

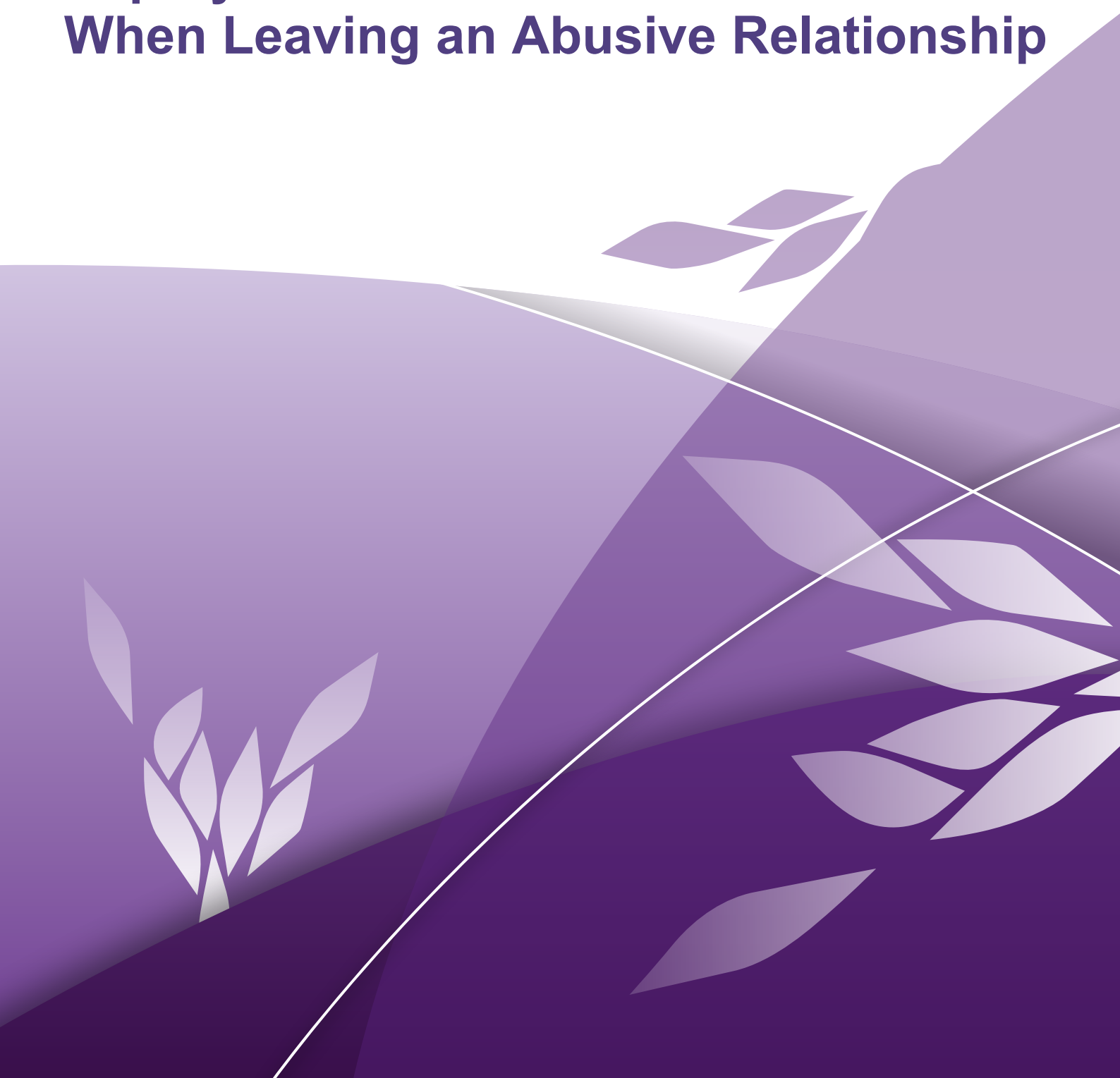


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Social Justice and Social Security Committee

Inquiry Into Financial Considerations When Leaving an Abusive Relationship



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Social Justice and Social Security Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice excluding matters relating to housing and tenants' rights.



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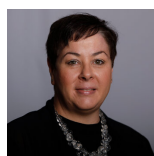
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Membership changes

1. The following changes occurred during the Committee's scrutiny—
 - On 15 January 2025, Mark Griffin MSP replaced Katy Clark MSP as a member of the Committee.
 - On 19 June 2025, Elena Whitham MSP replaced Gordon MacDonald MSP as a member of the Committee.

Introduction

Remit of inquiry

2. On 5 December 2024, the Committee agreed to undertake an inquiry into financial considerations when leaving an abusive relationship. It decided the inquiry's remit would focus on: ¹
 - the support local authorities give to women leaving abusive relationships,
 - how rules and practices related to the public sector and social security take account of the financial issues women can face when leaving abusive relationships,
 - how much information and advice is available from public bodies and charities.

Call for views

3. The Committee's call for views on the inquiry ran from 13 December 2024 to 27 February 2025 and received 58 submissions.
4. Of these, 36 were from organisations and 22 were from individuals. Respondents were asked for their views on seven questions related to the topic of financial considerations when leaving an abusive relationship.
5. The submissions are published online ² alongside an analysis of the responses ³ to each question prepared by the Scottish Parliament's Information Centre. The Committee wishes to thank all those who provided written evidence.

Lived experience engagement

6. The Committee met with members of Scottish Women's Aid's Survivor Reference Group (SRG) on 26 March and 11 June 2025. The SRG is made up of women with lived experience of domestic abuse.
7. The meeting on 26 March took place before the Committee began formal evidence taking, and was an opportunity for Members to hear from the women about their thoughts on questions posed by the call for views. An anonymised summary of the themes arising from the discussion is available online ⁴, and points made during this meeting were used to inform questions asked of witnesses during the oral evidence sessions.
8. The meeting on 11 June took place after the Committee had completed its evidence taking with stakeholders and the Minister for Equalities, Kaukab Stewart MSP. The purpose of this discussion was for Members to hear what the women thought about the evidence the Committee had received, with a view to compiling conclusions and

recommendations. An anonymised note of this meeting is also published online.⁵

9. Key points from both meetings are included throughout this report to provide a first hand perspective on the significant financial issues victim/survivors face when leaving an abusive relationship.
10. The Committee is grateful to the members of the SRG who kindly provided their time to share their views, and Scottish Women's Aid who helped to facilitate the sessions.

Visit to Financially Included


11. As part of the inquiry, the Committee visited Financially Included on 25 April 2025.
12. Financially Included is a partnership project between GEMAP (Greater Easterhouse Money Advice Project) and the Glasgow Violence Against Women Partnership. It is funded via the Scottish Government's Delivering Equally Safe⁶ fund and is administered by Inspiring Scotland.
13. The staff at Financially Included explained the work they do to support people who experience economic and financial abuse, and the economic impact of gender-based violence. They provided practical examples of the short and long-term impacts of financial abuse and identified areas where improvements could be made to support victim/survivors.
14. The Committee wishes to thank the team at Financially included for taking the time to speak with Members, and for providing an overview of the issues we needed to be aware of at the outset of this inquiry.

Oral evidence sessions

15. The Committee held four oral evidence sessions with stakeholders and one with the Minister for Equalities.
16. Evidence sessions took place on 1⁷, 8⁸, 15⁹ and 22¹⁰ May 2025 and covered the following themes—
 - Third sector support
 - Housing and homelessness related issues
 - Financial support for victim/survivors
 - Legal aid
 - Social security
 - Public debt

Part 1: Equally Safe and the role of government

Policy background

17. Equally Safe ¹¹ is a joint strategy between the Scottish Government and COSLA “to prevent and eradicate violence against women and girls” and its aim is to encourage key partners to work together to achieve this.
18. The Equally Safe Delivery Plan ¹² was published in August 2024. This set out 14 commitments (described as ‘deliverables’) and associated actions with timescales and policy leads. These deliverables included mitigating challenges associated with No Recourse to Public Fundsⁱ, support for the social housing sector to embed gender equality, and engaging with key stakeholders to inform reform of legal aid.
19. Equally Safe draws on findings from the 2023 Independent Review of Funding and Commissioning of Violence Against Women and Girls Services ¹³, which recommended providing a ‘minimum core’ of services in legislation, with ring-fenced funding. The minimum core includes a legal right to services, including financial assistance; support (including financial) for victim/survivors to leave or to stay in their home with the abuser removed; and free legal aid.
20. In evidence, the Minister for Equalities stated that—
 Under the auspices of the strategy, it is imperative that we continue to identify and address the barriers that hinder survivors from leaving abusers. ¹⁴

Practical action and awareness of the strategy

21. Witnesses views on Equally Safe were somewhat mixed, and it was generally felt that more could be done to provide practical support for victim/survivors.
22. Scottish Women's Aid commented in oral evidence that Equally Safe is a “flexible strategy”, able to adapt to new evidence, and that its recognition of economic abuse is an example of this. It added that a strength of the strategy is its emphasis that “violence against women is a cause and consequence of gender inequality.” However, it also said any future review of the strategy should consider including a specific ‘deliverable’ on economic abuse. ¹⁵
23. In contrast, amongst organisations that responded to the call for views, there was a consensus that the strategy does not go far enough. Both Dumfries and Galloway

ⁱ A person will have no recourse to public funds when they are ‘subject to immigration control’. A person who is subject to immigration control cannot claim public funds (benefits and housing assistance), unless an exception applies. ([Who has no recourse to public funds \(NRPF\) | NRPF Network](#))

Public Protection Partnership and Fife Council Housing Service made this point¹⁶, while Financially Included commented—

” The strategy lacks specific measures to mitigate financial impacts, such as public sector debt, housing costs, legal expenses, and childcare.¹⁷

24. In written evidence, Aberlour Children's Charity reflected on the systems victim/survivors must navigate and commented that these are at odds with the principles of Equally Safe.¹⁸
25. Many of the individuals who responded to the call for views stated they were not aware of Equally Safe, however those who had heard of it expressed that it could go further in acknowledging economic abuse and providing support.¹⁹
26. Members of the SRG the Committee spoke with were aware of the strategy, but did not think it was being implemented consistently across all local authorities.²⁰
27. Women from the SRG discussed what needs to change at a societal level to prevent domestic abuse, and financial abuse, from occurring. They indicated more should be done within education and that this should form part of Equally Safe.²¹

Protected characteristics

28. Several organisations discussed how Equally Safe does not sufficiently account for the needs of those with specific protected characteristics.²²
29. Inclusion Scotland said the strategy needs to be expanded to consider the financial concerns of disabled people, given that "61% of women in abusive relationships reported a long-term health condition".²³ The Coalition for Racial Equality and Rights (CRER) said that while the strategy does reference No Recourse to Public Funds (NRPF), which can affect victim/survivors from ethnic minority backgrounds, it does not go far enough in recognising that "disproportionate financial barriers also impact Scottish and UK born minority ethnic women".²⁴
30. In addition to these points, Age Scotland noted that although the strategy recognises "a quarter of women who have experienced economic abuse are aged over 60" it does not mention issues such as digital exclusion and difficulties accessing social security which can be a barrier to older victim/survivors seeking help.²⁵

Role of government

31. Organisations responding to the call for views were clear that the Scottish Government must play a leading role in ensuring Equally Safe brings about meaningful change.²⁶
32. Financially Included commented it is the government's "fundamental duty" to make

sure people's financial circumstances do not force them to stay in abusive relationships.²⁷ Inclusion Scotland were in agreement with this²⁸, and Child Poverty Action Group (CPAG) said government should "provide a safety net for citizens when they need it".²⁹ Submissions from organisations such as Aberlour Children's Charity, Saheliya and the Women's Support Project made similar points.³⁰

33. Fife Council Housing Service said domestic abuse is pertinent to child poverty, and noted this is one of the Scottish Government's priorities.³¹ CRER looked at the issue through the lens of human rights, commenting that if victim/survivors are forced to stay in abusive relationships this impacts on the Scottish Government's obligations in this area. It said—

” Therefore, CRER would argue that Scottish Government's responsibility is to ensure that legislation, policy and practice meet the spirit of the Convention [European Convention on Human Rights] rather than relying on whether there is a case law precedent to consider.³²

34. Women from the SRG said they wanted to see more joined-up working within the Scottish Government and between Ministers, as well as increased awareness of the devastating impact of post-separation abuse.³³

Equally Safe and the role of government: conclusions and recommendations

Practical action and awareness of the strategy

35. We were pleased to hear there is general support for Equally Safe amongst stakeholders, but recognise the strategy could go further.

36. **We support calls from Scottish Women's Aid for the inclusion of a commitment ('deliverable'³⁴) on economic abuse, and urge the Scottish Government to add this to the Equally Safe Delivery Plan.**

37. Evidence we heard indicated Equally Safe should include practical actions to address financial support for victim/survivors. Financially Included commented that specific measures on public sector debt, housing costs, legal expenses and childcare should be accounted for within the strategy.³⁵

38. **We are supportive of such additions and call on the Scottish Government to update the strategy and ensure the policies within Equally Safe are backed by practical and financial support.**

39. **We were concerned to hear that awareness of Equally Safe was much lower amongst victim/survivors compared to stakeholder organisations³⁶, and ask the Scottish Government to look at ways to communicate information on the strategy more widely.**

40. **The Scottish Government should also look at what can be done within education settings to educate and inform those in an education setting, to prevent financial and economic abuse from occurring.**

Protected characteristics

41. **Several organisations that provided evidence made it clear that the needs of victim/survivors with protected characteristics, such as those who have disabilities, are older, or who are from ethnic minority backgrounds, are not adequately accounted for within the strategy.³⁷ We therefore ask the Scottish Government to consider the unique circumstances of these groups and to work to improve the inclusivity of Equally Safe.**

Role of government

42. **We are in agreement with those calling for the Scottish Government to take a leading role in ensuring Equally Safe leads to meaningful change, and we recognise that issues such as child poverty and human rights are intrinsically linked to that change.**

43. **Policy coherence across ministerial portfolios is essential, and we ask the Scottish Government to consider how to ensure the strategy is supported by actions taken in relevant portfolio areas.**

44. **Financial abuse can only be tackled if agencies and services work together, and a consistent and coordinated strategic approach is taken. We ask the Scottish Government to consider facilitating a forum where key actors such as the Scottish Government, COSLA, Social Security Scotland, the DWP, and any other relevant agencies and services can work together to prevent financial abuse.**

Part 2: Advice and information

Information needed

45. SWA set out the range of issues victim/survivors may need help with. This included advice on housing, eviction risks and joint tenancies or mortgages; benefits, employment and income; legal advice; and, in some cases, immigration advice. ³⁸
46. The organisation emphasised that a single point of contact to access such information does not exist, and that a "whole-system response" across the public, private and third sectors is needed. ³⁹ This call was echoed by the SRG. ⁴⁰ In order to achieve this, SWA called for—
 - ” dedicated, sustainable funding; centralised and consistent messaging around economic abuse; specialist training across all sectors; and...accessible and inclusive information. ⁴¹

Availability of information

47. Barriers to support, and the inadequacy of advice and information available to victim/survivors was a widespread theme across evidence the Committee received, and individuals who submitted written evidence indicated financial advice is particularly hard to come by. ⁴²
48. Financially Included highlighted the "lack of tailored, specialist, trauma-informed advice and information services", ⁴³ and SafeLives recommended that specialist services should be more widely available. ⁴⁴
49. SWA remarked that online information is "often England-centric" and that a Scottish context is not considered. ⁴⁵ The SRG agreed with this point, stating that specific support for those living in Scotland is hard to find. ⁴⁶
50. The SRG added that information available is often too generic, and that few services have the in-depth knowledge required to offer advice on financial aspects of domestic abuse. ⁴⁷ Financially Included were highlighted as an exception to this, with one woman saying that although they have a "tiny team" they are "amazing". The group added that properly funded awareness raising should be a priority, and that there should be emphasis on the fact that domestic abuse can happen to anyone. ⁴⁸

Barriers to support

51. Glasgow Violence Against Women Partnership (GVAWP) set out how difficult it can be to access support—

” On average a woman will contact up to 11 services before she gets the information she needs, this increases to 17 services if she is a woman from a BAME community, there is no information on how these impact on women with disabilities; women with no digital accessibility; women with literacy difficulties; women who are deaf or hard of hearing. ⁴⁹

52. In terms of barriers to support, Inclusion Scotland stated that victim/survivors who have disabilities are often unaware of what they could be eligible for, ⁵⁰ while CRER noted specialist support is not always available outwith certain areas such as Edinburgh, Glasgow or Dundee. ⁵¹ Saheliya said that its service user group struggle to get the information they need because they may "have no vocabulary for domestic abuse". ⁵²
53. Age Scotland commented that a lot of information is online, which is a problem not only in terms of digital exclusion, but also poses safety risks if the perpetrator is in the home and the victim/survivor tries to access support remotely. ⁵³
54. The organisation recommended that in-person spaces frequented by older people, such as banks, post offices and pharmacies should carry information on services for those experiencing domestic abuse, as well as how to apply for social security. It also said those working in professions such as care or occupational therapy, who may visit older people in their homes, should also have this information with them. ⁵⁴
55. On the point about digital exclusion in particular, the SRG highlighted that this is not only an issue for older people, and that anyone who is having their lives and devices monitored will face digital exclusion. This makes the availability of information at in-person spaces even more important. ⁵⁵
56. For those who are able to communicate online, SWA said they have added a WhatsApp chat function to the organisation's domestic abuse and forced marriage helpline, and that this has proved to be a frequent way for victim/survivors to get in touch. This has been especially true of victim/survivors from an older cohort. ⁵⁶
57. Local authorities responding to the call for views, such as East Ayrshire Council, said they try to signpost victim/survivors to appropriate sources of support. ⁵⁷ South Lanarkshire Council in particular, indicated that its Money Matters Advice Service provides "What If" financial checks that give those fleeing domestic abuse information on the social security benefits they would be entitled to after leaving their relationship. ⁵⁸

