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An t-Ionad Fiosrachaidh

Social Justice and Social Security Committee

13th Meeting, 2025 (Session 6), Thursday, 1 May

Inquiry into financial considerations when leaving an abusive relationship

Introduction

This is first stakeholder evidence session in this inquiry. The Committee will hear from two panels.

In **Panel 1**, the Committee will hear from:

- Lyndsay Clelland, Policy Officer, Age Scotland,
- Stuart Duffin, CEO and Company Secretary, Counselling Services Glasgow,
- Dr Jenn Glinski, National Policy Lead for Economic Abuse, Scottish Women's Aid

In **Panel 2**, the Committee will hear from:

- Viki Fox, Policy Manager, All in for Change,
- Susi Fitton, Policy and Participation Manager, Scottish Federation of Housing Associations,
- Lee Valentine, Homelessness Advisor, South Lanarkshire Council

Background

The inquiry

The Committee is holding an [inquiry into financial considerations when leaving an abusive relationship](#). The Committee's 'Call for Views' ran from December 2024 to February 2025 and received 58 responses. The [responses are available on the inquiry webpage](#).

The Call for Views asked about the extent to which financial barriers are considered in government strategies, in the advice and information available around domestic abuse and in relation to rules and practices in managing public debt, social security and legal aid.

One individual summed up the issue when they said:

"I think it needs to be acknowledged that the financial implications of a victim leaving an abusive relationship is one of the biggest (if not the biggest) barrier to leaving, especially if there are children involved. For some women it is 'easier' to stay so that at least their children have a roof and are being fed."

Key themes from the Call for Views included:

- [Equally Safe](#) could cover financial issues better.
- There was lots of support for the **Fund to Leave** pilot.
- Policies and practice need to have better recognition of **intersecting equalities** issues around, for example, disability, age and ethnicity.
- There needs to be **training/guidance** for public sector staff on recognising and responding to financial and economic abuse.
- Abusers can use social security, legal aid, child maintenance, debt etc as a way of continuing abuse for years after a relationship ends by **manipulating these systems**.
- While there are some **social security rules** that take account of domestic abuse, these need to be extended.
- There is mixed practice across local authorities on **rent arrears and council tax** arrears, but generally strong concerns about practices for dealing with council tax debt.
- **Legal aid** is problematic – both because the means-test is set at a very low threshold, because it doesn't take account of assets not being available to someone to use because of financial and economic abuse and also because it can be difficult to find solicitors to take on legal aid cases.

- There are particular vulnerabilities for those with **no recourse to public funds**, and fears around visa issues can make people more vulnerable to abuse.
- While there is **advice and information** available, there is a lack of specialist services and mainstream services do not generally cover all the relevant issues.

A more detailed summary of the Call for Views will be published on the [inquiry webpage](#).

The Committee also heard views from Scottish Women's Aid 'Survivor Reference Group'. A note of this meeting is [published](#) on the inquiry website.

In addition to the above points, the group raised issues around:

- Experience of poor customer service by the Child Maintenance Service
- Lack of understanding amongst police officers
- Coerced credit card and mortgage debt

Policy Background: Equally Safe

[Equally Safe](#) is the joint Scottish Government and COSLA strategy "to prevent and eradicate violence against women and girls." It was first published in 2014 and was refreshed in 2023.

"It sets out a vision of a strong and flourishing Scotland where all individuals are equally safe and protected, and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate them.

The aim of the strategy is to foster collaborative working between key partners to achieve this vision."

It is overseen by the '[Equally Safe Joint Strategic Board](#)'.

The [Equally Safe Delivery Plan](#) was published in August 2024. This set out 14 'deliverables' and associated actions with timescales and policy leads. Of particular relevance to this inquiry are:

1.4 We will mitigate the challenges associated with No Recourse for Public Funds conditions and the Illegal Migration Act within devolved competence. Timescale: 2024 onwards.

