of Domestic Abuse (Scotland) Bill, Policy Memorandum. Retrieved from:<https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/prevention-of-domestic-abuse-scotland-bill/introduced/spbill67pms062025accessible.pdf>

^{clii} Ibid.

“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.”^{cliii}

173. Similarly, East Dunbartonshire Women’s Aid told us that early education helps young people to “understand the signs of abuse, challenge harmful norms, and develop respectful relationships from a young age.”^{cliv}
174. Tumay Forster of Shakti Women’s Aid was particularly supportive of this provision for children from BME communities, where we heard that “Unfortunately, the only opportunity for most young BME girls and boys to understand what is a healthy relationship might be in school.”^{clv}
175. Several organisations expressed support for the inclusion of domestic abuse education in schools. Clackmannanshire Women’s Aid noted that it already delivers education sessions locally and reported positive feedback from schools.^{clvi} Committed to Ending Abuse (CEA Ltd) strongly supported statutory education, emphasising the importance of early intervention and suggesting that delivery should be undertaken by specialist organisations.^{clvii} EmilyTest supported the inclusion of domestic abuse education within the curriculum and argued that prevention requires education from an early age.^{clviii} Central Advocacy Partners supported education from primary school age and noted that many of the women they support had not received adequate relationship education earlier in life.^{clix} Sikh Sanjog supported the inclusion of education but raised concern that allowing parental withdrawal could be detrimental for children living with abuse.^{clx}

cliii Scottish Parliament Criminal Justice Committee. Written submission from Scottish Asian Ekta Group (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=457060833

cliv Scottish Parliament Criminal Justice Committee. Written submission from East Dunbartonshire Women’s Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=287025851

clv Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 23). Retrieved from: <https://www.parliament.scot/~media/committ/12005/Paper-2--Domestic-Abuse-Bill-Note-by-the-Clerk>

clvi Scottish Parliament Criminal Justice Committee. Written submission from Clackmannanshire Women's Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=clackmannanshir

clvii Scottish Parliament Criminal Justice Committee. Written submission from Committed to Ending Abuse (CEA Ltd) (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=committed&uuld=

clviii Scottish Parliament Criminal Justice Committee. Written submission from EmilyTest (2025). Retrieved from: <https://yourviews.parliament.scot/justice/prevention-of-domestic->

176. Although most respondents were broadly supportive of this aspect of the Bill, the Committee did hear some specific concerns with the provision and how it would be implemented in practice. In a letter to the Convener dated 23 June 2025, the Minister for Victims and Community Safety stated that the proposal would be “out of line with the current discretionary and non-prescriptive approach to the delivery of learning and teaching within the curricular framework currently in place.”^{clxi}
177. The Committee heard concerns about the burden this provision would place on teachers and schools who are already under considerable strain. NASUWT Scotland, the Teacher’s Union cautioned that “schools cannot address all of society’s ills” and highlighted “significant workload barriers” to implementing any new initiatives. NASUWT also said in their written submission that pupils with additional support needs (ASN) “appear(s) to be excluded from the current proposals.”^{clxii}
178. We also heard that the proposals around education in the Bill were “too narrowly framed” and a wider approach to tackle sexism and misogyny from a young age - identified as the root cause of domestic abuse - was needed.^[1] NASUWT were critical of the framing of the provision in the Bill as educating children and young people about the “existence” of domestic abuse, rather than around prevention. In a written submission to the Committee, they said—
- “...the Union believes that national discourse around domestic abuse needs to shift to consider the wider social structures, culture and attitudes which are the drivers. Domestic Abuse results from gender inequality: tackling the wider system of gender inequality in Scotland should be the main priority.”^{clxiii}
179. The Educational Institute of Scotland (EIS) made similar comments, telling the Committee that although it welcomed the ambitions to reduce the number of incidents of domestic abuse, they would “question the ability to do so solely through

[abuse-scotland-bill/consultation/](https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=emilytest&uuld=3)

[view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=emilytest&uuld=3](https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=emilytest&uuld=3)

clix Scottish Parliament Criminal Justice Committee. Written submission from Central Advocacy Partners (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=central+adv&uuld=3

clx Scottish Parliament Criminal Justice Committee. Written submission from Sikh Sanjog (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q__text=sikh&uuld=3

clxi Correspondence from the Minister for Victims and Community Safety to the Convener of the Criminal Justice Committee, 23 June 2025. Retrieved from: <https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill>

clxii Scottish Parliament Criminal Justice Committee. Written submission from NASUWT (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=120&uuld=851215764

clxiii Ibid.

the measures proposed in the...Bill."^{clxiv} Echoing NASUWT, they stated that "domestic abuse is both a cause and a consequence of women's inequality and therefore cannot be addressed in isolation".^{clxv}