Funding

58. SWA discussed the impact of third sector funding cuts, highlighting the detrimental impact this has on victim/survivors, particularly those in remote and rural communities who can be left without local support. ⁵⁹
59. ASSIST commented that even when victim/survivors do locate the right place to

access information, "long waiting times can be a barrier" and funding for vital services has been reduced despite an increase in demand for financial support. ⁶⁰

60. In terms of those working to deliver services, members of the SRG considered there should be additional funding from the Scottish Government for organisations such as the Scottish Women's Rights Centre, so the organisation can increase its call handling, as well as upskilling the staff engaging with victim/survivors. ⁶¹

Training and awareness raising

61. Age Scotland emphasised inconsistencies in working practices across local authorities and that, while some teams receive specialist trauma-informed training, this is not the case everywhere. ⁶² Members of the SRG also mentioned inconsistencies in working practices across local authorities and questioned who they are accountable to. ⁶³
62. Better training for staff involved in service delivery was also a common theme across responses to the call for views, with the Scottish Women's Convention recommending "improved, mandatory training... for all public sector employees." ⁶⁴ Age Scotland also said it has heard that when staff move on or retire, information is being lost, and that training should therefore be "continuous, on-going and passed down". ⁶⁵ However, women from the SRG questioned how trauma-informed training was being integrated into working practices. ⁶⁶
63. SWA stated that a key obstacle to obtaining adequate support is that it "depends on the knowledge level of who you get on any given day" ⁶⁷, and therefore recommend that the Scottish Government should—
- ” ...promote awareness and understanding of economic abuse and coerced debt within local councils, housing associations and utility companies. ⁶⁸
64. Some of the written submissions contained recommendations for training for front-line staff in debt collection, local authorities and housing associations. ⁶⁹ Counselling Services Glasgow commented that where victim/survivors have accessed such services, many have been "re-traumatised" and that trauma-informed training should therefore be taking place more widely. It also commented that recognition of economic abuse across the "wider business world" is important. ⁷⁰
65. More broadly, Counselling Services Glasgow said that "awareness, education and training programmes...should be integrated into professional qualifications" spanning sectors including healthcare, social work and legal services. ⁷¹
66. The SRG indicated to Committee Members that it was very supportive of this point. The group added that, given the importance of legal services to victim/survivors, solicitors should also receive trauma-informed training. The women indicated this could improve a legal system which they said currently enables abusers. ⁷²

Agencies delivering benefits

67. The Committee was specifically interested in the working practices of Social Security Scotland and the Department for Work and Pensions (DWP) when it comes to training and awareness raising. The Committee wrote to both agencies⁷³ on 8 April 2025 to enquire about this.

Social Security Scotland

68. In response to questions about its working practices, Social Security Scotland emphasised that its Charter commits it to adopting trauma-informed practice "as a standard" and that trauma awareness is included in its induction programme.⁷⁵ It added that all health and social care staff participate in trauma-informed training and that staff working with clients undergo annual training which covers "safeguarding, abuse and public protection".⁷⁶
69. Social Security Scotland were also asked whether staff are taught to understand the reasons people might want a benefit transferred from an ex-partner. In answer, the agency explained that compulsory training on child responsibility is undertaken by all staff working on the front-line, and that guidance is available to process this type of application. It emphasised that decisions are made in the best interest of the child.⁷⁷
70. With regards to awareness raising, Social Security Scotland mentioned the Scottish Child Payment. It said it engages in regular communication activity, and that within the past 12 months it has undertaken marketing campaigns, organised events to increase awareness around eligibility, and shared digital resources with schools.⁷⁸

Department for Work and Pensions (DWP)

71. The DWP was similarly asked about training, and the agency explained staff are taught to identify domestic abuse, including economic abuse.⁷⁹
72. The DWP said its Work Coaches take part in training to support clients with "additional or complex needs", and that this can include domestic abuse. It said Domestic Abuse Single Points of Contact are also based in every Job Centre, and that these specialist staff can support Work Coaches when it comes to any additional support or guidance on domestic abuse they may need.⁸⁰
73. On trauma informed practice, the DWP said it is "committed to being a more Trauma Informed organisation" and that it has a six pillar approach to achieving this, which encompasses safety, trustworthiness, choice, empowerment, collaboration and cultural consideration. The DWP stated that the programme is still in the early stages, but that it has a dedicated team working on it and that the agency hopes implementation will be in place by 2030.⁸¹
74. Despite this, the Scottish Women's Convention said the current DWP approach, which requires victim/survivors to provide evidence from a person acting in an official capacity, "disregards the needs and safety of women" as they are forced to

disclose abuse to multiple agencies, which can be traumatic.⁸²

Scottish Government initiatives and funding

75. The Scottish Government was asked in evidence what it is doing to support the provision of advice and information available to victim/survivors.⁸³ In response, it detailed a number of initiatives and funding priorities in correspondence to the Committee.⁸⁴
76. It stated that in 2025-26, it has allocated more than £15million to support advice on income maximisation, welfare and debt advice⁸⁵ (this is a cash terms increase from the £12million provided previously). It said it also financially supports organisations that provide advice such as Citizens Advice Scotland, Advice Direct Scotland and StepChange Debt Charity.⁸⁶
77. The Scottish Government also emphasised the £21.6million it has invested in the Delivering Equally Safe Fund, which includes support for organisations such as Financially Included (this is a cash terms increase from the £19million provided previously). Additional funding has been provided to Financially Included this year to increase provision of specialist advice, support and training, as well as for the establishment of a Scottish Economic Abuse helpline. This is alongside existing funding for Scotland's Domestic Abuse and Forced Marriage Helpline.⁸⁷

Table: funding for income maximisation and for Equally Safe Delivery (cash terms differences)

£m	Income maximisation and debt advice	Equally Safe Delivery Fund
2023-24	£12 ⁱⁱ	£19 ⁱⁱⁱ
2024-25	£12 ^{iv}	£19 ^v
2025-26	£15 ^{vi}	£22

Rounded to nearest £m.

78. The Scottish Government also said it is in discussion with Scottish Women's Aid about a potential debt advice pilot for those experiencing domestic abuse.⁸⁸
79. The Equally Safe Delivery Plan includes a commitment to develop a sustainable funding model—

ii **Allocation:** 2023-24 £12.3m “This funding is part of more than £12.3 million that the Scottish Government is providing this year to support income maximisation, welfare and debt advice services.” [Financial advice where people need it - gov.scot](https://www.gov.scot/publications/financial-advice-where-people-need-it/pages/12.aspx)

iii **Awarded:** Equally Safe: £19.44m amount awarded” also referred to as a “£19m per annum programme” Inspiring Scotland [Annual Report 2023 - 2024](https://www.inspiring-scotland.gov.uk/annual-report-2023-2024/)

iv **Allocation:** 2024-25 over £12m “We are providing over £12 million in 2024 to 2025 to support the delivery of free income maximisation, welfare, and debt advice services. “ <https://www.gov.scot/policies/poverty-and-social-justice/debt-and-welfare-advice/>

v **Awarded:** Equally Safe: £19.44m amount awarded” also referred to as a “£19m per annum programme” Inspiring Scotland [Annual Report 2023 - 2024](https://www.inspiring-scotland.gov.uk/annual-report-2023-2024/)

vi **Budget:** 2025-26: £15m “increased investment to over £15 million for free income maximisation and debt advice” [Programme for Government: 2025-26](https://www.gov.scot/publications/budget-2025-26/pages/12.aspx)

- ” Informed by the Independent Review of Funding and Commissioning of VAWG Services, we will develop a new sustainable funding model to succeed the current arrangements under the DES [Delivering Equally Safe] Fund. This will provide stability for specialist services while supporting universal mainstream transformation.⁸⁹

Advice and information: conclusions and recommendations

Information needed

80. **We recognise that the breadth of advice and information in which those leaving abusive relationships need to access can be vast. We ask that the Scottish Government works with COSLA to create a single point of contact that victim/survivors can go to within a local authority to explain their situation. The staff member could then liaise with others across the council, as well as externally with Social Security Scotland and the Department for Work and Pensions, to get information on the support needed. This could also help address the issue of victim/survivors having to tell their stories repeatedly, which can be re-traumatising.**

81. **Outwith local authority areas, the Scottish Government should work with the third sector to raise awareness of where victim/survivors can seek help on relevant issues, while also promoting awareness of economic and financial abuse within the broad range of services they are likely to deal with.**

Availability of information

82. **We were concerned to hear that it can be difficult to find online advice and information on financial abuse specific to Scotland, and we ask that the Scottish Government works with the public and third sectors to make accessing this easier.**

83. **We note the variance in ways of working across local authorities and that accessing advice and information in some areas is easier than in others.**

84. **We ask COSLA to undertake analysis of the level and consistency of support, particularly financial support, available to victim/survivors in each local authority area, and to consider how it might be improved.**

Barriers to support

85. Evidence provided by Age Scotland, Inclusion Scotland and Saheliya indicates information is not as accessible as it should be.⁹⁰ Again, we ask the Scottish Government to work with the sector to improve this, and make sure that advice and information on financial abuse is accessible to all those who need it.

86. On the point about accessibility, we also call on the Scottish Government to make support more easily available to those who cannot access it online. This should include making information on domestic abuse support services and social security available in places people visit in-person. This type of information should also be carried by professionals visiting people in their homes.

87. We are interested in the 'What If' financial checks provided by South Lanarkshire Council's Money Matters Advice Service, and will write to the council for more information on how this service operates and how successful it has been.

Funding

88. We recognise that funding levels affect the ability of service providers to help people, and acknowledge the £15 million provided this year for income maximisation and debt advice. We call on the Scottish Government to demonstrate that these advice services have all the resources they need to provide good quality advice and information to victim/survivors of financial abuse.

89. The Committee welcomes the moves towards a new sustainable funding model to succeed the Delivering Equally Safe fund, and asks to be kept updated about how this work is progressing.

Training and awareness raising

90. It is clear the positive impact trauma-informed training has on the ability of staff to sensitively advise and interact with victim/survivors.

91. We urge the Scottish Government to consider making trauma-informed training mandatory for all service delivery staff coming into contact with victim/survivors, and to work with the Law Society of Scotland to expand its continuous professional development on trauma informed practice.

92. Information the Committee received from Social Security Scotland⁹¹ and the Department for Work and Pensions⁹² indicates the former has more developed trauma-informed working practices. We also know from previous scrutiny the Committee has carried out that clients report more positive experiences with Social Security Scotland.

93. It would improve the experience of those using the services of Social Security Scotland and the Department for Work and Pensions if best practice is shared between the two agencies. We ask the Scottish and UK Governments to liaise with the respective agencies and with each other to make sure this is taken forward.

Part 3: Social security systems

Barrier to leaving

94. Navigating the benefits system is often key to a victim/survivor accessing safety. Social security was therefore widely discussed across evidence the Committee received.
95. Aberlour Children's Charity noted that one of the barriers to accessing funds can be the treatment of victim/survivors by those working within social security systems, and it said the women it works with have reported a—
- ” lack of action and empathy, or harmful judgements making it hard for survivors to engage with statutory services.⁹³
96. Saheliya commented that services often lack cultural knowledge and are not trauma informed enough to help victim/survivors overcome barriers to accessing benefits.⁹⁴
97. The SRG discussed the length of time it can take for benefits to be processed, and said victim/survivors may sometimes feel like it is easier to just scrape by rather than trying to resolve issues, which can take time.⁹⁵
98. Age Scotland suggested that expediting payments for certain benefits like Adult Disability Payment and Pension Age Disability Payment would be useful, in cases where domestic abuse is identified.⁹⁶
99. Women from the SRG commented that there needs to be a "whole-systems approach", and a much clearer pathway for those dealing with economic abuse. The women in the group said that while the focus is initially on safety, victim/survivors then have to deal with many different agencies and services for the first time.⁹⁷ One woman explained that her ex-partner had engaged in fraudulent behaviour, but she felt no-one in an official capacity was interested. She stated she did not have the capacity to deal with this on top of everything else.⁹⁸

Evidence required

100. The Domestic Abuse (Scotland) Act 2018⁹⁹ defines the criminal offence of domestic abuse. The specific detail of this is available in Annexe A.
101. In terms of the evidence required to claim benefits, DWP guidance states victim/survivors need written evidence from a person acting in an official capacity showing that:¹⁰⁰
- their circumstances are consistent with those of a person who has had domestic violence or abuse inflicted, or threatened, upon them, during the 6 months before you notified DWP

- they have made contact with the person acting in an official capacity to tell them about any incidents that have occurred in the past 6 months

A person 'acting in an official capacity' means: ¹⁰¹

- a health care professional
- a police officer
- a registered social worker
- your employer or a representative of your trade union
- any public, voluntary or charitable body which has had direct contact with you about the domestic violence or abuse

102. GVAWP said this system means victim/survivors are dependent on support services, such as Women's Aid, to "turn a 'magic key' to access a hostile social security system". GVAWP added that contacting such services can be even harder for "women in rural or BAME communities", and especially for those who are digitally excluded. ¹⁰² Members of the SRG also said they felt there is a gender imbalance when it comes to the evidence required, with women needing to provide more evidence than male perpetrators. ¹⁰³

103. In contrast to this, Social Security Scotland highlighted the flexibilities they have in place for the Best Start Grant Pregnancy and Baby Payment, specifically—

” When applying for Best Start Grant Pregnancy and Baby Payment, there is an option in the application form for clients to tell us if they were forced to leave their home due to domestic abuse. We have guidance for these cases and will not ask for any information about their experience or ask them to verify it. ¹⁰⁴

Agencies delivering benefits

104. The Committee wrote to both Social Security Scotland and the Department for Work and Pensions to ask about the agencies' respective processes for supporting victim/survivors, and preventing systems from being used to perpetuate abuse.

Support available to victim/survivors

105. In terms of what the DWP can do to help those experiencing domestic abuse, the agency explained that it can offer an 'advance' of up to 100% of expected entitlement for Universal Credit (UC); suspend 'work related requirements' for 13 weeks (26 weeks if the claimant is the 'responsible carer' of a child); and arrange for payments to be split into two bank accounts – known as 'Alternative Payment Arrangement'. ¹⁰⁵

106. Outwith UC, the DWP explained that it has other mechanisms to help victim/survivors, including arranging for an exemption from the spare room subsidy removal, and allowing for Housing Benefit and Universal Credit Housing Costs to be

claimed for two homes. This can be claimed for up to 52 weeks if the claimant is away from home due to fear of violence and intends to return (but is only available for four weeks if the individual does not intend to return).¹⁰⁶

107. CAS however noted that even though the DWP can make advance payments to victim/survivors, this is still just an advance, which becomes another form of debt.¹⁰⁷
108. The organisation stressed that the ability for a victim/survivor to build up a financial buffer before leaving an abusive relationship is "terribly limited" and that removal of the five-week wait is the preferred solution.¹⁰⁸
109. Relatedly, the DWP were asked about specific changes to the UC system that have been called for previously, and again raised as part of the Committee's inquiry.
110. On the two-child cap, the DWP said that, while the UK Government "cannot currently commit" to removing this policy, tackling child poverty is an "urgent priority" for it.¹⁰⁹
111. In terms of the five-week wait, the DWP explained this is a "fundamental" part of its design, and is necessary in order to accurately determine a client's entitlement. It stated there are no plans at present to alter this assessment period.¹¹⁰

Prevention of abuse

112. Both Social Security Scotland and the DWP were asked about how they prevent the agencies' respective systems from being manipulated by abusers.
113. Social Security Scotland set out that clients can authorise a third party to help with their application, as well as supporting the claimant through the duration of the payment. However, to prevent abuse of the system, this period of authorisation does not last indefinitely unless the client specifies it should.¹¹¹
114. Inclusion Scotland stated in written evidence that disabled women's carers may also be their abusive partner. In these cases 'sharing finances with partners makes them vulnerable to financial control'.¹¹²
115. Social Security Scotland explained that, following feedback from stakeholders in 2020, improvements have been made to appointee provisions, stating—
 - ” Some clients might need an appointee if they are unable to make or communicate decisions because of their condition. We require a face-to-face visit with the client and potential appointee before the appointment is made, which includes interviewing them separately, where possible. This provides an important opportunity to detect any potential coercion or abuse.¹¹³
116. CAS detailed in written evidence the concerns it has regarding the potential for abuse related to the Carer Support Payment, given the application process "does not require the signature of the cared-for person",¹¹⁴ and that even though suspension of the payment is possible, this can only be done after the application

has been made. CAS therefore make the following recommendation—

” The Scottish Government and Social Security Scotland should make reforms to ensure the cared-for person is better included in the application process for Carers Support Payment through both operational and potentially legislative mechanisms. Case managers must be enabled to act on the evidence of the cared-for person that demonstrates caring arrangement has ended without the need for any interaction between the former carer and the cared-for person. ¹¹⁵

117. In terms of applications for the Carer Support Payment, Social Security Scotland also said a cared for person will be notified if an application is made in relation to them, so they can contact the agency if they have concerns about this. ¹¹⁶

118. Also addressing abuse prevention, the DWP said its staff can signpost and refer clients to external organisations. It also said agents can offer help with setting up a new claim, or splitting payments, as detailed further up. It said that, in the case of split payments, the person with caring responsibilities would receive a larger percentage of the payment. ¹¹⁷

119. Like Social Security Scotland, the DWP also said appointees can be used by claimants to manage their benefits and help protect against domestic abuse. ¹¹⁸

Universal Credit

120. Sanctions and conditionality attached to UC were raised in written submissions as well as being discussed by witnesses.