3.5 We will continue to support the social housing sector to embed gender equality, in preparation for the introduction of a new legal duty to develop and implement a domestic abuse policy outlining how they will support their tenants experiencing domestic abuse. Timescale: ongoing.

7.2 We will work with the VAWG Sustainable Funding Project Board to develop a new sustainable funding model. Timescale: ongoing

8.2 We will develop and implement a national framework that will inform an approach to trauma-informed VAWG training and workforce development across the public and the third sectors. Timescale: 2024-2026.

12.3 We will engage with key stakeholders to inform and shape future legislative proposals in relation to the reform of legal aid, including representatives of the legal profession, third sector, victim support organisations and the Scottish Legal Aid Board. Timescale: ongoing

The [Delivering Equally Safe Fund](#) is managed by Inspiring Scotland on behalf of the Scottish Government. The full list of the 109 organisations funded in 2025-26 is available on [Inspiring Scotland's website](#), along with a summary of the funded activity. In [2025-26 the fund is £21.6 million](#).

Equally Safe draws on the findings of the 2023 [Independent Review of Funding and Commissioning of Violence Against Women and Girls Services](#). Recommendations included providing for a 'minimum core' of services in legislation, with ring-fenced funding. The recommended minimum core is based on the [Council of Europe's Istanbul Convention on action against violence against women and domestic violence](#). Of particular relevance to financial considerations for victim/survivors is that the minimum core includes:

- A legal right to services, including financial assistance
- Support to leave (including financial) or to stay in their own home with the abuser removed
- Specialist sources of support and advice including legal and financial advice, support with employment, training or education.
- Free legal aid

A [joint statement by Scottish Government and COSLA in November 2023](#) in response to the independent review stated that actions would be included in the Equally Safe Delivery Plan (see above).

Housing (Scotland) Bill

The Housing (Scotland) Bill includes provision on domestic abuse and is therefore relevant to this inquiry. The Bill is due to complete Stage 2 by 29 May and a timetable for Stage 3 has not yet been set.

The Bill requires social landlords to have a policy which sets out how they will support tenants who are at risk of homelessness due to domestic abuse.

In exercising its functions, a social landlord must have regard to its domestic abuse policy and any guidance from the Scottish Government about the form and content of a domestic abuse policy.

The Bill requires that where the social landlord considers that a tenant has experienced, or is experiencing, domestic abuse and this explains or partly explains the rent arrears, the social landlord:

- must take such action to support the needs of the tenant arising in connection with rent arrears as the landlord considers reasonable having regard to its domestic abuse policy
- must provide the tenant with details of such other support that may be available to the tenant in relation to domestic abuse. In this context, “domestic abuse” means abusive behaviour within the meaning of section 2 of the Domestic Abuse (Protection) (Scotland) Act 2021.

The Committee’s Stage 1 report on the Housing (Scotland) Bill welcomed the proposals on domestic abuse and:

- recommended that the provisions on rent arrears should be extended to the private sector. [In reply](#) the Minister said that; “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.”
- asked for a detailed timetable for the implementation of the [Domestic Abuse Protection \(Scotland\) Act 2021](#). [In reply](#) the Minister said that 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. (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 so).
- ensure that other relevant strategies, including Equally Safe are fully aligned with the Bill. [In reply](#) the Minister said: “The Government is committed to ensuring that domestic abuse provisions within the Housing (Scotland) Bill are aligned with relevant gender-based violence policies.”

Stage 2 amendments

There has been discussion of domestic abuse during Stage 2 of the Housing (Scotland) Bill.

For some amendments, the Minister agreed to work with Members on **stage 3 amendments**. For example:

- Amendments by Katy Clark on writing off rent arrears of domestic abuse survivors.

- Amendments by Megan Gallacher on the Scottish Social Housing Charter. The Minister said he would work with the Member on a stage 3 amendment to amend s.32(1) of the Housing Scotland Act to include the needs of those experiencing domestic abuse as one of the examples of the standards and outcomes that may be set out in the Scottish Social Housing Charter. (24 April, 08.53am).