180. However, the Committee also heard evidence from several organisations that education can play a valuable role as part of a broader, whole-system approach to prevention.
181. Dr Marsha Scott, who gave evidence on behalf of Scottish Women's Aid was sceptical about the efficacy of a "specific domestic abuse curriculum" as a preventative measure for domestic abuse.^{clxvi} Dr Scott made similar comments to education unions, noting "What will prevent domestic abuse is the creation of a culture in which, when the kids walk out of that classroom, the woman are not more poor and the girls are not being sexually assaulted in school."^{clxvii}
182. Some respondents mentioned Equally Safe at School, Relationships, Sexual Health and Parenthood education and other work that was already taking place in schools around healthy relationships. A number of 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.
183. Scottish Women's Aid, for example, told us in a written submission that they were supportive of Equally Safe in Schools and they "suggest that properly funding and rolling out that program would deliver the intention of this proposal."^{clxviii} The Committee notes that, as of January 2025, 133 schools were registered for the Equally Safe at School programme.^{clxix}
184. Public Health Scotland stated their support for the proposal to provide education about domestic abuse and healthy relationships in all schools. They noted the importance of clarifying "how this proposal builds on or differs from the existing

^{clxiv} Scottish Parliament Criminal Justice Committee. Written submission from EIS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=342179465

^{clxv} Ibid.

^{clxvi} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (cols 15-16). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{clxvii} Scottish Parliament Criminal Justice Committee. Official Report: 3 December 2025 (col 15). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16739>

^{clxviii} Scottish Parliament Criminal Justice Committee. Written submission from Scottish Women's Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=295586288

^{clxix} Scottish Parliament Meeting of the Parliament. Official Report: 1 April 2025 (col 3). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16355>

Relationships, Sexual Health and Parenthood (RSHPE) curriculum and the Equally Safe at School intervention."^{clxx}

185. The Committee also heard some concerns about the funding and resourcing of this provision in the Bill. A number of stakeholders, such as Dumfries and Galloway Community Justice Partnership and EIS, told the Committee that the existing provisions in schools require significant resource and are aimed at secondary school pupils only.^{clxxi} The expansion of provision for younger pupils would require additional resources. Edinburgh Women's Aid stressed that any additional funding or resources should not come from frontline services.^{clxxii}
186. The Bill contained the right for parents or guardians to withdraw their child from domestic abuse education. There were particular concerns about those who may be within a household experiencing domestic abuse. EIS stated that the right to withdrawal must be balanced with a child's right to education and called for clarity 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.^{clxxiii} Dr Emma Forbes of COPFS noted that for a child experiencing domestic abuse at home, the perpetrator of the abuse withdrawing them from the class "will certainly not be in the child's best interests; it is obviously another form of control."^{clxxiv}
187. The Committee heard some evidence that the right for parents or guardians to withdraw their child from domestic abuse education contained in the Bill may not comply with the United Nation Convention of the Rights of the Child (UNCRC). In more general terms, Dr Emma Forbes, on behalf of COPFS, told us that "for a child living in a household with domestic abuse, a class discussion about the dynamics of offending could be retraumatising and not in that child's best interests".^{clxxv}

clxx Scottish Parliament Criminal Justice Committee. Written submission from Public Health Scotland (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=20968356

clxxi Scottish Parliament Criminal Justice Committee. Written submission from Dumfries and Galloway Community Justice Partnership (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=895799895; Written submission from EIS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=342179465

clxxii Scottish Parliament Criminal Justice Committee. Written submission from Edinburgh Women's Aid (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=881793427

clxxiii Scottish Parliament Criminal Justice Committee. Written submission from EIS (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=0&uuld=342179465

clxxiv Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 22). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

clxxv Scottish Parliament Criminal Justice Committee. Official Report: 10 December 2025 (col 22). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16751>

188. The Committee heard concerns from a number of 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. The written submission from SafeLives noted that “it cannot be education without a process of managing disclosures appropriately, and support pathways should be identified before delivery.”^{clxxvi}

189. ASSIST made similar comments on the provision of domestic abuse education, stating that “if safety isn’t sufficiently considered, the proposals could increase risk to victims and their children.”^{clxxvii} We also heard 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. In their written submission, Assist told the Committee—

“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.”^{clxxviii}

Position of the Scottish Government

190. The Scottish Government, in written evidence to the Criminal Justice Committee, stated that “the curriculum already includes learning and teaching about domestic abuse and placing a requirement on the Scottish Ministers and education authorities would create an unhelpful precedent going forward.”^{clxxix}