121. Govan Law Centre explained that benefit sanctions are more likely to be incurred by those facing domestic abuse because they may be unable to work, or even to attend appointments or interviews as a result of a controlling partner. ¹¹⁹

122. Both CPAG and CAS were clear that social security rules should be more flexible. CPAG said the evidence threshold is currently too high, and that people are unaware of the flexibilities that do exist, while CAS called for a trauma-informed approach to evidence requirements for victim/survivors. ¹²⁰

123. CAS also referenced the break from conditionality described by the DWP, which can be applied for 13 or 26 weeks. The organisation said this time frame fails to take account of how long it can take those fleeing abuse to get back on their feet, and that the system in general is not built to reflect the specific needs of victim/survivors. ¹²¹ The organisation added that information provided by victim/survivors should be taken on "trust by default". ¹²²

124. CPAG said that, although they are aware of instances where DWP Work Coaches have acted with discretion to support victim/survivors, this is not always the case. ¹²³

Split payments

125. Several respondents to the Call for Views recommended ‘split payments’ by default, including Citizens’ Advice Scotland, Scottish Women’s Aid and Glasgow Violence Against Women Partnership. ¹²⁴
126. All in for Change commented that joint claims for Universal Credit can create financial dependency. ¹²⁵ CPAG added that because Universal Credit combines several benefits into one payment, where it was previously possible to split entitlement to benefits, this is no longer the case. According to CPAG, this means the current system is open to manipulation by abusers. ¹²⁶
127. Both CPAG and CAS acknowledged there are challenges to implementing a system of split payments, but that to do so would allow for financial planning that "can and will save lives" for victim/survivors. However, on Scottish payments specifically, CAS noted that the value of splitting these could be limited given the complicated interaction between these and DWP-administered benefits. ¹²⁷
128. With that in mind, CAS emphasised the value of the piloted Fund to Leave, which it said could be the focus in terms of what is deliverable for victim/survivors leaving abusive relationships in Scotland. ¹²⁸
129. Scottish Women's Aid confirmed that the women from the SRG would be in favour of an easy and quick way to split Universal Credit payments when there has been a joint claim.
130. The Scotland Act 2016 ¹²⁹ gave Scottish Ministers limited powers to change the way Universal Credit is paid. Accordingly, split payments by default have also been a Scottish Government policy aim since 2016. However, these cannot be implemented without changes to DWP computer systems. ¹³⁰ While it is currently possible to apply for ‘split payments’ through an ‘Alternative Payment Arrangement’, this is very unusual. In November 2024, there were only 15 households receiving UC via ‘split payments’, out of nearly 80,000 couples receiving this payment in Scotland. ¹³¹
131. In a letter dated 3 April 2024, ¹³² the Cabinet Secretary for Social Justice explained how the Scottish Government was, at that time, waiting for the DWP’s impact assessment of the policy proposal which was sent on 27 October 2023. She said—
- ” The Scottish Government remains committed to doing all it can to introduce split payments for Universal Credit, however we will only be able to answer to the feasibility of the policy once we have a completed impact assessment from the DWP. Officials remain in close contact with DWP but do not have a timeframe for the completion of the impact assessment. ¹³³
132. Following evidence with the Minister for Equalities, the Scottish Government confirmed via correspondence that it is in discussion with the DWP on split payments. ¹³⁴
133. It added that the Cabinet Secretary for Social Justice highlighted the importance of split payments and the need for a gendered analysis of Universal Credit in her

meeting with the UK Government Minister for Social Security and Disability on 30 April 2025. ¹³⁵

Scottish benefits

134. Members were interested in how victim/survivors are supported by Scotland-specific benefits, and any improvements that could be made to these.

Scottish Welfare Fund

135. On the Scottish Welfare Fund (SWF), All in For Change said that while it is a "really important safety net", ¹³⁶ it is not without problems, and members of the SRG said the Fund is "too restrictive". ¹³⁷ All in for Change stated there can be issues submitting applications, and that making these is especially hard for those who cannot get online, given the process takes a considerable amount of time to complete. It said there is a phone line, but it is difficult to get through to speak to someone. ¹³⁸ Fife Council Housing Service also said that, even once applications are processed, it can take a long time for funding to come through. ¹³⁹
136. Fife Council noted it has made its own funding available to help victim/survivors move on more quickly—
- ” within our area the Welfare Fund sometimes takes a lot of time to provide funding for furniture / carpets etc. This can hold up women from leaving their current situation.” [...] Financial challenges for women are so great that we as a Council have developed our own small funding pot to facilitate the types of things that help women move e.g. help with removal costs, covering storage costs etc. ¹⁴⁰
137. Members also heard that the limited nature of the Fund means it is not always accessible when needed, and money is not always available on the same day. All in For Change said that it has noticed that the funds available for people diminish towards the end of the year, especially for those who need white goods or furniture. It provided an example of applicants who need furniture receiving just a chair, instead of a two-seater sofa and chair, which they said creates a "stark experience" if that is all that is offered for an empty home. ¹⁴¹
138. CPAG also highlighted the impact of delays on housing options—
- ” Moves into permanent accommodation from temporary accommodation or refuge are often delayed due to long processing times for Community Care Grants for household essentials. ¹⁴²
139. Aberlour Children's Charity stated that budget constraints have restricted help available through the SWF, and this has meant charities have to fill the gap. ¹⁴³
140. When Members of the Committee spoke with the SRG, the women indicated they had mixed experiences with the SWF, with one woman stating it really helped her in securing the white goods she needed. ¹⁴⁴

141. However, another woman explained she contacted the Scottish Welfare Fund at a time when she did not have enough money for electricity and gas bills. She was in a rural area and had a gas tank. However, because she did not have a pre-paid meter, the SWF told her they could not help, that the SWF emergency fund would not cover it, and that she should use her UC to pay for the gas instead. She explained that the amount she got from UC would not cover this, and that even if it did, that would leave her with nothing to live on. She therefore had to find over a thousand pounds to fill the tank up, which she said she is still paying back. She explained that when leaving her abusive relationship, she just took the first house she could get, and did not consider things like whether there was a pre-paid meter for bills in place. ¹⁴⁵
142. Such situations indicate there are gaps in the provision of support that can be offered to victim/survivors.
143. CAS explained that those facing the five-week wait for UC may turn to the SWF to bridge the gap financially. However, payments from the SWF are limited to three in any 12-month period, and local authorities can disregard applications if there has been one made on the same grounds within the previous 28 days. This means if a victim/survivor has not yet left their abuser, and the perpetrator has applied to the SWF, the person looking to leave cannot access payments. In this situation they would be very limited financially while they waited for UC to be paid. ¹⁴⁶
144. The Minister stated in correspondence that the Scottish Government's revised guidance on the SWF states that applications should be prioritised in terms of need and that those experiencing domestic abuse could be supported this way. ¹⁴⁷

Fund to Leave

145. The Scottish Government's £500,000 Fund to Leave was a pilot which ran from October 2023 to March 2024. It offered victim/survivors grants of up to £1,000 "to pay for the essentials they need when leaving a relationship with an abusive partner." It was administered by Women's Aid groups in five local authorities. ¹⁴⁸ The Minister for Equalities confirmed in evidence that evaluation of the Fund indicates it helped more than 500 women. ¹⁴⁹
146. On the value of the pilot, CAS highlighted the—
- ” deep psychological reassurance that comes from knowing that there is a cushion available to get yourself restarted in order to have a safe future facing exit from that relationship. ¹⁵⁰
147. CPAG commented that the Fund was designed to give people "breathing space" while they navigated the "complexities" of the social security system. It emphasised that, even if people are offered appropriate advice and information, the social security system is ultimately "not responsive enough" to meet the needs of victim/survivors, and that this is why the Fund to Leave was so valuable. ¹⁵¹
148. Submissions to the Committee's call for views were very positive about the Fund to Leave, and recommended it be reintroduced and made permanent. Organisations

calling for this included SWA, the Scottish Women's Convention, the Chartered Institute of Housing Scotland and CPAG. The SRG questioned why the Fund had not been rolled out following the pilot.¹⁵²

149. SWA commented that use of the Fund led to improved housing outcomes for victim/survivors and their children, with more than two thirds able to stay in their own home or move from temporary to permanent accommodation. SWA added that the isolation that is often part of the abuse victim/survivors experience means it is harder to call on family or friends for financial help.¹⁵³
150. South Lanarkshire Council said that it was one of the local authorities that took part in the pilot, and that it would advocate for its use. It said that it "definitely benefited" the women in receipt of the Fund, and that the Council intends to continue to offer the service itself this year.¹⁵⁴
151. Age Scotland said that in order for the Fund to provide the most benefit it should remain cash-based, as vouchers or virtual cards can be difficult for some victim/survivors to use, especially those who are older.¹⁵⁵ Counselling Services Glasgow echoed the need for cash payments as a way to provide instant help.¹⁵⁶
152. On the evaluation of the pilot, the Scottish Government has confirmed it—
- ” ... received the final evaluation of the fund to leave pilot from Scottish Women's Aid in August 2024... The assessment stage is nearing completion and we hope to be in a position to set out next steps soon.¹⁵⁷
153. The Scottish Government's overview of next steps following this is still forthcoming.
154. However, it confirmed in written evidence that its focus is now on the effectiveness of existing benefits and that it is also looking at lessons learned from the UK Government's 'flexible fund', which provided one-off payments for those leaving abusive relationships in England and Wales.¹⁵⁸

Impact of social security entitlement on housing options

155. Witnesses detailed how barriers to accessing benefits, and potential debt because of this, can impact on the options victim/survivors have to find new accommodation.
156. CPAG said that complicated funding arrangements, often combined with pressure to sign up to new tenancies really quickly, can mean people begin accruing debt before they even move in. It explained how issues compound one another to the detriment of an individual's financial situation—

- ” If there is a delay in moving in—for example, because you are waiting for a community care grant—the housing element of universal credit will not start until you have actually moved in. If you have a delay in receiving the Scottish welfare fund—the SPICe briefing says that the average time for applications is two weeks—you could be accruing two weeks-worth of rent arrears before you have even moved in. Because you were not getting the housing element of universal credit for that period, you might not be able to get help from the discretionary housing payment to cover that either. ¹⁵⁹
157. CPAG stated its support for the Fund to Leave as a way of supporting victim/survivors in such situations. ¹⁶⁰
158. In terms of funds to support housing options, the Scottish Government confirmed it invested £97million in discretionary housing payments (DHPs) in 2025-26. It added that its guidance states local authorities should issue these funds based on who is most in need, and that domestic abuse is an example of an issue that should be prioritised. ¹⁶¹
159. The SRG said that processes around DHPs are disjointed, and that working practices vary across local authorities. ¹⁶²
160. CPAG added that, given that the Scottish Welfare Fund does not offer grants for rental deposits and advance payments, and that DHPs are only available if someone is already receiving either housing benefit or UC housing costs, there is a gap in entitlement for those looking to move into new accommodation. ¹⁶³
161. CAS touched on rent deposit guarantee schemes as a good option to help victim/survivors move into new accommodation where they do not have the funds to do so, but said provision of these is "patchy" and they are not offered by all local authorities. The organisation also noted that cuts to Local Housing Allowance (LHA) rates mean that it is more difficult to find private sector rents that are covered in full by social security. ¹⁶⁴ The Local Housing Allowance sets the maximum amount of private sector rent that can be claimed for through Housing benefit or Universal Credit. Previously, it was set at a level that meant rents in half of all private rental properties in the local area could be covered by social security. Now LHA would cover what were the lower 30% of rents in each area in January 2024. ¹⁶⁵
162. CAS highlighted research by the Institute for Fiscal Studies indicating that just one in 20 private lets are advertised at rates that could be supported by social security exclusively. It added that while DHPs can help with this, the payment can only meet shortfalls for six to eight weeks, which is often not enough time for victim/survivors to get themselves into a financially viable position. ¹⁶⁶
163. CPAG added that DHPs are not available to those who do not already receive Universal Credit. ¹⁶⁷

Child Maintenance Service

164. Problems encountered using the Child Maintenance Service (CMS) were a significant issue raised by the SRG.¹⁶⁸

Issues encountered by service users

165. Of central concern was how the system could be manipulated by ex-partners, with the service seemingly lacking understanding about this. Members of the group described the agency as unsympathetic and too ready to believe the ex-partner's version of events.¹⁶⁹
166. One woman described how her abuser made tokenistic bank transfers in order to leave abusive messages in the reference for the payment, and another explained her ex-partner waited until the very last minute of a five-day period before making payments, in order to deliberately put pressure on her finances.¹⁷⁰
167. Accounts of such abuse were reinforced by Aberlour Children's Charity which stated they had come across similar behaviour from perpetrators.¹⁷¹
168. SWA commented that there can be conflict regarding who is the paying parent, which can take "an incredibly long time" to rectify. It also said there appears to be "few or no repercussions" when the parent who is meant to be making payments refuses to do so, which has implications in terms of "economic justice for children".¹⁷²
169. SWA stated it would be useful if clients using the system were assigned a named person who would consistently work on their case. However at present, victim/survivors must recount their stories repeatedly.¹⁷³
170. In terms of CMS processes, the SRG said that while it purports to account for domestic abuse, in reality this is just 'signposting', and that wait times to speak with advisors are very long. They added that call handlers are often not aware of changes to the system.¹⁷⁴
171. SWA highlighted that in order to move through the online portal, victim/survivors must tick a box to say they are not a victim of domestic abuse, something the organisation said is re-traumatising and "quite shocking". The SRG emphasised they do not believe the system in general is fit for purpose.¹⁷⁵
172. CAS explained that operational issues related to the way CMS works can create problems for claimants, and used as an example the long wait times between income level changes and a review of payment levels. The organisation said that even if someone is aware their ex-partner is earning a lot of money, the level of child maintenance can take a long time to change because early reviews require a 25% change to income levels. There can also be issues where the paying parent is being paid cash in hand, but this is not reflected in the level of maintenance paid.¹⁷⁶

Recommended improvements

173. CPAG referred to a 2024 report by One Parent Families Scotland on "Transforming Child Maintenance" ¹⁷⁷ which stated that, despite improvement, the system is not equipped to support families where domestic abuse is an issue. CPAG said the report also noted that, according to Gingerbread UK, 45% of those who had experienced abuse and were using the system found its use led to an increase in abusive behaviours. ¹⁷⁸
174. CPAG said that, while it supports One Parent Families Scotland and Gingerbread UK's calls for a review of the Child Maintenance Service, ultimately what is needed is a removal of the onus on parents, and especially on victim/survivors, to administer the system themselves. ¹⁷⁹
175. Similarly, CAS emphasised that what is needed is more control and autonomy for victim/survivors, and an examination of how the system operates at a basic level, as opposed to "a complete and radical process of removing the system". ¹⁸⁰

CMS processes, recourse for service users and safeguarding

176. In correspondence to the Committee, the Child Maintenance Service detailed the processes it has in place to protect those using the service. It explained that at present it has two systems for payment—
- direct pay', where payments are arranged between parents based on a CMS calculated payment schedule
 - 'collect and pay' where payments are made to CMS who pass the money on to the receiving parent. ¹⁸¹
177. However, it said there are changes forthcoming to make the service safer for victim/survivors, and that these include potentially removing the Direct Pay service. ¹⁸²
178. In the event that a paying parent refuses to send money, CMS explained it aims to tackle payment breakdowns at the "earliest opportunity", and that it has made "significant improvements" to its processes. ¹⁸³
179. In terms of enforcement action, CMS said it has the power to take a range of actions. These include requesting deductions from earnings, and from a range of bank accounts like joint and business accounts. It can also apply to court to arrange the sale of the paying parent's property or assets and apply to have the paying parent disqualified from holding a driving licence or passport. Someone convicted of withholding funds can also face imprisonment. CMS stated that, in 2024, it collected £16million via civil enforcement action. ¹⁸⁴
180. The agency stated that a parent who wishes to make a complaint can ask for a Mandatory Reconsideration, and if after this, the parent still disagrees with the outcome, there is the option of appealing to an independent tribunal. ¹⁸⁵
181. In terms of further safeguarding measures, CMS said that it can signpost to

domestic abuse support organisations and advise service users how to set up bank accounts that cannot be traced to a physical location. CMS also said that caseworker training on domestic abuse was updated in 2023, and that two-yearly refresher training for all colleagues has been agreed.¹⁸⁶

Social security systems: conclusions and recommendations

Universal Credit

182. In light of the evidence we received which highlights that victim/survivors of domestic abuse are more likely to be affected by benefit sanctions, and that rules governing social security should be more flexible, we recognise that the UK Government's planned review of Universal Credit (UC) is an opportunity to improve how the social security system can support victim/survivors.