On other amendments the Minister said the issues raised would be covered in guidance. For example,

- Amendment by Katy Clark requiring a review of emergency temporary accommodation. The Minister said the issues raised would be addressed in guidance which will be developed in conjunction with stakeholders.
- Amendments by Jeremy Balfour seeking to apply further duties on private sector landlords. The Minister stated that this would be better achieved through guidance for private landlords on how to support their tenants experiencing domestic abuse. “We will also seek to strengthen the PRS pre-action protocols for rent arrears regulations in relation to domestic abuse following the passage of the Bill.” (24 April, 08.53am).

Themes for discussion

The following suggests nine themes for discussion.

Themes 1 to 5 (questions 1 to 11) are for Panel 1.

Themes 6 to 9 (questions 12 to 19) are for Panel 2.

Panel 1

Theme 1: Sources of advice and information

The Call for Views asked about the provision of advice and information. In general, respondents considered that while there had been some improvements in recent years, existing sources of advice and information were inadequate, especially with regards to how financial and economic abuse impact on common financial problems such as debt. For example, Financially Included stated:

“While we must recognise that there is an abundance of good sound advice delivery from services across Scotland, we must address the lack of tailored, specialist, trauma-informed advice and information services for women experiencing domestic abuse and other forms of gender-based violence. A significant concern is the women who are not reaching specialist services like ours.”

The Glasgow Violence Against Women Partnership said that women will, on average, need to contact up to 11 different services (17 if she is from a black and minority ethnic community) before she gets the information she needs.

These issues are compounded for disabled women (Inclusion Scotland) and older women (Age Scotland).

The submission from ASSIST said that even where services exist they can have long waiting times.

Amina-the Muslim Women's Resource Centre recommended that:

“improved awareness campaigns, clearer guidance and targeted support for survivors, especially for those with no recourse to public funds are urgently needed.”

In their submission Scottish Women's Aid discussed the lack of specialist advice:

“Outside of specialist DA services, there is very limited advice and information available relating to economic abuse, coerced debt, and financial considerations [...] Information is often England-centric and does not consider the Scottish context and/or have up-to-date information support available in Scotland.”

They refer to:

- Funding cuts across the third sector leaving ‘minimal’ provision of specialist support, information and advice, particularly in rural areas.
- Only providing information online creates barriers to access.
- Many official sources of information do not have an ‘exit safely’ button which should be a standard requirement for government websites.

Members heard from the Survivor Reference Group about difficulties in accessing advice that both dealt with the full range of relevant issues in the necessary depth and was provided in a trauma-informed way, with knowledge of financial abuse, economic abuse and coercive control. They singled out Financially Included as an exception to this, describing the project as ‘amazing’. The Committee visited Financially Included on 25 April.

In answer to a PQ by Pam Gosal, MSP ([S6W-31876](#), answered 11 December 2024) asking whether the Scottish Government ‘plans to roll out specialist, trauma-informed money advice and support for victim-survivors of financial abuse’, the Minister, Kaukab Stewart referred to:

- £600,000 over 3 ½ years to GEMAP for their Financially Included project.
- £12 million for free income maximisation, welfare and debt advice through eg Citizens Advice, Stepchange and Advice Direct Scotland.

She said that:

“At this time, therefore, we are do not plan to establish a new programme of specialist services.”

Members may wish to discuss:

- 1. What type of advice and information do victim/survivors need on the financial considerations of leaving? What would it take to ensure that this is available throughout Scotland in a trauma-informed and accessible way?**

Theme 2: Training and awareness raising

In their submission, Scottish Women’s Aid discuss the lack of understanding of economic abuse and coerced debt. They recommend:

“Scottish Government to promote awareness and understanding of economic abuse and coerced debt within local councils, housing associations and utility companies.”