191. During her evidence to the Committee, Siobhian Brown MSP, Minister for Victims and Community Safety noted that “Part 4 of the bill would contradict the discretionary, non-statutory approach to the curriculum that is currently in place in Scotland.”^{clxxx} The Minister later expanded on this point, reflecting that a prescriptive approach to the curriculum is not taken in Scotland and that “it is very much up to individual schools and local authorities to decide what approaches they use and which external partnerships they build to help them deliver relevant and engaging learning.”^{clxxx1}

clxxvi Scottish Parliament Criminal Justice Committee. Written submission from SafeLives (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1013049793

clxxvii Scottish Parliament Criminal Justice Committee. Written submission from ASSIST (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1005089729

clxxviii Scottish Parliament Criminal Justice Committee. Written submission from ASSIST (2025). Retrieved from: https://yourviews.parliament.scot/justice/prevention-of-domestic-abuse-scotland-bill/consultation/view_respondent?_b_index=60&uuld=1005089729

clxxix Correspondence from the Minister for Victims and Community Safety to the Convener of the Criminal Justice Committee. 16 December 2025. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

clxxx Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col

192. On Part 4 of the Bill, the Scottish Government said that the Bill “does not acknowledge that the current curricular framework already allows for this learning and teaching” and “does not recognise the significant work already being undertaken by our hardworking teachers.”^{clxxxii}
193. The Minister for Victims and Community Safety told us that the Scottish Government “have significant concerns about how the establishment of duties on education authorities in relation to the promotion, facilitation and support of domestic abuse education would operate in practice.”^{clxxxiii}

Views of the Member in Charge

194. The Committee heard evidence from stakeholders that the proposals in Part 4 of the Bill which would make domestic abuse education statutory are out of line with the current, non-prescriptive, approach taken to school education in Scotland. When asked about justification for statutory domestic abuse education, the Member in Charge responded “I believe that the domestic abuse education should be present in all schools and that there should not be a postcode lottery...We believe that, if early intervention were to be rolled out across the country, there would be a dramatic change in attitudes towards domestic abuse, which could lead to a permanent reduction in the number of crimes that are carried out.”^{clxxxiv} The Member in Charge then emphasised the importance of early intervention and stated this was the rationale for putting domestic abuse education into statute.^{clxxxv}
195. Some bodies were critical of Part 4 of the Bill as being too narrowly focused on domestic abuse at the expense of the wider context of misogyny and sexism in schools and society more broadly, widely recognised as a root of domestic abuse. When asked about this, the Member in Charge acknowledged that there is an issue with misogyny and sexism in schools and told us “However, it is important that we cover domestic abuse, as my bill seeks to do.”^{clxxxvi} The Member in Charge also highlighted that the Bill has been drafted in a way that is “not overly prescriptive about what form the education should take.”^{clxxxvii}

4). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

clxxxi Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 16). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

clxxxii Correspondence from the Minister for Victims and Community Safety to the Convener of the Criminal Justice Committee. 16 December 2025. Retrieved from: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/correspondence/2025/prevention-of-domestic-abuse-bill-letter-from-minister-vcs-16-dec-2025.pdf>

clxxxiii Scottish Parliament Criminal Justice Committee. Official Report: 17 December 2025 (col 4). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16762>

clxxxiv Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2025 (col 36). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

clxxxv Ibid.

196. The Committee heard some evidence that questioned whether the right of a parent or guardian to remove a child from domestic abuse education in the Bill may not be compliant with the UNCRC. The Member in Charge told us that she believed that the Bill was “compliant with existing law.”^{clxxxviii}
197. It should be noted that the provision in the Bill which allowed for parents to remove a child from domestic abuse education was modelled on section 9 of the Education (Scotland) Act 1980, a provision which is currently under consideration for amendment through the Children (Withdrawal from Religious Education and Amendment of UNCRC Compatibility Duty) (Scotland) Bill which is, at the time of writing, at Stage 3 of the parliamentary process.^{clxxxix}

clxxxvi Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 37). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

clxxxvii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2025 (col 4). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

clxxxviii Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 39). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

clxxxix Scottish Parliament Criminal Justice Committee. Official Report: 7 January 2026 (col 41). Retrieved from: <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16781>

ANNEX A - Written, Oral and Supplementary Evidence

WRITTEN SUBMISSIONS IN RESPONSE TO THE CALL FOR VIEWS

The Committee undertook a public call for views to inform its Stage 1 scrutiny of the Bill before the Bill was withdrawn by the Member in Charge. The call for views ran from 15 July to 15 September 2025, and received 145 submissions-

- [Call for Views - Written Submissions](#)

ORAL AND WRITTEN EVIDENCE

The oral and associated written evidence considered by the Committee is also available online-