183. We ask the UK Government to consider amending the rules for UC for victim/survivors of domestic abuse to remove the five weeks' waiting time for new claimants.^{vii}

184. We also ask the UK Government to provide a single point of contact so that women can discuss confidentially what their entitlement would be should they leave their relationship. We would appreciate the UK Government's view of these proposals prior to commencement of the UC review.

Split payments

185. We recognise that the Scottish Government is pushing the Department for Work and Pensions to implement split payments for UC by default. We also acknowledge correspondence from the DWP explaining the difficulties associated with this.¹⁸⁷ We ask the UK Government to provide an update on progress being made to deliver split payments by default, and confirmation of whether this will be considered as part of the review of Universal Credit.

186. We are also interested in the split payments of Social Security Scotland benefits. We therefore ask the Scottish Government for an update on any work it is doing to allow for benefits administered by Social Security

vii Jeremy Balfour MSP and Liz Smith MSP dissented from this recommendation.

Scotland to be split.

Scottish Welfare Fund

187. SWF is a budget limited, discretionary fund, which has recently been reviewed and an action plan put in place to implement improvements. Despite this, we heard reports of women being turned down because the fund was running low. We also heard that the rules governing the fund mean that it cannot always meet the needs of victim/survivors.¹⁸⁸

188. **The SWF is clearly a lifeline for many, however the Scottish Government should consider how well it is able to meet the needs of victim/survivors, particularly when assessing the need for an additional fund, such as the Fund to Leave.**

Fund to Leave

189. **Evidence we received emphasised the value of the Fund to Leave, and we are aware stakeholders would like to see this implemented and made permanent across Scotland.¹⁸⁹ However, we also recognise the financial pressures facing national and local government, and we therefore ask the Scottish Government to provide data on how much a national roll-out of the Fund to Leave would cost.**

190. Evidence from the Scottish Government stated its focus is now on how effective existing benefits are at meeting the needs of victim/survivors, as well as looking at lessons learned from the UK Government's 'flexible fund', which provides one-off payments for those leaving abusive relationships in England and Wales.¹⁹⁰

191. **We ask the Scottish Government to provide a progress update on its assessment of the effectiveness of the Fund to Leave pilot and confirmation of when a decision is expected on whether it will be reintroduced.**

Impact of social security entitlement on housing options

192. **Witnesses indicated that provision of local authorities' rent deposit schemes is "patchy"¹⁹¹ and we ask the Scottish Government to work with COSLA to improve this.**

193. Discretionary Housing Payments (DHP) can only be awarded once an individual is in receipt of either housing benefit, or an award of UC which includes an amount for rent, and the end of the first assessment period has passed.¹⁹²

194. For a victim/survivor who is applying for benefit for the first time and who needs to pay a deposit or rent in advance, this rule delays their ability to get help. They would need to be in receipt of social security to help pay their rent before they can get a payment to help pay for a rent deposit.

195. **The Minister for Equalities told us that the Scottish Government is currently considering how effectively existing funds are meeting the needs of women experiencing domestic abuse.¹⁹³ The Committee recommends, that as part of that work, the Scottish Government considers whether restricting DHP eligibility to those already in receipt of housing benefit or Universal Credit makes it more difficult for victim/survivors, who are new to applying for social security, to establish their own tenancy after leaving an abusive relationship.**

196. We draw attention to the recommendation for the UK Government in paragraph 183 on changes to Universal Credit entitlement. Removing the five weeks waiting time for new claimants who are victim/survivors of domestic abuse may also assist in speeding up access to Discretionary Housing Payments.

Child Maintenance Service


197. **It is clear from the evidence that we have received that there are issues with the Child Maintenance Service. We ask the UK Government for an update on the actions it is taking to address these issues, and ask the Scottish Government to provide details of the actions it has taken to contribute to any work on this.**

Part 4: No Recourse to Public Funds (NRPF)

Restriction of public funds

198. Difficulties facing victim/survivors with No Recourse to Public Funds (NRPF) featured consistently in the written evidence Members received, and many stakeholders were of the view that those with NRPF have a harder time leaving abusive relationships. ¹⁹⁴
199. CPAG's written submission explains that those with NRPF are a subset of people "subject to immigration control" (PSICs) who are prevented from claiming certain public funds, like UC. ¹⁹⁵
200. GVAWP indicated that being denied access to social security, refuge accommodation and local authority housing adds up to being "denied access to safety". ¹⁹⁶
201. Members of the SRG the Committee spoke to said they felt the NRPF policy was "dangerous and unfair" and that they are aware that some individuals who are seeking help are told they cannot even access basic support like signposting or phone services. ¹⁹⁷

NRPF and housing

202. The link between NRPF and access to housing was the focus of many submissions. Dumfries and Galloway Public Protection Partnership shared an example of a victim/survivor who was effectively forced back into an abusive relationship because they were unable to access alternative accommodation. The Partnership commented that such situations empower perpetrators of domestic abuse, knowing their victims have limited options to leave. ¹⁹⁸
203. The Partnership added that where a victim/survivor has a child, it can categorise potential homelessness as a child protection issue, and in that circumstance, the victim/survivor and their child can be housed together. ¹⁹⁹
204. Evidence Members heard from the SRG also noted that accessing housing for single women with NRPF "can be almost impossible", and that many victim/survivors will find it hard to process trauma associated with domestic abuse if they cannot access safe and settled accommodation. ²⁰⁰ Financially Included emphasised the difficulties facing women with NRPF who do not have children—
 They are often left with no money, no food and no safe place to sleep. ²⁰¹
205. Both Stirling and Fife Councils agreed it would be helpful if the Scottish Government provided funding to help local authorities house those who are leaving abusive

relationships who have NRPF.²⁰²

206. Women's Support Project detailed in written evidence how it believes the situation needs to change—

” there is a need for longer-term financial and housing supports that bridge the gap created by the restrictions on access to public funds. Women's safety and dignity should be a priority above political decisions that target migrants – and national and local governments must not become complicit in the abuse of women. Instead, they must create actions that mitigate the particular risks migrant women can face and prevent abuse, harm and exploitation. In addition to financial support, we want to point out the need for more refuges that can be accessed by women with NRPF experiencing any form of abuse.²⁰³

Discretionary powers and funds

207. Several stakeholders mentioned in their written submissions the discretionary powers local authorities have, as well as how Scottish Government funds could be used.²⁰⁴

208. CPAG stated in written evidence that the Convention of Scottish Local Authorities (COSLA) has produced guidance for local authorities detailing support that can be provided to people with NRPF, including payments under section 22 of the Children (Scotland) Act 1995, and section 12 of the Social Work (Scotland) Act 1968. However, it said that this does not sufficiently meet the needs of those within an abusive relationship and that specific guidance should therefore be developed address this gap for PSIC and those with NRPF.²⁰⁵

209. Aberlour Children's Charity in particular said more could be done. It stated that it is a "common misconception" that all government funds are 'public funds', and the result of this is that children needing support under section 22 of the Children (Scotland) Act 1995 are not granted this, despite the Act setting out the power of local authorities to provide discretionary financial assistance, even if parents or guardians are subject to NRPF.²⁰⁶

210. In terms of funds, CPAG suggested the Fund to Leave should be reintroduced, given it was able to support those with NRPF. In addition to this, Amina – The Muslim Women's Resource Centre (Amina MWRC) proposed the establishment of a "Scottish Safety Net Fund" to support victim/survivors of domestic abuse who have NRPF.²⁰⁷

211. GVAWP described in written evidence the Women, Destitution and NRPF Initiative which supported single women who have no dependents, are subject to NRPF and are not currently in the asylum system. It offered access to temporary accommodation, a cash-based living allowance and fast track to specialist legal immigration advice and information. Initially for up to 14 days, it could be extended to four weeks of support. A report on the work of the project is currently in development.²⁰⁸

212. All in for Change mentioned issues around assumptions made about victim/

survivors presenting at services. It is aware of people who are entitled to public funds being denied these. It speculated this could be due to language barriers, insufficient staff training, or misunderstandings.²⁰⁹

Migrant Victims of Domestic Abuse Concession

213. The Migrant Victims of Domestic Abuse Concession came up in several submissions. The DWP states the Concession²¹⁰ —

” ...enables individuals to move from a status with an NRPF condition applied to ‘Leave Outside the Rules’. Those granted ‘Leave Outside the Rules’ are exempt from the Habitual Residence Test for means-tested benefits, such as UC, meaning they can access UC without delay, where eligible.

214. The City of Edinburgh Council suggested changes to the Concession so more people could be supported—

” Local Authorities can rely on the Migrant Victims of Domestic Abuse Concession...which allows the award of benefits for three months while a customer applies for leave to remain or decides to leave the UK. This is not ideal as it is not a well-known provision and relies on the ex-partner having some kind of leave to remain in the UK. A blanket three-month eligibility regardless of the partner's immigration status would be more effective.²¹¹

215. Citizens Advice Scotland suggested it would be good if local authorities were more aware of the Concession as the three-month period in which it allows an individual subject to immigration control to access public funds can be "life-saving".²¹²

Fair Way Scotland report on Ending Destitution by Design

216. All in for Change also mentioned the Fair Way Scotland report on Ending Destitution by Design²¹³, which makes recommendations to the Scottish Government on what can be done within devolved competencies to mitigate the impact of NRPF—

- ”
- Exercise powers in devolved areas to the fullest extent possible to ensure that all non-UK nationals in Scotland have full access to health, social care, education, social security, transport and housing.
 - Secure a commitment from UK Government not to be challenged in these areas until system-wide issues are addressed.
 - Co-invest to rapidly scale up Fair Way Scotland.²¹⁴

217. The report also notes local authorities should—

” Improve the efficacy, coordination and leadership of action to prevent homelessness and destitution among all migrant communities in Scotland. ²¹⁵

218. The Scottish Government confirmed in correspondence to the Committee that it is continuing its funding of Fair Way Scotland to "deliver a casework and cash-first initiative". It explained the funding will increase caseworker capacity, work to reach more areas across Scotland and provide crisis support. In terms of next stages, the Scottish Government said it has met with stakeholders, and feedback from these meetings will contribute to further development of the strategy. ²¹⁶

219. The Scottish Government said it also believes the UK Government should "immediately cease to apply the no recourse to public funds condition" to vulnerable individuals, including those experiencing domestic abuse. ²¹⁷

No Recourse to Public Funds (NRPF): conclusions and recommendations

220. Leaving an abusive relationship can be extremely financially difficult, but for those with No Recourse to Public Funds (NRPF) it can be almost impossible. We are seriously concerned about the risks for victim/survivors trying to leave their abusers under these circumstances.

221. Evidence we received on this issue suggests improved training would be hugely beneficial to improving outcomes.

222. **Those working in relevant departments within public services and local authorities should undertake training to ensure they are able to provide consistent and accurate advice on which funds are 'public funds', restricted from those subject to immigration control. This should ensure victim/survivors and their children, who have NRPF are not missing out on help they are eligible for.**

223. **Training should include fostering a greater understanding of how the Migrant Victims of Domestic Abuse Concession works and when it can be used, as well as on section 22 of the Children (Scotland) Act 1995 and on section 12 of the Social Work (Scotland) Act 1968 as potential avenues to support those with NRPF.**

224. **Training must also cover how to properly assess whether an individual is eligible for support, to avoid assumptions being made about someone's**

status with regards to whether they can access social security benefits.

225. Witnesses were clear that one of the benefits of the Fund to Leave was that it was available to those with NRPF. We therefore urge the Scottish Government to consider introducing this fund nationwide, or a different fund that is accessible to victim/survivors who are subject to immigration control.

226. We were very interested in the Women Destitution and NRPF Initiative described by Glasgow Violence Against Women Partnership, which we are aware is currently being evaluated.

227. We ask to be kept updated on the outcome of this project, and any plans for the Scottish Government to work with GVAWP to expand it.

228. We note the recommendations made within the Fair Way Scotland report and ask the Scottish Government to consider what it can do within its devolved competence to improve outcomes for victim/survivors with NRPF.

Part 5: Public bodies and debt

Collection of public debt

229. Practices governing how debt is collected in Scotland were raised frequently across all evidence the Committee took in the inquiry, with Aberlour Children's Charity commenting that the system in Scotland is "inhumane" and that collection practices are—

” very aggressive and proactive and further entrench and trap families in debt.
218

230. One woman from the SRG described her experience of being pursued for council tax debt. She explained she was tracked down in refuge accommodation for rent arrears totalling £70. She said this was despite the fact the local authority owed her a council tax rebate. She argued that her address should have been protected because she was in a refuge, and no-one would tell her how they found her. She said this felt like living with abuse again.²¹⁹

231. SWA commented that victim/survivors are often told by their abusers that they are dependent on them. However, when victim/survivors do leave, current practice means they are met with a system that reinforces that message, and coerced debts become a barrier to moving on—

” Being held responsible for coerced debt, and the inability to make those payments because of economic abuse, often forces victim-survivors and their children to return to their abusive partners.²²⁰

232. Aberlour Children's Charity highlighted the importance of early intervention to help families before their debt spirals out of control, recalling a case in Perth where a household faced £30,000-worth of "avoidable" debt. It said that if the family had been provided with help earlier in the process, rather than being referred to a debt collection agency, they could have been supported instead of having deductions made to their Universal Credit.²²¹

233. Amina MWRC added that "Muslim and BME" women may face specific cultural barriers when dealing with coerced debt.²²²

Local authority approach to debt collection

234. Citizens Advice Scotland noted that practices across different areas are inconsistent, and that while some local authorities are willing to write off arrears in some cases, others pursue debt to the point where victim/survivors are forced to seek bankruptcy.²²³

235. CAS explained that bank arrestments may be used to collect council tax debt. However, it said current practice is currently detrimental to those planning to leave abusive relationships, because the process for arrestments means only £1,000

needs to be left in an account.²²⁴ CAS stated this is not enough for victim/survivors to leave with and—

” this could stop a victim survivor leaving their abuse and potentially risking their lives.²²⁵

236. The organisation therefore recommends that the expected review of bank arrestments should consider ‘fund to flee’ type grants in addition to looking at how to protect social security payments from being given to a creditor. A consultation is expected later this year.²²⁶
237. Aberlour Children's Charity provided an example in which debt was dealt with sensitively. It involved a woman who had overcome substance abuse issues, and had moved out of a mother-and-child recovery house. She could not move back to her previous home because of domestic abuse, but she faced rent arrears which prevented the family from moving somewhere new. Aberlour Children's Charity said that while, in this instance, the organisation was able to work with the local authority to change its debt collection practice, "this is not happening across Scotland."²²⁷
238. The Committee's 2022 report, *Robbing Peter to pay Paul: Low income and the debt trap*,²²⁸ made a number of recommendations related to council tax recovery. These included flexible re-payment methods, agreed parameters for proportionate enforcement action, and a requirement to maintain negotiations with the customer at all stages of the collection process and to accept reasonable repayment offers. The Improvement Service also produced a report in 2022 on *Collaborative Council Tax Collection*,²²⁹ which includes recommendations on good practice.