This was a common theme in the responses to the Call for Views. For example, the Scottish Women’s Convention said:

“We would recommend improved, mandatory training surrounding the many facets of domestic abuse for all public sector employees.”

Respondents recommended training for:

- Frontline staff (Financially Included)
- Those working in debt collection (Financially Included/All in For Change)
- Local authority and housing association staff (Safe Lives)
- Job centre staff (Edinburgh Women’s Aid)
- Child Maintenance Service staff and all social security staff (Safe Lives)

As noted above, one of the ‘deliverables’ for Equally Safe is;

8.2 We will develop and implement a national framework that will inform an approach to trauma-informed VAWG training and workforce development across the public and the third sectors. Timescale: 2024-2026

Members may wish to discuss:

2. To what extent are 'mainstream' services aware of the impact of financial and economic abuse? Do witnesses have any examples of good practice they wish to share?
3. 'Equally Safe' includes a commitment to develop a 'national framework' for training and workforce development. Are witnesses confident that this will address financial and economic abuse and the 'cost of leaving'?

Theme 3: Housing and homelessness

There has been considerable policy work undertaken on homelessness and domestic abuse. For example, as noted above, the Housing (Scotland) Bill includes measures intended to prevent homelessness due to domestic abuse and there has been considerable discussion on the issue at Stage 2 with further amendments expected at Stage 3.

Shelter and Engender published a joint report in October 2024 on '[Gender and the Housing Emergency](#)'. The report describes how:

- Women's access to safe, secure and affordable homes is constrained by their economic inequality
- There is an urgent need to increase the supply of social homes in Scotland as a key mechanism to reduce the structural inequality experienced by women.
- Scottish Women's Aid has also evidenced the impact that a ruined credit score or rent arrears caused by their abuser can have on a woman's ability to access alternative accommodation. Homelessness services and landlords need to be more responsive and accommodating of these issues when working with women who have left or are trying to leave an abusive situation.

Emergency accommodation

One individual respondent to the Call for Views said that:

"The cost of refuge space, hotel or temporary accommodation is very expensive and 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."

In relation to emergency accommodation Scottish Women's Aid note that:

- Being ineligible for Housing Benefit makes refuge space unaffordable for those with no recourse to public funds.
- Women living in emergency accommodation can accrue and are held liable for council tax and rent arrears accumulated during their stay.

Scottish Women's Aid therefore recommend that:

“Local authorities should disregard rent or council tax arrears when providing emergency accommodation to victim-survivors and their children.”

Staying in the home

Scottish Women’s Aid refer to the emotional and financial costs of leaving the family home and say:

“the abusive partner should be made to leave the family home instead” but “victim survivors who are able to remain in their home are met with continued economic abuse from their ex-partner, which can take the form of refusing to negotiate mortgage rates, coerced debt through council tax and rent arrears, continued damage to the property.”

As noted above, Part 2 of the Domestic Abuse (Scotland) Act 2021 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 so. The landlord could then enter into a new tenancy with the victim-survivor if the abuser was the sole tenant or terminate the abuser’s interest if the tenancy was a joint tenancy with the abuser and the victim-survivor. [Part 2 is expected to come into force in December 2025.](#)

Members may wish to discuss:

- 4. What are the implications for victim/survivors of the current availability and cost of housing and refuge places? What needs to change?**
- 5. What needs to happen to make it a realistic option for the victim/survivor to stay in the home with the perpetrator leaving?**

Theme 4: Financial support

In the Call for Views, respondents discussed:

- difficulties accessing legal aid,
- the need for further flexibilities in social security, and
- the need to re-instate ‘Fund to Leave’

Legal aid

In relation to legal aid SWA say:

“Means testing in the context of DA – given that 90% of victim survivors experience financial abuse – is wholly inappropriate [...] legal aid services should be free for victim-survivors of DA.”

They also discuss how the means test for legal aid doesn't consider whether a person has access to their assets, recommending that the Scottish Government:

“Review the ‘trapped capital’ of victim-survivors who have been subjected to economic abuse to reconsider their financial eligibility for legal aid.”