Wednesday, 04 June 2025 - 18th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 25 June 2025- 20th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 03 December 2025 - 33rd Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 10 December 2025 - 34th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 17 December 2025 - 35th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 07 January 2026- 1st Meeting, 2026

- [Oral Evidence](#)
- [Written Evidence](#)

SUPPLEMENTARY WRITTEN EVIDENCE

The Committee received and considered supplementary written evidence following oral evidence appearances. This is available online-

- [Letter from the Minister for Victims and Community Safety, 16 December 2025](#)
- [Letter from Dr Pam Gosal MBE MSP to the Convener, 9 September 2025](#)
- [Letter from Dr Pam Gosal MBE MSP to the Convener, 3 September 2025](#)
- [Correspondence from the Minister for Victims and Community Safety, 29 July 2025](#)
- [Letter from the Minister for Victims and Community Safety to the Convener, 23 June 2025](#)

ANNEX B: Extracts from the Minutes

Wednesday, 04 June 2025 - 18th Meeting, 2025

6. Member's Bills (In Private): The Committee will consider its initial approach to forthcoming legislation.

Wednesday, 25 June 2025- 20th Meeting, 2025

2. Prevention of Domestic Abuse (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from—Pam Gosal, Member in Charge of the Bill and Agata Maslowska, Senior Clerk, Non-Government Bills Unit, Scottish Parliament; Charlie Pound, Head of Policy and Research, Scottish Conservative MSP Group.

5. Member's Bills (In Private): The Committee considered the evidence it heard earlier under agenda items 2 and 3.

6. Member's Bills (In Private): The Committee agreed to issue calls for views for the Prevention of Domestic Abuse (Scotland) Bill and the Prostitution (Offences and Support) (Scotland) Bill.

Wednesday, 10 September 2025, 22nd Meeting, 2025

3. Work programme (in private): The Committee will consider its work programme and will further consider its approach to the scrutiny of the Prevention of Domestic Abuse (Scotland) Bill and the Prostitution (Offences and Support) (Scotland) Bill at Stage 1.

Wednesday, 17 September 2025, 23rd Meeting, 2025

4. Work programme (in private): The Committee will consider its work programme and will further consider its approach to the scrutiny of the Prevention of Domestic Abuse (Scotland) Bill and the Prostitution (Offences and Support) (Scotland) Bill at Stage 1.

Wednesday, 03 December 2025 - 33rd Meeting, 2025

4. Prevention of Domestic Abuse (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from—Debbie Jupp, Operational Manager, Committed to Ending Abuse; Dr Marsha Scott, Chief Executive, Scottish Women's Aid; Agnes Tolmie, Chair, Scottish Women's Convention; Tumay Forster, Operational Manager, Shakti Women's Aid.

7. Prevention of Domestic Abuse (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 4.

Wednesday, 10 December 2025 - 34th Meeting, 2025

1. Prevention of Domestic Abuse (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from—Dr Emma Forbes, National Lead for Domestic Abuse, Crown Office and Procurator Fiscal Service; Detective Superintendent Adam Brown, Police Scotland; Professor Liz Gilchrist, Criminal Law Committee, Law Society of Scotland; Glyn Lloyd, Chief Social Work Officer and Head of Children's and Community Justice Services Dundee City Council and Chair of Justice Standing Committee, Social Work Scotland.

Liam Kerr declared an interest as a practising solicitor regulated by the Law Society of

Scotland.

2. Prevention of Domestic Abuse (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 1.

Wednesday, 17 December 2025 - 35th Meeting, 2025

3. Prevention of Domestic Abuse (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from—Siobhian Brown, Minister for Victims and Community Safety, Jeff Gibbons, Violence Against Women and Girls Unit Head and Graham Robertson, Public Protection Unit, Scottish Government.

4. Prevention of Domestic Abuse (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 3.

Wednesday, 07 January 2026- 1st Meeting, 2026

1. Prevention of Domestic Abuse (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from—Pam Gosal, Member in Charge of the Bill, Roz Thomson, Principal Clerk, Non-Government Bills Unit and Ailidh Callander, Senior Solicitor, Legal Services Office, Scottish Parliament; Charlie Pound, Head of Policy and Research, Scottish Conservative MSP Group.

2. Prevention of Domestic Abuse (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 1.

Wednesday, 21 January 2026- 3rd Meeting, 2026

1. Prevention of Domestic Abuse (Scotland) Bill (In Private): The Committee discussed the withdrawal of the Bill by the Member in Charge and agreed to write to all those who gave evidence to the Committee explaining the current situation and also to consider a Summary of Evidence at a future meeting and then publish this as a Committee report.