Best practice

239. When it comes to best practice, Aberlour Children's Charity highlighted its Tayside Family Financial Wellbeing pilot, which it said demonstrates that debt does not need to be collected in a "punitive" way, and that families can instead be offered "financial and welfare support".²³⁰
240. In correspondence sent to the Committee as part of its scrutiny of the Scottish Government's *Tackling Child Poverty Delivery Plan 2026-31*, Aberlour Children's Charity explained in more detail the benefits of the Tayside pilot. It said that "75% of debt owed by low income families is public debt", but that when debt is paid or written off it "provides families with the strong foundation and financial stability to help them thrive", as well as making significant savings to the public purse.²³¹ It explained that—
- ” It can cost the state hundreds of thousands of pounds per child per year to place a child in care or to accommodate a homeless family. This is compared to the relatively small sums of debt that trap families in poverty and impede families’ opportunities to progress.²³²
241. In order to improve the situation for families facing arrears, Aberlour Children's Charity recommends policy and legislative changes, as well as alignment of policies

- on public debt with the priorities of the Scottish Government including on tackling child poverty, The Promise and Equally Safe.²³³
242. CAS stated that local authority practice is varied, with some councils willing to write off council tax debt, if proof of domestic abuse is provided.²³⁴
243. The organisation added that the most effective way to create consistency of good practice is through a "code of conduct", and that there are lessons to be learned from the private sector. CAS said that Surviving Economic Abuse and UK Finance have developed a code of conduct that aims to raise awareness of economic abuse, help victim/survivors engage with providers and improve the consistency of support available.²³⁵
244. The organisation also mentioned the introduction of "an economic abuse evidence form", similar to the existing debt and mental health evidence form, in which a money advisor liaises with a local authority about an individual's situation. CAS notes that such an approach could create consistency in "writing off joint and several liability" for council tax arrears, instead of pursuing one party for the debt owed. CAS added the current system can facilitate the perpetuation of abuse and prevent victim/survivors from moving on,²³⁶ and GVAWP said women with children are usually the ones pursued as they are easier targets than the "absent abusive male".²³⁷
245. Commenting on how council tax debt is dealt with, correspondence from the Minister for Equalities stated that, since local authorities are independent bodies, decisions on writing off council tax arrears rests with them, as opposed to the Scottish Government. The Minister added that the Scottish Government is working with COSLA via the 'Joint Working Group on Sources of Local government Funding and Council Tax Reform' on best practice when it comes to debt collection and advice.²³⁸
246. The Minister also told the Committee that CAS has been awarded £2.22million to implement a Council Tax Debt project across Scotland which builds on previous pilots designed to deliver increased debt advice, with a focus on council tax arrears.²³⁹

Impact of public debt on housing options

247. The Committee heard about how ruined credit scores and rent arrears can contribute to victim/survivors being unable to exit a relationship safely.
248. SWA talked about how financial problems can worsen across the duration of a victim/survivor's stay in a refuge, as debt can be accrued via council tax and rent arrears. SWA said that this pressure could be alleviated if local authorities disregard this debt while victim/survivors and their children are in emergency accommodation. The SRG also said a consistent approach to the collection of council tax debt needs to be taken across Scotland.²⁴⁰
249. Chartered Institute of Housing Scotland commented on practice across Scotland—

- ” The picture is mixed across Scotland in how social landlords consider the economic context of victims of domestic abuse. The 2023 review conducted by Scottish Women’s Aid and CIH Scotland, Policies not Promises showed while there were pockets of good practice in writing off repairs costs, arrears, etc, this was not demonstrably detailed in every domestic abuse policy. ²⁴¹
250. However, Fife Council Housing Service, East Ayrshire Council and South Lanarkshire Council all indicated that they take account of domestic abuse when considering debt owed by individuals. ²⁴²
251. South Lanarkshire Council in particular said that eviction is a "last resort" and that it engages with tenants facing rent arrears, making referrals to support services such as Money Matters Advice, where appropriate. It added that if individuals are in rent arrears on their social rented property but need temporary accommodation, their debt would not affect this. The Council said it is duty bound "to provide temporary accommodation where required". ²⁴³
252. East Ayrshire Council said that—
- ” it’s crucial that public bodies like local authorities and housing associations are sensitive to the fact that debt can arise as a direct result of domestic abuse. The primary focus is often on recovering the debt, rather than understanding the underlying causes. ²⁴⁴
253. The only local authority responding to the call for views to state it does not take account of domestic abuse in the case of rent arrears was Stirling Council. However, it said that it works with debtors to make payment arrangements, and that if rechargeable repairs are the result of domestic abuse the council will not charge for them. ²⁴⁵
254. ASSIST said that there are housing providers that require a payment plan for rent arrears to be "maintained for at least three months" ahead of a housing application being accepted. ASSIST commented that this can be really hard for victim/survivors to achieve given they are already having financial difficulties and attempting to leave an unsafe situation. ²⁴⁶

Council tax and the Housing (Scotland) Bill

255. Council Tax debt is a joint liability. This means that the council is entitled to pursue payment of the whole amount from anyone named on the bill. It is also possible, in certain circumstances, for a person to be jointly liable for council tax even if that person does not live at the property. Missing a council tax payment can trigger a summary warrant (an expedited court procedure for debts to certain public bodies) with a 10% surcharge on the debt. Councils are the main users of bank and earnings arrestments. Council tax debts can be pursued for 20 years. ²⁴⁷
256. During Stage 2 consideration of the Housing (Scotland) Bill, the Local Government, Housing and Planning Committee agreed to amendment 543, lodged by Ross Greer MSP and supported by the Scottish Government, which inserted new section

51B. This section begins—

- ” The Scottish Ministers must, no later than six months after Royal Assent, undertake a review of the impact of joint and several liability for council tax arrears on those who have experienced, or are experiencing, domestic abuse. 248

Other types of public debt and expenses

257. When members of the SRG discussed debt with Committee Members, they also talked about school meal debt. The SRG members noted the evidence provided by the Minister for Equalities which stated two local authority areas had not yet accessed the School Meal Debt Fund and questioned why this was. They emphasised that school meal debt should be written off generally, but that this is even more important for victim/survivors. 249
258. Asked to comment, the Minister for Equalities said the scale of demand for the fund meant it had been increased from £1.5million to £2.8million. As part of the terms and conditions attached to it, local authorities are expected to implement good practice principles from COSLA on the management of school meal debt. 250
259. The SRG also highlighted how useful an additional school clothing grant for victim/survivors who have had to move multiple times within a year would be. The Minister said the Scottish Government is open to looking at recommendations on this. 251

Public bodies and debt: conclusions and recommendations

Local authority approach to debt collection

260. **It is clear there are examples of good practice when it comes to debt collection, however the Scottish Government should work with COSLA to ensure this is more consistent and accounts for the needs of victim/survivors.**
261. **The Scottish Government and COSLA should also consider developing a Code of Conduct, taking learning from the Code developed by Surviving Economic Abuse and the Financial Conduct Authority.**
262. **We also recommend that the upcoming review on bank arrestments considers ‘fund to flee’ type grants in addition to looking at how to protect social security payments from being given to a creditor.**

263. **We acknowledge the Improvement Service's 2022 report on Collaborative Council Tax Collection.** ²⁵² However, we note that despite the good practice the Scottish Government highlighted in response to this report, evidence the Committee received suggests many of the same issues remain. We therefore call on the Scottish Government and COSLA to work to improve consistent good practice across Scotland, and to ensure that issues faced by victim/survivors are recognised.

Best practice

264. **The Tayside Family Financial Wellbeing pilot** ²⁵³ is beneficial in helping families manage public debt, and the Scottish Government should consider how this pilot could inform practice across Scotland.

265. **The Scottish Government should also consider working with local authorities to introduce an economic abuse evidence form as outlined by CAS.**

266. **We are interested in the Council Tax Debt project, and ask that CAS and the Scottish Government keep us updated on how this initiative develops.**

267. **We also recommend that the Joint Working Group on Sources of Local Government Funding and Council Tax Reform considers setting out common principles to underpin individual local authorities' decisions on whether to write off council tax arrears.**

Impact of public debt on housing options

268. **Local authorities' policies governing public debt should be supportive of wider aims to prevent homelessness, and must not contribute to housing instability.**

269. **Rent arrears should not be a barrier to accessing temporary accommodation, and the Scottish Government should consider working with COSLA to disregard public debt while victim/survivors and their children are in temporary accommodation.**

Council tax and the Housing (Scotland) Bill

270. The Committee recognises the effect council tax arrears can have on victim/survivors. We therefore welcome the Scottish Government's support for the amendment to the Housing (Scotland) Bill on the impact of joint and several liability for council tax arrears on those who have experienced, or are experiencing, domestic abuse.

Other types of public debt and expenses

271. **Members of the SRG were clear that victim/survivors should not have to worry about school meal debt. We would therefore like the Scottish Government to provide an update on action it is taking to ensure all local authorities access the School Meal Debt Fund.**

272. **For those leaving abusive relationships who need to move multiple times within a year, an additional school clothing grant could help alleviate financial stress. The Scottish Government should consider implementing this for victim/survivors.**

Part 6: Legal aid

Issues across the legal aid system and proposed reform

273. While this part of the report focuses on legal aid in relation to domestic abuse, evidence the Committee has taken on legal aid throughout this inquiry point to broader issues with the legal aid system, and many of the issues encountered by those leaving abusive relationships will also create problems for people seeking legal aid for other reasons.
274. The Law Society of Scotland said problems amount to an "access to justice issue",²⁵⁴ while Glasgow Violence Against Women Partnership (GVAWP) summed up the situation in its written evidence to the Committee, stating—
- ” There is an acute shortage of civil legal aid solicitors in Scotland. Legal aid payments are insufficient and disincentivise legal firms accepting clients reliant on legal aid. The legal aid system is underfunded, meaning that necessary legal work undertaken by solicitors is not paid for. This is at best undervaluing the essential role paid by solicitors to be diligent and work to the best interests of their client.²⁵⁵
275. Discussions about legal aid featured heavily in conversations Members had with participants from the SRG, and issues raised included—
- eligibility;
 - availability and accessibility of legal services;
 - legal practice, funding arrangements and inaccuracy of information;
 - and abuse of the system.²⁵⁶
276. These themes were also present in the written and oral evidence the Committee received.
277. The Scottish Government published a discussion paper on legal aid reform in February 2025.²⁵⁷
278. The discussion paper proposes a three-stage approach to reform—
- changes to regulations to simplify the current system, to be delivered in 2025 to 2026 - for civil legal assistance, proposals include assessing financial eligibility using standardised personal allowances
 - research on and reform of legal aid fees, to be delivered in 2025
 - longer-term reform, including testing different funding models and embedding user experience in decision-making, with a view to introducing new legislation in the future.²⁵⁸

279. [This part of the report uses the phrase “civil legal assistance” to describe all legal aid support available for civil justice issues. The terms Civil Legal Aid and Advice and Assistance are used to refer to specific legal aid schemes.]

Eligibility

280. On eligibility for legal aid, stakeholders indicated the rules fail to take account of the financial realities victims/survivors leaving abusive relationships face. Responses to the call for views from individuals also indicated most could not access legal aid, and amongst those who did, experiences were mixed.²⁵⁹
281. The Scottish Legal Aid Board (SLAB) explained that because eligibility thresholds have not increased for “some years”, [since 2011] fewer people are now able to access legal aid without having to make a contribution from their own income. Therefore, those who may have received legal aid without a contribution in the past are now only eligible for contributory legal aid, which entails a cost for the applicant. SLAB also mentioned the impact of the move to Universal Credit, which it said could benefit from a review that looks at how changes have impacted eligibility.²⁶⁰
282. The SRG raised this point in conversation with Members, questioning why it has taken so long for the thresholds to be reviewed. They stated they did not believe decision makers had been “proactive” enough about the issues. Women from the SRG also said the Scottish Government could apply pressure on SLAB now, before any reform comes through, to ensure it is doing all it can to meet the needs of victim/survivors within existing policy and legislation.²⁶¹
283. In correspondence from the Minister for Equalities, the Scottish Government stated that SLAB have provided a paper setting out options for how financial thresholds for civil legal aid and advice and assistance could be improved. It added that any change will not be “cost neutral” and that the Scottish Government will consider the paper alongside wider reform, which it committed to in the Programme for Government.²⁶²
284. In relation to how SLAB determines eligibility for legal aid in cases of domestic abuse, the agency stated it applies the rules set by the Scottish Parliament and confirmed there is no specific criteria in place to account for this. However, it also said in written evidence—
- ” It is our policy to take into account the difficult practical circumstances in which women who have experienced domestic abuse find themselves in. ‘[...] for example, if someone has had to flee the matrimonial home or has had a controlling partner and cannot access evidence such as bank statements or credit card statements to enable us to carry out our financial assessment, we can proceed without these and carry out a provisional assessment.’²⁶³
285. One woman from the SRG emphasised how expensive legal advice and representation can be without legal aid, and said she was quoted £350 an hour plus VAT.²⁶⁴

Means-testing arrangements for Advice and Assistance versus Civil Legal Aid

286. Legal aid policy is set by the Scottish Government, while applications and payments are administered by SLAB. There are a number of different forms of legal aid in Scotland. For civil justice issues, Advice and Assistance provides access to legal advice and Civil Legal Aid provides access to representation in court cases. ²⁶⁵
287. SLAB provided details about the fact that means-testing arrangements for Advice and Assistance are more restrictive than for Civil Legal Aid. It explained that discretion cannot be applied to the test for Advice and Assistance the way it can for Civil Legal Aid, and that outgoings cannot be taken into account in an individualised way, due to a difference in statutory structures. ²⁶⁶
288. SLAB stated that eligibility across the population for Advice and Assistance is lower than for civil legal aid, and that—
- ” ...the two eligibility regimes do not sit comfortably alongside each other and one might act as a barrier to the other. ²⁶⁷
289. The Law Society of Scotland echoed this and added that the system needs to be simplified. It noted that, at present, a person on the National Minimum Wage with no dependents would be ineligible for Advice and Assistance, however this does not necessarily mean they could afford legal advice. ²⁶⁸

Automatic entitlement to Civil Legal Aid

290. Both Counselling Services Glasgow and the Law Society of Scotland suggested that legal aid should be available without financial or other eligibility criteria for cases related to domestic abuse. ²⁶⁹
291. When asked about this, the Law Society of Scotland said examples already exist in criminal legal assistance of automatic entitlement, and that a similar model could be applied to the tests for civil legal assistance in domestic abuse cases. ²⁷⁰

Calculation of assets

292. The Committee heard that the way savings, assets, income and outgoings are calculated ignores the nuance of what victims/survivors actually have access to. ²⁷¹
293. Examples of the impact of means testing in the context of domestic abuse were provided to Members during the lived experience engagement. For example, the Committee heard from a woman who had to use savings to pay for legal fees that had been set aside for kinship care arrangements, and from another woman whose depletion of savings meant she had no money left to purchase clothes for her children. ²⁷²

Awareness raising

294. SLAB said that the guidance on income, capital, and discretion to disregard elements of this, are in the process of being reviewed.²⁷³ However, it added that it is often not aware of circumstances in which discretion could be applied, and that—

” You would be lucky if there were half a dozen cases in the past 12 months in which we were approached and asked to consider circumstances such as those being considered in this inquiry.²⁷⁴

295. SLAB said it does not know if that is because the system is too complex, or solicitors lack full understanding of it. Either way, it said that although the agency does work with firms to understand how the system works, more awareness-raising work may be needed and it could work with training providers like the Law Society on this.²⁷⁵ Govan Law Society agreed that awareness of the system amongst solicitors may be a problem.²⁷⁶ However the SRG felt that there are lots of opportunities for solicitors and SLAB to find out more information and that they are not doing enough. They also questioned why solicitors are not asking about possible domestic abuse as a matter of course.²⁷⁷

Proposal to introduce standardised personal allowances

296. The Scottish Government's discussion paper on legal aid, published in February 2025, states—

” In order to reflect household circumstances better whilst reducing administrative burdens, SLAB will use its discretion to introduce standard personal allowances to the financial eligibility test. This will replace the detailed assessment of individuals' particular expenses that adds time, difficulty and uncertainty to the financial assessment process for applicants and for SLAB.²⁷⁸

297. Witnesses were asked about this proposal, and SLAB stated it believes this change will simplify the process, making it easier for people to know what to expect. It added that its modelling suggests most people would benefit from this approach, and that people would be able to determine whether they qualify for civil legal assistance without a contribution more easily.²⁷⁹ This could improve application rates for legal aid more generally, given that, according to the Law Society of Scotland and Govan Law Centre, the prospect of possible contributions can deter people from applying.²⁸⁰

298. SLAB also talked about potential adjustments to the standardised personal allowance approach relating to the calculation of debt in a domestic abuse situation. It said that if an individual had accrued debt as a result of an abusive financial relationship, an exception may need to be found which would take this "into account over and above the standardised allowance".²⁸¹

Civil protection orders and Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021

299. Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021 introduces two new types of civil protection order. First, the police can impose a Domestic Abuse Protection Notice (DAPN), and they (not the person at risk) can also apply to the civil court for a Domestic Abuse Protection Order (DAPO).²⁸²
300. A relevant SPICe briefing sets out what civil protection orders are, how they can be obtained, and potential issues for those who seek them—
- ” Civil protection orders aim to prevent harm and distress. They prohibit a person named in the order from doing certain things. Some important types of civil protection order, such as interdicts and exclusion orders, must be obtained through the civil courts by the person at risk. Drawbacks of this include the potential for significant legal costs (unless these are wholly met out of the legal aid budget) and stress for the person at risk.²⁸³
301. Govan Law Centre explained that getting a civil protection order is very difficult, because of the costs involved and how complicated it can be to find a solicitor. It added that the current set up obliges the victim/survivor to make the application themselves, as well as requiring them to "instruct legal representatives".²⁸⁴ The Scottish Human Rights Commission added that many of those in need of protective orders cannot access these if they do not qualify for legal aid.²⁸⁵
302. Govan Law Centre said it believes automatic funding for protective orders is an "obvious step in the right direction",²⁸⁶ and set out the difference between these and other civil cases—
- ” Those cases can be separated clearly from other civil cases, because a civil protective order is not about a dispute between two parties; it is about an emergency situation, and it is never the fault of the person who is applying for the order. Such orders are distinct enough from other civil cases to justify their being automatically funded.²⁸⁷
303. According to Govan Law Centre, the value of Part 1 of the 2021 Act is that it will not only make the process quicker, it will remove the burden from the individual of having to apply, and allow the police to step in to get DAPNs, followed by DAPOs.²⁸⁸
304. Despite widespread stakeholder support for the enactment of Part 1 of the Act, the Committee is aware that Police Scotland has raised concerns about the force's resource and capacity to take on this responsibility.²⁸⁹
305. In correspondence to the Committee, the Scottish Government stated that, while civil protection orders are important, it has concerns about providing automatic civil legal aid in such cases. These include the impact on the public purse, as well as that in order to ensure "equality of arms", legal aid may also need to be offered to the defendant as well as the applicant. This would also have cost implications. However, the Scottish Government added it is generally open to suggestions regarding how to improve legal aid and civil protection orders.²⁹⁰

306. Siobhian Brown MSP, Minister for Victims and Community Safety, wrote to the Equalities, Human Rights and Civil Justice Committee on 18 June regarding non-implementation of Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021. The Minister stated that, due to “operational challenges...identified by justice partners and stakeholders”, the Scottish Government will “consult more widely in 2026”, and consider if further legislation, making changes to Part 1, is required after that.²⁹¹

Availability and accessibility of legal services

307. The availability of legal aid-funded advice was highlighted across evidence the Committee took. Many of the responses to the Committee's call for views indicated there is a lack of solicitors willing to take on cases involving domestic abuse, especially if the case is seen as complex.²⁹²
308. During the lived experience engagement with the SRG, Members were told that accessing legal aid for civil as opposed to criminal matters is difficult. The SRG also highlighted that one-third of legal aid solicitors are set to retire within the next decade and indicated that rurality is an issue, with access to legal aid-funded advice in places like the Highlands and Islands even more difficult to obtain.²⁹³
309. SLAB told the Committee that its research into legal aid providers shows that the biggest changes in relation to who is offering legal aid have occurred in Glasgow and Dundee.²⁹⁴
310. SLAB also said that while there are no problems with the number of solicitors in general, there has been a reduction in the numbers providing a legal aid service. The agency set out some of the reasons a solicitor may decline a case, and these may be to do with the specific detail of it or the specific applicant. It said it could also be because the firm has previously worked with the victim/survivor's former partner^{viii}, or because it lacks capacity to take on more cases.
311. The Law Society of Scotland flagged that, while the number of solicitors doing legal aid work has not decreased, the number practising family law specifically has reduced, and that the reasons for this need to be understood. The SRG highlighted that which firms offer legal aid for family law is opaque, and that information on this needs to be more easily available so victim/survivors are not forced to waste time getting in touch with solicitors who cannot help them.
312. SLAB also mentioned its work with Scottish Women's Aid via its Civil Legal Assistance Office. This work has given SLAB a better idea of the legal needs of victim/survivors, as well as which solicitors are taking on which work, meaning referrals can be made more effectively. It said it has had a "two-thirds success rate" referring clients this way.
313. Other accessibility barriers were detailed through written evidence, with Saheliya highlighting that—

viii Rules for solicitors on conflict of interest prevent firms working for both parties in a dispute.