The Committee will be discussing legal aid in more depth on 8 May.

Social Security

Examples of the way in which DWP social security rules take domestic abuse into account include:

- Universal Credit:
 - an ‘advance’ of up to 100% of expected entitlement.
 - ‘work related requirements’ can be suspended for 13 weeks. (26 weeks if you are the ‘responsible carer’ of a child).
 - You can apply for payments to be split into two bank accounts – known as ‘Alternative Payment Arrangement’
- Housing Benefit and Universal Credit Housing Costs can be claimed for two homes for up to 52 weeks if away from home due to fear of violence and you intend to return (4 weeks if you do not intend to return). Housing support for refugees is exempt from the Benefit Cap.
- Exemption from the ‘bedroom tax/spare room subsidy’ if you are not living at the same address as the abuser and your home has additional security installed under a ‘sanctuary scheme’ and you provide relevant evidence from someone acting in an official capacity.
- The Migrant Victims of Domestic Abuse Concession (MVDAC) enables people who have leave to enter or remain as a partner on certain immigration routes to gain access to public funds for 3 months following a relationship breakdown with their partner due to domestic abuse. In February 2024 this was extended to include victims of domestic abuse who have leave to enter or remain as the partner of a worker, student or graduate, in addition to those on spousal visas.

The DWP uses the cross-government definition of domestic abuse set out in the [Domestic Abuse Act 2021](#). This includes economic abuse which it defines as:

“any behaviour that has a substantial adverse effect on B's ability to (a)acquire, use or maintain money or other property, or (b)obtain goods or services.”

[DWP guidance \(2024\)](#) sets out the help available.

Social Security Scotland benefits include a [higher rate of Best Start Grant](#) if forced to leave home due to domestic abuse. This uses the [definition of 'abusive behaviour'](#) which is the same as set out the Domestic Abuse (Protection) (Scotland) Act 2021 which refers to: "if a reasonable person would consider the behaviour to be likely to cause person B to suffer physical or psychological harm."

For more detail on financial help available see: CPAG Scotland: '[Financial help for families fleeing domestic abuse](#).'

Counselling Services Glasgow made the following recommendations on Social Security:

- Implement split payments of Universal Credit as standard to ensure financial independence.
- Reduce or eliminate the five-week wait for Universal Credit payments for abuse survivors
- Review and adjust the Benefit Cap for survivors of domestic abuse.
- Enhance training for job centre staff to better understand and respond to the complexities of domestic abuse situations.
- Revise evidence requirements to be more flexible and trauma-informed.
- There is a role here for the Scottish Social Security System and this must be appraised, evaluated and promoted.

The Committee will be discussing social security in more depth on 15th May.

Fund to Leave

Many submissions to the inquiry praised the '[Fund to Leave](#)' and recommended it should be re-introduced and made permanent.

The £500,000 Fund to Leave was a pilot which ran from October 2023 to March 2024. It offered grants 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. Women from Scottish Women's Aid's Survivor Reference Group explained that, in Glasgow and Aberdeen the budget ran out within weeks. In December 2024, in answer to a PQ by Pam Gosal ([S6W-31878](#)), Paul McLennan, Minister for Housing said:

"The Scottish Government received the final evaluation of the fund to leave pilot from Scottish Women's Aid in August 2024. The fund to leave provided financial support to women to leave an abusive relationship, including to women experiencing financial abuse. The assessment stage is nearing completion and we hope to be in a position to set out next steps soon."

A [similar fund has been administered by Women's Aid in England and Wales](#) following a successful pilot in 2023.

Bank accounts

Surviving Economic Abuse published a report on 23 April, "[Survivor's Needs: How financial services firms can support customers experiencing economic abuse to regain financial control and rebuild their lives](#)." It stated that: "Despite efforts by some financial firms to help migrant survivors, like accepting non-standard forms of ID, a lack of clarity about who financial services firms can legally open a bank account for means vulnerable migrant victim-survivors are being left in an impossible predicament.". Legislation on this issue is reserved, and the report makes recommendations to the UK Government and Financial Conduct Authority.