” "it is not possible for our service user group to access legal representation without advocacy in first languages from an individual or organisation with a gendered analysis and with cultural knowledge." ²⁹⁵

314. When considering the issue of solicitor availability, the Minister stated in evidence that while the Scottish Government continues to invest in the legal aid system, it "cannot compel private solicitors to undertake work". ²⁹⁶
315. The Minister added that the Scottish Government wants to ensure the system is "responsive and user centred", and that it has published a three-year delivery plan, 'The Vision for Justice in Scotland', which includes engagement with stakeholders on the reform of legal aid. ²⁹⁷
316. The SRG however said they thought comments made by the Minister on legal aid were not good enough, and they questioned why a three-year plan was needed and why change could not be enacted sooner. They added they felt it was "too easy" for the Scottish Government to say it cannot interfere with legal practice. ²⁹⁸

Legal aid fees

317. In the Scottish Government's discussion paper on legal aid reform, one of the three key strands of work was to address fees paid to solicitors for legal aid work, with this being delivered in 2025. ²⁹⁹
318. When asked about this in evidence, SLAB said the system in general is based on "post-war models" which have not changed significantly since introduction. ³⁰⁰ However, on fees specifically, it stated that although an increase in fees for legal aid might make this type of work more attractive to solicitors, it does not guarantee that all types of legal aid will be provided in every area—
- ” ...that does not mean that you would be able to say, for example, "Yes, there's a solicitor who will undertake domestic abuse-related work in Perth." ³⁰¹
319. Govan Law Centre said that funding levels are "obviously critical", and that the system fails to provide for the work involved to carry out trauma informed practice. For example, it noted that certain costs, such as additional appointments for, or travel costs to visit, vulnerable clients cannot be claimed back via the system. ³⁰² The Law Society of Scotland made a similar point, saying there is a disparity between the amount of work solicitors are paid to do in legal aid cases and the amount of work that actually needs to be done. ³⁰³
320. Scottish Women's Aid framed the issue as one related to structural inequality, stating that if it is not resolved, victim/survivors will lose out on their legal rights to financial resources and property, "exacerbating the economic inequality women already face in society". ³⁰⁴
321. SLAB suggested that the system needs to be "redesigned from the bottom up", so it is able to provide for solicitors with specific expertise and to enable work with support organisations such as Scottish Women's Aid across specific areas. The agency argued that new primary legislation is required to do this, as options within

the current system are "very limited".³⁰⁵

Edinburgh Women's Aid Legal Services Project

322. Members heard about the Edinburgh Women's Aid Legal Services Project, in which SLAB fund a solicitor to provide quick access to early legal advice on child and family law related issues. Clients are then referred on to other legal firms for more in-depth support. In evidence, SLAB explained that the service is funded until March 2026, and its effectiveness will be monitored.³⁰⁶

323. Scaling up of this project was also a recommendation made in response to the call for views, and Scottish Women's Aid said that it is a "very good example of best practice".³⁰⁷ It also drew on recommendation 28 of the 2018 independent strategic review of legal aid, which states—

” Solicitors providing publicly-funded legal assistance should be located within third sector organisations which have a significant civil case workload.”³⁰⁸

324. More generally, SLAB noted that reform of the system could bring about a more strategic and targeted service. One way it suggested this could be achieved is by "funding posts instead of funding cases or particular activity."³⁰⁹

Legal practice, funding arrangements and inaccuracy of information

325. Members of the SRG explained to the Committee that even those who are able to access legal aid still face problems. Some of the women said they felt they were not treated as well as they might have been if they had been paying in full, and one woman reported being told "judges don't like whingers" by a solicitor. Participants also mentioned coming up against snobbery and pre-conceived bias when dealing with legal firms, as well as being made to feel stupid.³¹⁰

326. Arrangements for paying for legal advice deemed to be unfair, or to cause problematic debt, also came up in evidence,³¹¹ as did the adverse financial effects of some legal approaches which led to unnecessary and wasted money on the part of the victim/survivor.³¹²

327. When Members met with women from the SRG they also heard about the experience of a woman who dealt with a legal firm which had offered to represent her domestic abuse case, as long as she chose the same firm to process her divorce. She said she paid thousands of pounds for this, however, once the divorce came through, she was told legal aid for her domestic abuse case was not financially worth it for the firm. She was subsequently dropped as a client and was eventually forced to sell her house to pay for the legal costs.³¹³

328. Women in the SRG also reported that some firms offering legal aid did not have a

good understanding of the rules governing entitlement. ³¹⁴

'Clawback' provisions

329. Papers compiled by SPICe explain what happens when 'clawback' arrangements are made to cover legal costs retrospectively—

” Where someone gains or retains assets (such as a house or a pension-sharing arrangement) as a result of legal proceedings funded by legal aid, SLAB can use the value of the asset to pay for the costs of the case. This is known as “clawback”. ³¹⁵

330. Witnesses touched on this briefly in oral evidence, with the Law Society of Scotland stating that rules should be reformed to allow discretion to be applied in more situations. ³¹⁶

Using the system to perpetuate abuse

331. A 2024 report for the Scottish Women's Rights Centre highlighted the effect of deliberately lengthy legal proceedings, whereby perpetrators create unnecessary applications to deplete their victim's resources. The report said private legal fees can be £250-£350 per hour, with final bills upwards of £10,000. ³¹⁷

332. Those representing the SRG explained anecdotally how the system is open to abuse. One woman reported having malicious claims made against her by her ex-partner in order to drain her finances by forcing her to reply to emails that have charges associated with them. She explained she was even charged for sending an acknowledgement email to the legal firm she was using, and that because money was not an issue for the ex-partner, these claims were only financially damaging for her. She told the Committee that—

” If you're the one with the money, you're the one with the power. ³¹⁸

333. In their written submission, Financially Included provided the following example of how the court system was used to perpetuate abuse—

” Woman B whilst starting court proceedings against the perpetrator for domestic abuse and domestic violence ... she had received papers for civil court proceedings against her from the perpetrator ... Woman B owned her property with a mortgage and had an above average income ... Woman B is now facing massive legal bills to challenge this case in court with the end result being that she may have to sell her home or take on massive levels of debt. ³¹⁹

334. Dumfries and Galloway Public Protection Partnership also stated they were aware of a case at a local Women's Aid where a perpetrator of domestic abuse tried to access several solicitors in order to prevent the victim gaining access to justice. ³²⁰

335. In terms of abuse prevention, Govan Law Centre explained that much of the proposed reform discussed with the Committee, such as making legal aid more easily available and increasing training and awareness amongst solicitors, would

improve the system for victim/survivors.³²¹

Equalities, Human Rights and Civil Justice Committee inquiry

336. The Committee is aware of the inquiry into the current civil legal aid system being undertaken by the Equalities, Human Rights and Civil Justice Committee and therefore wishes to draw that Committee's attention to our findings. We also wish to thank the Scottish Legal Aid Board for sharing its submission to the call for views for that inquiry with us,³²² as it provided a helpful overview when it comes to legal aid provision across Scotland more generally.

Legal aid: conclusions and recommendations

Eligibility

337. We recognise that access to sound legal advice and representation is essential for those leaving abusive relationships, but that the current system means this is not always available to victim/survivors.

338. **In relation to eligibility for legal aid, we agree with SLAB that financial thresholds for Advice and Assistance and Civil Legal Aid are not compatible given that ineligibility for one can act as a barrier to the other. We therefore call on the Scottish Government to work with SLAB to re-assess the means-testing arrangements for these schemes, and to consider uprating the capital thresholds for both to £16,000, the same as for Universal Credit.**

Proposal to introduce standardised personal allowances

339. **The Committee is interested in the potential that standardised personal allowances for Civil Legal Aid would have for simplifying the application process. However, too few details are currently available about how these would be calculated to reach a conclusion on whether they would benefit applicants. We would like to be kept informed of developments in relation to this proposal.**

Civil protection orders and Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021

340. **The Committee believes there is a strong case to make legal aid**

automatically available for civil protection orders. However, the Scottish Government must resolve potential issues outlined in paragraph 305 with a view to extending such legal aid.

341. We are also aware that stakeholders would like to see automatic legal aid available in all cases related to domestic abuse. The Committee has not taken a view on this.

342. We note Police Scotland's concerns about the implementation of the provisions related to DAPNs and DAPOs.³²³ Should Police Scotland retain responsibility for implementing protection orders, we call on the Scottish Government to ensure it has sufficient resources to do so.

343. The Committee acknowledges the 18 June letter from the Minister for Victims and Community Safety, which states Part 1 of the Domestic Abuse (Protection) (Scotland) Act 2021, which contains provisions for the new civil protection orders (i.e., DAPNs and DAPOs), will now not be implemented until after further consultation takes place in 2026.³²⁴

344. The Committee wishes to express its disappointment that Part 1 of the Act will not come into force sooner, given consultation on this legislation already took place in 2018-19, and it has already been four years since the Act was passed by the Scottish Parliament.

Availability and accessibility of legal services

345. Evidence we took from members of the SRG, as well as through written and oral evidence, indicated that knowledge of the legal aid system amongst solicitors needs to be improved. SLAB should therefore work with the Law Society of Scotland to improve this.

346. We also heard that SLAB has significant discretion to adjust the process behind the financial eligibility assessment for Civil Legal Aid in situations involving financial abuse.³²⁵ There is clearly a lack of awareness of the potential for flexibility among solicitors and legal aid applicants. We therefore call on SLAB to carry out awareness raising initiatives to ensure that both the profession and the public are aware of the flexibility that exists. SLAB must also ensure solicitors are aware of the discretionary powers available, and the circumstances under which these can be used, so that they properly support victim/survivors who might qualify for legal

aid.

347. We took evidence on the Edinburgh Women's Aid Legal Services Project, in which SLAB fund a solicitor to provide quick access to early legal advice on child and family law related issues. Scottish Women's Aid in particular were supportive of this being expanded to other areas, and SLAB suggested reform to the legal aid system could include funding for posts within organisations, as opposed to funding for particular cases or activity.

348. **Given the struggle many victim/survivors experience when trying to contact solicitors who provide legal aid, we ask the Scottish Government and SLAB to consider whether something like the Legal Services Project could be implemented more widely.**

349. **We ask the Scottish Government to consider how public awareness of legal rights and accessing legal advice can be improved, including for groups with particular barriers to accessing legal support.**

Legal aid fees

350. **Discussions we had with stakeholders made it clear the sector lacks the funding to provide trauma-informed practice, because fees are often not commensurate with the work required to deliver this. We therefore call on the Scottish Government to work with SLAB and the legal profession more generally to establish what reform is needed to improve the service available to victim/survivors.**

Edinburgh Women's Aid Legal Services Project

351. **We welcome the work being undertaken as part of the Edinburgh Women's Legal Services Project, and that Scottish Women's Aid cited this as a "very good example of best practice".³²⁶ We note stakeholders wish to see this project scaled up nationally, and we ask that SLAB keeps the Committee informed of its effectiveness. We also ask that any subsequent evaluations of the project are shared with the Committee.**

'Clawback' provisions

352. **Witnesses touched on 'clawback' arrangements, and the limited scope for discretion here. We ask the Scottish Government to ensure that provision for greater use of discretion is considered as part of any further review of**

legal aid.

Equalities, Human Rights and Civil Justice Committee inquiry

353. Finally, we wish to refer these conclusions and recommendations to the Equalities, Human Rights and Civil Justice Committee to consider in relation to its inquiry into the civil legal aid system.

Part 7: Housing and homelessness

Stage 1 of the Housing (Scotland) Bill

354. Affordable accommodation that is safe and secure is essential for those leaving abusive relationships. The Housing (Scotland) Bill ³²⁷, currently being considered by the Scottish Parliament, aims to address some of the barriers that prevent victim/survivors from accessing this.
355. Section 45 of the Bill requires social landlords to have a policy which sets out how they will support tenants at risk of homelessness due to domestic abuse. ³²⁸
356. Specifically, section 45 (in conjunction with section 44) requires that if a social landlord suspects a tenant is experiencing domestic abuse, and that this explains or partly explains rent arrears, they must take action to support the tenant's needs. ³²⁹
357. The Committee's Stage 1 report ³³⁰ on the Bill welcomed the proposals on domestic abuse and recommended that the provisions be extended to landlords operating in the private sector. In response, the Minister for Housing, Paul McLennan MSP said—
- ” The Government will review the private rented sector pre-action protocols and related guidance and consider what changes would support landlords to recognise that domestic abuse may be a potential factor in cases of rent arrears. ³³¹
358. The Scottish Government has confirmed that work is underway to prepare the social housing sector for the changes, and that good practice guidance has been drafted and published by SWA, the Chartered Institute of Housing (CIH) Scotland, the Association of Local Authority Chief Housing Officers, the Scottish Federation of Housing Associations, and Shelter Scotland. ³³²
359. However, in discussion with Members, the SRG said that the production of "guidance" represents an insufficient response to the seriousness of the issues faced by those leaving and abusive relationship, and that domestic abuse and potential homelessness is not being dealt with urgently enough. ³³³
360. All in for Change expressed concern about the lack of resource attached to the Housing Bill, and the level of responsibility placed on public sector bodies "without adequate training or personnel". ³³⁴ It also cited an "implementation gap" between policy and what is happening in reality. ³³⁵ These were concerns the Committee also heard during its scrutiny of Part 5 of the Bill at Stage 1 on homelessness prevention, ³³⁶ and the point about the gap between policy and reality was similarly mentioned by the SRG, which also questioned what the changes in the Bill will mean for victim/survivors in practice. ³³⁷
361. The women in the group emphasised that domestic abuse should be treated as seriously as child protection related issues, and that more robust polices and

procedures are urgently required.³³⁸

Next steps

362. At Stage 2, the Scottish Government agreed to work with Members of the Scottish Parliament on further amendments to the Bill at Stage 3, including those made by Katy Clark MSP on the ability of social landlords to write off rent arrears for victim/survivors.³³⁹
363. CIH said they hope the provisions in the Bill will change the practices of social landlords, who should also commit to reporting to the Scottish Housing Regulator annually on the extent to which they are meeting the needs of victim/survivors.³⁴⁰

Homelessness prevention and housing options

364. The SRG noted a real lack of temporary, safe accommodation for victim/survivors, and that women are still being inappropriately placed in mixed accommodation, even after having experienced domestic abuse.³⁴¹
365. The SRG also highlighted the uncertainty victim/survivors have to deal with when moving. One of the women recounted her experience of her house being sold and needing to find new accommodation within weeks. She explained that she did not know where she would be placed, or whether she should be booking storage or a removal service. She said her children wanted to know what was happening and she felt she had to tell them that they may end up in a hotel, which she was later criticised by social work services for doing.³⁴²
366. South Lanarkshire Council commented that advice on housing options needs to be provided at an earlier stage. Emphasising good practice, it also stated that where someone presents as homeless, and says this is a result of domestic abuse, "there is no burden of proof", and a "quick and early decision" on their case is made. It said such an approach should be applied consistently across all local authority areas.³⁴³
367. Shelter Scotland's 2024 joint report with Engender highlighted research by SWA stating that local authority staff frequently question claims of abuse and do not offer "safe alternatives to moving out of the family home". The report also said there is a lack of appropriately sized Temporary Furnished Flats, which is evidenced by the length of time that women and children are housed in hotels.³⁴⁴
368. The Homelessness Prevention Task and Finish Group, co-delivered by Crisis and Cyrenians, produced its final report³⁴⁵ in 2023. The report emphasised that more needs to be done on the availability of suitable accommodation for victim/survivors—

” ...there needs to be a spotlight placed on what housing options that are for women experiencing domestic abuse; these are currently limited, and frequently do not provide safe solutions for women (and often children). Continuing discussions with women’s services on appropriate provisions that meet the needs of people and their geographical settings, must be part of the plans moving forward. ³⁴⁶

369. The Scottish Government has said that it is targeting funding to reduce the length of time temporary accommodation is necessary—

” Eighty per cent of our £80 million capital funding for voids and acquisitions over 2024-25 and 2025-26 has been targeted to areas with the most sustained temporary accommodation pressures to increase the supply of social and affordable homes through acquisitions and, where appropriate, to bring long term empty social homes back into use. ³⁴⁷

Emergency accommodation

370. The first step a victim/survivor may take when fleeing abuse is to look for emergency accommodation, but there can be barriers to accessing this.

371. An individual who responded to the call for views told the Committee that temporary accommodation, including hotels and refuges, can be "very expensive", and that women who have an income can be excluded. They said that—

” ...housing costs can be applied to cover this or partially cover however if you are a woman in employment then the cost of the rent is not affordable and this is creating a two tier system of those who can afford to flee domestic abuse and those who can't. ³⁴⁸

372. SWA reinforced this point, adding that victim/survivors who have savings, or who are in employment may be faced with continuing to pay for the home they have left, alongside all their other day-to-day living costs. This issue may be compounded if the perpetrator who remains in the home refuses to cover any costs or to sell. ³⁴⁹

373. SWA also said that those who are ineligible for benefits may find refuge space unaffordable, and that this is especially true for those with No Recourse to Public Funds who may be forced to choose between destitution or staying with an abusive partner. Even where victim/survivors are eligible, SWA emphasised that the housing shortage across Scotland extends to the "availability of refuges and of safe, accessible and affordable housing". ³⁵⁰

374. Members of the SRG talked about difficulties accessing refuge accommodation, stating that in some cases women actually leave their jobs in order to qualify for it. ³⁵¹

375. More generally, SWA highlighted that women with children are purposefully having to become destitute and declare themselves homeless in order to secure housing. ³⁵²

376. SWA said they were involved in the development of the 2020 report 'Improving housing outcomes for women and children experiencing domestic abuse', and that this includes recommendations on specialist refuge provision for victim/survivors that meets "international standards for the number of spaces, distribution and suitability" also accounting for specific provision for "black and minority ethnic women... and women with NRPF".³⁵³ The Scottish Government accepted the report's 27 recommendations "in principle".³⁵⁴

Considerations for older and/or disabled victim/survivors

377. Age Scotland discussed potential difficulties for older and/or disabled victim/survivors looking for housing that will meet their needs. It explained there are long waiting lists to access suitable properties, and that making adaptations can be very expensive.³⁵⁵
378. The organisation emphasised that these considerations can act as a barrier to leaving an unsafe situation, and that this may be even harder if victim/survivors also have to consider arranging a care package for themselves.³⁵⁶
379. Older victim/survivors may also consider refuges to be for younger women and their families, and therefore feel uncomfortable about this as an option. They may believe the private rented sector to be more suitable, "which can be even more expensive and challenging".³⁵⁷ The SRG also emphasised older women may be forced to access refuge because they have been in relationships for so long where their ex-partner controlled the finances, and nothing is in their name.³⁵⁸
380. Many older people may also have been living in houses that they own, so moving into a privately rented property, or even social housing, can create costs they may have not needed to budget for previously. Counselling Services Glasgow said that often people need to find up to three or six months rent as a deposit.³⁵⁹
381. Many older women will also be reliant on their state pension, which can be significantly lower than a man's. This is due to the structural inequality associated with this, where women have often taken time away from work to take on caring responsibilities.³⁶⁰
382. Inclusion Scotland outlined a point about relationships whereby one person is the carer for the other, and the impact this can have on a victim/survivor's ability to leave.³⁶¹ It explained that where the abuser is technically the carer, the financial costs of leaving can be more complex and daunting—
- ” If disabled women rely on them for essential care, it makes it even more difficult for them to leave their abuser as they may have to pay social care costs which would push them further into poverty. This is especially true for women with learning disabilities, who require more support in financial planning to maximise their control over finances.³⁶²

383. Alternatively, if the victim/survivor is the carer, this poses different challenges if they feel morally compelled to stay with their abusive partner. However, if they do decide to leave, they also need to consider potential new caring arrangements, and how these will be paid for.³⁶³
384. Counselling Services Glasgow called for a "code of practice" to be introduced for the housing sector that takes account of victim/survivors, particularly those who are older. The code could take into account how to respond to victim/survivors who may lack identification documents, a credit rating, or access to utility bills in their own name.³⁶⁴

Rechargeable repairs

385. Responses to the call for views suggested local authorities' approach to rechargeable repairs varies,³⁶⁵ and the SRG commented there needs to be more consistency in this.³⁶⁶
386. South Lanarkshire Council said that, where damage has been caused to the rented property by the perpetrator, as a result of their abuse, the Council has not pursued the cost of this because it would be at odds with its trauma-informed practice. It provided an example of a situation where damages worth £25,000 were written off.³⁶⁷

Staying in the home

387. As part of the Committee's Stage 1 report on the Housing (Scotland) Bill, it asked the Minister for Housing to provide a detailed timetable for implementation of the Domestic Abuse Protection (Scotland) Act 2021. In answer, the Minister said—
- ” The Government aims to bring Part 2 of the Domestic Abuse (Protection) (Scotland) Act 2021 into force in December 2025 along with sections 2 and 3 in Part 1 of that Act. Part 2 amends the Housing (Scotland) Act 2001 to provide additional protection to those at risk of domestic abuse.³⁶⁸
- [Part 2 of the Act provides a mechanism for social landlords to terminate an abuser’s interest in a tenancy and allow their partner or ex-partner to remain in the property if they choose to do so³⁶⁹].
388. SWA indicated it supports the option for a victim/survivor to remain in their home if they want to, and South Lanarkshire Council stated this would be a "true prevention approach" to homelessness for the victim/survivor and any children. They noted this would also allow the victim/survivor to stay near any local support network they may have.³⁷⁰
389. Having said this, SWA did acknowledge staying in the home may lead to continued economic abuse if an ex-partner refuses to renegotiate mortgage rates, damages the property or coerces the victim/survivor into more debt via council tax and rent

arrears.³⁷¹ Counselling Services Glasgow agreed with this point, noting instances in which victim/survivors who stayed in their home continued to face financial abuse even after the perpetrator had left.³⁷²

390. Alternatively, South Lanarkshire Council said a victim/survivor's priority may actually not be to stay in their home, because of the negative associations with it, and because the perpetrator will know where they are. It emphasised it is ultimately about creating choice for those who have suffered domestic abuse.³⁷³

Housing and homelessness: conclusions and recommendations

Stage 1 of the Housing (Scotland) Bill

391. In our report on Parts 5 and 6 of the Housing (Scotland) Bill at Stage 1 the Committee stated its support for the requirement for all social landlords to have a domestic abuse policy in place.³⁷⁴

392. We also called for the provisions in the Bill related to whether domestic abuse may have contributed to rent arrears to be applied to the private rented sector.³⁷⁵ We welcome confirmation from the Minister for Housing that the Scottish Government is reviewing pre-action protocols and guidance on this.³⁷⁶ However, we ask the Scottish Government to consider whether a review of guidance is sufficient to address the issues highlighted in this report.

393. We also welcome the Scottish Government's commitment to work with Members on further amendments for Stage 3 on provisions to improve the services and support provided to people who experience domestic abuse, such as writing off rent arrears.³⁷⁷

Emergency accommodation

394. As highlighted by Scottish Women's Aid, the Scottish Government declared national housing emergency extends to the provision of refuges, as well as "safe, accessible and affordable housing".³⁷⁸ The lack of suitable and safe accommodation options urgently needs to be addressed. We are clear that victim/survivors should never be forced to become destitute or to declare themselves homeless in order to access suitable and safe housing.

395. **We note Scottish Women's Aid's 2020 'Improving housing outcomes for**

women and children experiencing domestic abuse' report, which includes recommendations on specialist refuge provision for victim/survivors that meets "international standards for the number of spaces, distribution and suitability" also accounting for specific provision for "black and minority ethnic women... And women with NRPF".³⁷⁹ We are aware the Scottish Government has accepted all of the report's recommendations 'in principle',³⁸⁰ and we therefore ask what progress has been made towards implementing the recommendations related to those with no recourse to public funds.

396. We are in agreement with South Lanarkshire Council that advice on housing options needs to be provided as early as possible, especially to victim/survivors, and ask the Scottish Government to work with the Convention of Scottish Local Authorities (COSLA) on how this best practice can be consistently provided by all local authorities.

397. We are also supportive of South Lanarkshire Council's stated approach to homelessness which is the result of domestic abuse, in which the "burden of proof" is removed from the victim/survivor.³⁸¹ We agree this is an approach that should be applied consistently across Scotland, and that the accounts of victim/survivors should be taken on trust. We again ask the Scottish Government to work with COSLA to achieve this.

Considerations for older and/or disabled victim/survivors

398. Leaving an abusive relationship is more complicated, and potentially more expensive, for victim/survivors who are older and/or disabled, especially for those who have additional care needs.³⁸²

399. We also recognise the availability of accessible properties can be a barrier to leaving,³⁸³ and we call for local authorities to ensure they have a sufficient supply of accessible housing, and that there are resources in place to fund necessary adaptations to private housing in a timely manner.

400. We ask the Scottish Government to consider whether a "code of practice" for the housing sector could be introduced, such as that outlined by Counselling Services Glasgow,³⁸⁴ that takes account of the needs of victim/survivors who may lack relevant documentation.

401. We also ask the Scottish Government to consider how to improve the information on the support available to older and/or disabled victim/survivors who are leaving an abusive relationship, such as specific advice on money matters and refuge options.

Rechargeable repairs

402. There should be consistency across local authority areas in terms of their approach to rechargeable repairs. Where damage is the result of domestic abuse, this should not be pursued with the victim/survivor.

Staying in the home

403. We welcome Part 2 of the Domestic Abuse Protection (Scotland) Act 2021,³⁸⁵ which makes it easier for social landlords to remove a perpetrator from a household. However, we recognise that this may not eliminate abuse, and we are in agreement with South Lanarkshire Council that the most important thing is for a victim/survivor to have choice regarding their housing options.

Part 8: Remote and rural areas

Equally Safe

404. While issues facing victim/survivors in remote and rural locations have been touched on throughout this report, the Committee received correspondence from Professor Sarah Pedersen, Dr Natascha Mueller-Hirth and Dr Leia Miller of Robert Gordon University that explores such considerations in more detail.³⁸⁶
405. In relation to Equally Safe and the role of government, Pedersen et al stated that, while Equally Safe does consider some of the specific difficulties victim/survivors outwith urban areas face, these are not considered in terms of financial abuse.³⁸⁷ They add that the strategy similarly does not consider the "traditional, patriarchal nature of some communities", and that elements of financial control may be normalised within these settings.³⁸⁸
406. When it comes to the organisations and agencies supporting those in remote and rural locations, Pedersen et al point to a lack of acknowledgement of the cost of supporting people in such areas, especially over long distances—
- ” Just as for victims, issues such as costs of travel, time, isolation and connectivity issues also impact on organisations supporting victims.³⁸⁹

Social security systems

407. In terms of social security, Pedersen et al stated that in remote places, not only are there fewer job opportunities, perpetrators may also find it easier to track victims' movements, and that there should be recognition of this in conditionality tied to Universal Credit.³⁹⁰

Public debt

408. On public bodies' pursuit of debt, Pedersen et al use Orkney Island Council as an example of where things could be improved. It said the Council's Homelessness Prevention service acknowledges that domestic abuse can lead to housing instability, and they emphasise that this policy is backed by "excellent" partnership working with organisations such as Orkney Women's Aid. However, because the Council's policies governing rent arrears and debt collection do not account for domestic abuse in the same way, this could mean victim/survivors' cases being dealt with incorrectly.³⁹¹
409. According to Pedersen et al, some local authorities and organisations make the assumption that family and friends are able to offer short term accommodation in crisis situations, but that this is not always the case, especially in remote and rural areas. They add that even where policy intentions are good, limited provision of

services means good intentions are not always enough.³⁹²

Legal aid

410. Pedersen et al contend that getting access to legal services can be difficult across remote and rural areas. This can be due to both the need to protect the privacy of victim/survivors living in small communities, and potential travel costs, which are usually not covered by legal aid. Additionally, they state that travel may be dangerous if there are no specific safeguards in place to protect victim/survivors from contact with perpetrators.³⁹³
411. To improve the situation, they suggest that legal aid be made more accessible to people in these areas, and covers travel costs where appropriate. They also recommend that legal aid outreach teams should be available, and that remote technology should be offered to those able to use these safely. They do however acknowledge that connectivity issues may exist in such locations.³⁹⁴
412. In terms of eligibility for legal aid, Pedersen et al say the agricultural nature of some areas may mean that land is considered as part of a means-testing assessment, but that victim/survivors may not have access to the value of such land. They therefore recommend that the value of land is disregarded, together with any other income or capital that a victim/survivor may not have access to.³⁹⁵

Funding arrangements

413. Pedersen et al make the point that in order for services to operate successfully within remote and rural communities, funding must be adequate and protected. They argue this is especially important given victim/survivors in such areas face unique challenges related to "connectivity, geographical distance, and community surveillance".³⁹⁶
414. They also highlight the strain that completing funding applications repeatedly has on the third sector. They said this especially impacts smaller organisations operating in rural areas with already stretched resources, which are "supported by insecure, partial and time-limited funding". The Committee reported on third sector funding principles as part of its pre-budget scrutiny for 2025-26, where it drew on an inquiry into rural poverty undertaken by the Scottish Parliament's Cross-Party Group on Poverty, which found that—
- ” ...funders do not necessarily recognise the higher costs associated with delivering services – such as transport and energy costs - into the awards they make to rural projects.³⁹⁷
415. Relatedly, the Committee concluded as part of its pre-budget scrutiny that—

” ...short-term funding cycles not only create financial instability but also divert significant amounts of time and resources away from the delivery of services.
398

416. The ability to use funding flexibly was also discussed by Pedersen et al, who explained that in remote and rural places, being able to provide communication devices such as laptops or mobile phones is essential to alleviating the isolation felt by some victim/survivors.³⁹⁹
417. They also mentioned food bank vouchers, stating that in Scotland these usually indicate the service that provided them, and that in smaller communities, victim/survivors may feel uncomfortable using vouchers made available by services for people experiencing domestic abuse. Pedersen et al suggest this could be solved by providing vouchers without information on where they came from.⁴⁰⁰

Remote and rural areas: conclusions and recommendations

418. **We welcome Equally Safe's recognition of the unique challenges victim/survivors in remote and rural areas face, and agree that a greater emphasis on the financial issues related to these locations is needed. We ask the Scottish Government to amend the strategy to include this.**

419. In terms of social security and the application of conditionality tied to Universal Credit, we recognise that there may be fewer jobs available in remote and rural areas, and that there is also a heightened risk of surveillance by perpetrators.

420. **While we acknowledge that such matters are reserved to the UK Government, we ask that the Scottish Government raises this issue with its counterparts, as part of the UK Government's planned review of Universal Credit.**

421. In addition to the general challenges associated with legal aid that victim/survivors must try to overcome, there are specific issues for those in remote and rural areas.

422. **To address these, we call on the Scottish Government to include travel costs within the provision of legal aid for victim/survivors, and to invest in legal aid outreach teams who can meet victim/survivors where they are.**

423. When considering whether to apply its discretion, SLAB should ensure it considers the unique circumstances of those experiencing domestic abuse who live in remote and rural areas.

424. Secure funding for services in remote and rural areas is vital in ensuring victim/survivors have local access to the support they need. We therefore ask the Scottish Government to consider multi-year funding settlements for such services.

425. It is understandable that victim/survivors using food bank vouchers in small communities may want to be discreet about the service that provided them. We therefore ask the Scottish Government to look at the way these are distributed, and work with the sector to make them more generic.

Part 9: Same-sex relationships

426. Only a few responses to the Committee's call for views mentioned financial abuse within same-sex relationships. However, evidence submitted by Dr Steven Maxwell made a number of points about the need for greater recognition of this issue.
427. Setting the context, Dr Maxwell said—
- ” 1 in 3 GBM [gay and bisexual men] in Scotland will ever experience IPV [Intimate Partner Violence], a prevalence comparable to that of heterosexual women⁴⁰¹
428. He explained that financial abuse is a "common factor" amongst this demographic, and that many of those abused are actually the main earner, challenging the view that "financial control always aligns with financial power".⁴⁰² Within this dynamic he said that the victim/survivor's access to money is often manipulated, and debts are accrued in their name.⁴⁰³
429. Counselling Services Glasgow also mentioned that they had been approached by those from the LGBTQI community following their experience of economic abuse, and that this is "on the rise in that community".⁴⁰⁴
430. Dr Maxwell said that the Scottish Government's Equally Safe strategy does not adequately account for financial abuse in same-sex relationships, and that there are unique barriers to victim/survivors accessing help.⁴⁰⁵
431. He said those being abused may be wary about being disbelieved, or their situation not being taken seriously enough due to mistaken perceptions about "equal power and strength" within same-sex relationships.⁴⁰⁶ He added that there is a "limited visibility of GBM-inclusive services", and that many support services position men as perpetrators and not victims, which can make it hard to find appropriate support.⁴⁰⁷
432. Dr Maxwell also talked about an expectation of financial abuse being associated with economic deprivation, which he said is not always the case.⁴⁰⁸
433. Dr Maxwell explained that for Equally Safe to be improved, it should "not rely on heteronormative assumptions about power and control", and the idea that only certain groups are financially vulnerable.⁴⁰⁹ He added that front-line workers and service providers similarly need to be aware of this, and it must be ensured that messaging "explicitly includes male/GBM victims" so that this group is encouraged to access support.⁴¹⁰
434. In terms of the existing policy landscape, Dr Maxwell said that such changes would ensure service provision is more accessible to all victim/survivors, "while still maintaining a strong focus on women's experiences."⁴¹¹

Same-sex relationships: conclusions and

recommendations

435. We were concerned to hear that the current structure of service provision may make accessing support difficult for victim/survivors of financial abuse who are in same-sex relationships.

436. **We therefore ask that the Scottish Government reviews the Equally Safe framework, as well as guidance for support services, to ensure that anyone facing financial abuse can get the help they need. This should include consideration of how to improve messaging to encourage those being abused within same-sex relationships to seek support, as well as training for staff delivering services to recognise abuse across all relationship types.**

Part 10: Matters related to policing

Issues reported by the Survivor Reference Group

437. When the Committee spoke with members of the SRG, some of the women said they felt that police officers do not understand financial abuse or coercive control. One woman mentioned that in her interactions with the police, she felt that she was educating officers with information she had researched independently.⁴¹²
438. Another women explained how her husband was able to make changes to their joint mortgage, implying her consent by simply ticking a box. She said that when she approached the police about this, they said it was a civil matter, and not criminal, as he had not forged her signature.⁴¹³
439. SWA stated that police awareness of economic abuse could be better, and that if economic abuse is not presented alongside physical or sexual abuse, victim/survivors commonly report being told their case is a civil matter, as opposed to a criminal one. SWA also said that when incidents of financial abuse have been disclosed to the police, individuals have reported being told that they should contact their banks instead.⁴¹⁴

Correspondence with Police Scotland

440. The Committee wrote to Police Scotland on 8 April to ask about the extent to which the force recognises financial abuse, and whether officers are trained in trauma-informed working practices. The letter also commented on the lived experience evidence that Members had heard from women in the SRG, highlighting in particular that the women felt financial abuse was not treated as seriously as physical or sexual abuse.⁴¹⁵
441. In response to this, Police Scotland stated it has worked to support implementation of the Domestic Abuse (Scotland) Act 2018, and that its staff and officers have been provided with training on what the legislation entails, and how they can best protect victim/survivors.⁴¹⁶
442. In support of this, Police Scotland said it uses a '3 Tiered Approach' to tackle domestic abuse: Local Operational Policing, Divisional Specialist Domestic Abuse Investigation Officers and the National Domestic Abuse Task Force. It added that this involves training for probationers, investigators and newly promoted sergeants. The training is designed to ensure that victim/survivors "receive a tailored police response to the particular circumstances of their case". It said it also covers understanding and evidencing of coercive control, including financial abuse.⁴¹⁷
443. On the Committee's question about the force's response to allegations of financial abuse versus other forms of abuse, Police Scotland stated—

” There is no hierarchy of offences and coercive abuse and control in any context is to be considered alongside all offending of a physical nature.⁴¹⁸

444. It added that training for officers and staff is underpinned by a trauma-informed and victim/survivor centred approach.⁴¹⁹

445. Police Scotland also said that during 2024/25, Domestic Abuse Matters training has been delivered in partnership with SafeLives, and that this includes specific training on financial abuse and control. It also said the training covers how the abuse victim/survivors have suffered may affect their interactions with the police.⁴²⁰

446. Police Scotland explained how reports of financial abuse that do not meet the threshold for criminality are dealt with

—

” An example of this may include a joint bank account which has had monies removed by one of the account holders, with no other reported incidents to consider as part of a wider investigation. As an individual incident this may be considered a civil matter, regardless of the domestic context as a threshold of a crime has not been met.⁴²¹

447. However, it confirmed that any domestic incident, whether criminal or not, would be record as a domestic report. Following this, if further incidents are reported, this could be used as evidence of coercive control,⁴²² as part of an offence under the Domestic Abuse (Scotland) Act 2018.⁴²³

Matters related to policing: conclusions and recommendations

448. The Committee welcomes the trauma-informed approach Police Scotland takes to domestic abuse, and to financial and coercive control in particular. However, there seems to be a gap between the stated approach and victim/survivors' anecdotal experiences.

449. **We ask Police Scotland to assess whether its approach to supporting victim/survivors who report financial abuse is trauma-informed.**

450. **We also ask Police Scotland for information on any lived experience engagement it carries out with victim/survivors who have reported financial abuse, and how this information is used to improve its service.**

451. We will write to the Criminal Justice Committee about the anecdotal evidence we received about Police Scotland's response to allegations of financial abuse.

Annexe A: The Domestic Abuse (Scotland) Act 2018

The Domestic Abuse (Scotland) Act 2018 defines the criminal offence of domestic abuse.

1 Abusive behaviour towards partner or ex-partner

(1) A person commits an offence if—

(a) the person (“A”) engages in a course of behaviour which is abusive of A’s partner or ex-partner (“B”), and

(b) both of the further conditions are met.

(2) The further conditions are—

(a) that a reasonable person would consider the course of behaviour to be likely to cause B to suffer physical or psychological harm,

(b) that either—

(i) A intends by the course of behaviour to cause B to suffer physical or psychological harm, or

(ii) A is reckless as to whether the course of behaviour causes B to suffer physical or psychological harm.

(3) In the further conditions, the references to psychological harm include fear, alarm and distress.

2 What constitutes abusive behaviour

(1) Subsections (2) to (4) elaborate on section 1(1) as to A’s behaviour.

(2) Behaviour which is abusive of B includes (in particular)—

(a) behaviour directed at B that is violent, threatening or intimidating,

(b) behaviour directed at B, at a child of B or at another person that either—

(i) has as its purpose (or among its purposes) one or more of the relevant effects set out in subsection (3), or

(ii) would be considered by a reasonable person to be likely to have one or more of the relevant effects set out in subsection (3).

(3) The relevant effects are of—

(a) making B dependent on, or subordinate to, A,

(b) isolating B from friends, relatives or other sources of support,

(c) controlling, regulating or monitoring B’s day-to-day activities,

(d) depriving B of, or restricting B's, freedom of action,

(e) frightening, humiliating, degrading or punishing B.

(4) In subsection (2)—

(a) in paragraph (a), the reference to violent behaviour includes sexual violence as well as physical violence,

(b) in paragraph (b), the reference to a child is to a person who is under 18 years of age.

Annexe B: written and oral evidence

Written submissions from organisations that provided oral evidence

[Legal Services Agency](#)

[Scottish Legal Aid Board](#)

[Robert Gordon University](#)

[Scottish Legal Aid Board Briefing on Civil financial assessment and eligibility](#)

[Scottish Federation of Housing Associations](#)

Correspondence

[Correspondence from the Minister for Equalities, 3 June 2025](#)

[Correspondence to the Minister for Equalities, 29 May 2025](#)

[Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)

[Correspondence to Secretary of State for Work and Pensions, 8 April 2025](#)

[Correspondence from Police Scotland, 8 May 2025](#)

[Correspondence to Police Scotland, 8 April 2025](#)

[Correspondence from Social Security Scotland, 6 May 2025](#)

[Correspondence to Social Security Scotland, 8 April 2025](#)

Annexe C: extracts of minutes of meetings

[33rd Meeting, 2024, Thursday, 5 December 2024](#)

1. Decisions on taking business in private:

4. Financial aspects of leaving an abusive relationship (In Private):

The Committee considered and agreed its approach to the inquiry. The Committee agreed—

- to issue a call for written evidence and an associated press release;
- to undertake lived experience engagement work as part of its scrutiny;
- that any further approach to the inquiry, evidence received, and any draft reports or letters should be considered in private at future meetings;
- its approach to late submissions and to delegate to the Convener decisions on requests for submissions to be anonymous; and
- to delegate to the Convener and the Clerks responsibility for agreeing any witness expenses.

[4th Meeting, 2025, Thursday, 30 January 2025](#)

1. Financial considerations of leaving an abusive relationship (In Private):

The Committee agreed its approach to its financial considerations when leaving an abusive relationship inquiry. The Committee agreed several witnesses to invite to give oral and written evidence. It also agreed to undertake informal engagement work as well as a visit.

[10th Meeting, 2025, Thursday, 27 March 2025](#)

1. Financial considerations of leaving an abusive relationship (In Private):

The Committee considered and agreed its approach to the inquiry.

[13th Meeting, 2025, Thursday, 1 May 2025](#)

1. Financial considerations when leaving an abusive relationship:

The Committee took evidence from—

Lyndsay Clelland, Policy Officer, Age Scotland;

Dr Jenn Glinski, National Policy Lead for Economic Abuse, Scottish Women's Aid;

Stuart Duffin, CEO and Company Secretary, Counselling Services Glasgow;

and then from—

Viki Fox, Policy & Participation Manager/Recovery Housing Service Manager, All in for Change;

Lee Valentine, Homelessness Advisor, South Lanarkshire Council.

2. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered the evidence heard under item 1.

[Official Report](#)

[14th Meeting, 2025, Thursday, 8 May 2025](#)

2. Financial considerations when leaving an abusive relationship:

The Committee took evidence from—

Sophie Berry, Solicitor, Govan Law Centre;

Aaliya Seyal, Member, Access to Justice Committee, Law Society of Scotland;

Colin Lancaster, Chief Executive and Cindy Morrice, Head of Civil Finance, Scottish Legal Aid Board.

3. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered the evidence heard under item 2.

[Official Report](#)

[15th Meeting 2025, Thursday, 15 May 2025](#)

2. Financial considerations when leaving an abusive relationship:

The Committee took evidence from—

Lynne O'Brien, Chief Officer for Children and Families, Aberlour;

Erica Young, Senior Policy Officer (Social Justice), Citizens Advice Scotland;

Kirsty McKechnie, Early Warning System Project Manager (Scotland), Child Poverty Action Group Scotland.

4. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered the evidence heard under item 2.

[Official Report](#)

[16th Meeting 2025, Thursday, 22 May 2025](#)

2. Financial considerations when leaving an abusive relationship:

The Committee took evidence from—

Kaukab Stewart, Minister for Equalities, Simon Coote, Head of Cross Cutting Policy Unit,

Janine Kellett, Head of Homelessness Unit, James Messis, Council Tax and Reform Policy Team Leader, and Eileen Flanagan, Policy Manager, Scottish Government.

4. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered the evidence heard under item 2.

[Official Report](#)

[19th Meeting 2025, Thursday, 19 June 2025](#)

5. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered a draft report. Various changes were agreed to, and the Committee agreed to consider a revised draft, at its next meeting.

[20th Meeting 2025, Thursday, 26 June 2025](#)

6. Financial considerations when leaving an abusive relationship (In Private):

The Committee considered a revised draft report. Various changes were agreed to. The Committee agreed to delegate to the Convener responsibility for finalising the report for publication.

Elena Whitham declared an interest as a former employee of North Ayrshire Women's Aid.

- 1 [Financial considerations when leaving an abusive relationship](#)
- 2 [Published responses](#)
- 3 [Analysis of responses to the call for views](#)
- 4 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 5 [Key themes from lived experience engagement with Members of Scottish Women's Aid: 11 June](#)
- 6 [Delivering Equally Safe](#)
- 7 [The Social Justice and Social Security Committee. Official Report, 1 May 2025](#)
- 8 [The Social Justice and Social Security Committee. Official Report, 8 May 2025](#)
- 9 [The Social Justice and Social Security Committee. Official Report, 15 May 2025](#)
- 10 [The Social Justice and Social Security Committee. Official Report, 22 May 2025](#)
- 11 [Equally Safe strategy](#)
- 12 [Equally Safe: delivery plan](#)
- 13 [The Independent Strategic Review of Funding and Commissioning of Violence Against Women and Girls Services](#)
- 14 [The Social Justice and Social Security Committee. Official Report, 22 May 2025, Col 2.](#)
- 15 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Cols 27-28.](#)
- 16 [SPICe analysis of the call for views](#)
- 17 [SPICe analysis of the call for views](#)
- 18 [SPICe analysis of the call for views](#)
- 19 [SPICe analysis of the call for views](#)
- 20 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 21 [Key themes from lived experience engagement with Members of Scottish Women's Aid: 11 June](#)
- 22 [SPICe analysis of the call for views](#)
- 23 [SPICe analysis of the call for views](#)
- 24 [SPICe analysis of the call for views](#)

- 25 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 27.](#)
- 26 [SPICe analysis of the call for views](#)
- 27 [SPICe analysis of the call for views](#)
- 28 [SPICe analysis of the call for views](#)
- 29 [SPICe analysis of the call for views](#)
- 30 [SPICe analysis of the call for views](#)
- 31 [SPICe analysis of the call for views](#)
- 32 [SPICe analysis of the call for views](#)
- 33 [Key themes from lived experience engagement with Members of Scottish Women's Aid: 11 June](#)
- 34 [The **Equally Safe Delivery Plan** was published in August 2024, and contains 14 commitments \(described as 'deliverables'\) and associated actions with timescales and policy leads.](#)
- 35 [SPICe analysis of the call for views](#)
- 36 [SPICe analysis of the call for views](#)
- 37 [SPICe analysis of the call for views](#)
- 38 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Cols 3-4.](#)
- 39 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 4.](#)
- 40 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 41 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 4.](#)
- 42 [SPICe analysis of the call for views](#)
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- 46 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 47 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 48 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)

- 49 SPICe analysis of the call for views
- 50 SPICe analysis of the call for views
- 51 SPICe analysis of the call for views
- 52 SPICe analysis of the call for views
- 53 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 3.
- 54 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Cols 2-3.
- 55 Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March
- 56 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 4
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- 58 SPICe analysis of the call for views
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- 60 SPICe analysis of the call for views
- 61 Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March
- 62 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 8.
- 63 Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March
- 64 SPICe analysis of the call for views
- 65 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 9.
- 66 Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March
- 67 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 8.
- 68 Written submission: Scottish Women's Aid
- 69 SPICe analysis of the call for views
- 70 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Cols 1-2.
- 71 The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 6.
- 72 Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March
- 73 Letter to Secretary of State for Work and Pensions, 8 April 2025

- 74 [Letter to Social Security Scotland, 8 April 2025](#)
- 75 [Letter from Social Security Scotland, 6 May 2025](#)
- 76 [Letter from Social Security Scotland, 6 May 2025](#)
- 77 [Letter from Social Security Scotland, 6 May 2025](#)
- 78 [Letter from Social Security Scotland, 6 May 2025](#)
- 79 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 80 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 81 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
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- 83 [The Social Justice and Social Security Committee. Official Report, 22 May 2025.](#)
- 84 [Letter from the Minister for Equalities, 3 June 2025](#)
- 85 [Letter from the Minister for Equalities, 3 June 2025](#)
- 86 [Letter from the Minister for Equalities, 3 June 2025](#)
- 87 [Letter from the Minister for Equalities, 3 June 2025](#)
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- 95 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 96 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 21.](#)
- 97 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)

- 98 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 99 [Domestic Abuse \(Scotland\) Act 2018](#)
- 100 [Help available from the Department for Work and Pensions for people who are victims of domestic violence and abuse - GOV.UK](#)
- 101 [Help available from the Department for Work and Pensions for people who are victims of domestic violence and abuse - GOV.UK](#)
- 102 [SPICe analysis of the call for views](#)
- 103 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
- 104 [Letter from Social Security Scotland, 6 May 2025](#)
- 105 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 106 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 107 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Cols 7-8.](#)
- 108 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 8.](#)
- 109 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 110 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
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- 114 [Written submission: Citizen's Advice Scotland](#)
- 115 [Written submission: Citizen's Advice Scotland](#)
- 116 [Letter from Social Security Scotland, 6 May 2025](#)
- 117 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 118 [Correspondence from the Minister of State at The Department For Work And Pensions, 6 May 2025](#)
- 119 [Written submission: Govan Law Centre](#)

- 120 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Cols 11-12.](#)
- 121 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Cols 4-5.](#)
- 122 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Cols 4-5.](#)
- 123 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 5.](#)
- 124 [SPICe analysis of the call for views](#)
- 125 [SPICe analysis of the call for views](#)
- 126 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 6.](#)
- 127 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 6.](#)
- 128 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 7.](#)
- 129 [Scotland Act 2016](#)
- 130 [SPICe briefing: 15 May 2025](#)
- 131 [SPICe briefing: 15 May 2025](#)
- 132 [Correspondence from the Cabinet Secretary for Social Justice providing an update on progress with split payments of Universal Credit, 3 April](#)
- 133 [Correspondence from the Cabinet Secretary for Social Justice providing an update on progress with split payments of Universal Credit, 3 April](#)
- 134 [Correspondence from the Minister for Equalities, 3 June 2025](#)
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- 137 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
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- 140 [SPICe analysis of the call for views](#)
- 141 [The Social Justice and Social Security Committee. Official Report, 1 May 2025, Col 33-34.](#)

- 142 [SPICe briefing: 15 May 2025](#)
- 143 [The Social Justice and Social Security Committee. Official Report, 15 May 2025, Col 7.](#)
- 144 [Key themes from lived experience engagement with members of Scottish Women's Aid Survivor Reference Group: 26 March](#)
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