Members may wish to discuss:

- 6. What were the main lessons learned from the Fund to Leave pilot? If it were to be extended, are there any changes you would recommend?**
- 7. How effective is the provision of financial support through social security for those experiencing financial or economic abuse? What changes are needed?**
- 8. What is the financial impact on victim/survivors of the current rules around Legal Aid? What needs to change?**
- 9. Given that legislation on financial services is reserved to the UK Government, what can the Scottish Government do to influence the way financial services respond to financial and economic abuse?**

Theme 5: [Equally Safe](#): Scottish Government and COSLA strategic approach.

Equally Safe sets out a high-level vision and aims:

"To work collaboratively with key partners in the public, private and third sectors to prevent and eradicate all forms of violence against women and girls."

We commit, through the implementation of this strategy, to prioritise actions which will:

- prevent VAWG before it occurs, support early intervention, build a broad and shared understanding across our society and communities of what VAWG is, how it affects those who experience it, its impact on society more generally, the scale of the problem, and what causes it – so that we can reduce the harm together
- build political, institutional, sectoral, organisational, community, and personal commitment and contribution to preventing and tackling VAWG
- hold perpetrators of VAWG to account, supporting change where possible

- deliver sustainable, informed and safe specialist and universal service responses for victim/survivors that are holistic and meet victim/ survivors' individual needs
- promote an intersectional approach to preventing, recognising, and responding to the compounding inequalities and risks that some women, children, and young people may experience as a result of their ethnicity, race, disability, age, sexual orientation, gender identity, and/or immigration status

The background information above sets out some of the 'deliverables' in the 2024 Equally Safe Delivery Plan.

In the Call for Views there was general agreement from organisations that while the Equally Safe strategy acknowledges the impacts of financial abuse, it does not go far enough. There were particular concerns that the delivery plan did not include actions to provide financial support to women who leave abusive relationships.

SWA's submission states that Scottish Government strategies:

"do not recognise economic and financial abuse and the impact they have on women and their ability to separate from an abusive partner."

Members may wish to discuss:

10. What involvement have witnesses had in the development of Equally Safe and the implementation of the delivery plan?

11. In what ways could Equally Safe better recognise 'the cost of leaving'? Are there specific actions that need to be added to the delivery plan?

Panel 2

Panel 2 focuses on 'public debt' due to rent arrears and council tax debt, housing, homelessness and local authority support for those with no recourse to public funds.

Theme 6: Debt collection practices

This theme looks at debt collection practices in relation to rent and council tax.

Call for Views

In the Call for Views respondents described how victim/survivors can accrue debt, including council tax and rent arrears due to finding new accommodation, the high cost of refuge and temporary accommodation and through abusers not paying bills for which the household is jointly liable.

The submission from All in for Change states:

“Public sector debt, such as council tax and benefit overpayments, present a big barrier for women fleeing abusive relationships. Collection methods are often aggressive, and rent and council tax arrears follow the woman when they move to a new property, compounding an already traumatic experience. Access to debt and financial advice is vital to make sure they are supported to leave the relationship. Public sector collection methods should also allow more flexibility for victims. Currently, it is not the experience of the Change Team that public bodies consider the impact of abusive relationships on debt accumulation and collection.”

Council tax debt

The debt most often discussed in the Call for Views was council tax arrears. Several organisations expressed concerns that the impact of abusive relationships was not adequately considered by local authorities when pursuing debt.

Govan Law Centre point out the discretion available to councils in England and Wales:

“the Local Government and Finance Act 1992 contains provisions for allowing local authorities to consider discretionary applications for Council Tax relief in England and Wales (s13A). However there is no equivalent of s13A in relation to Scotland. The inclusion of a similar provision for Scotland would allow Local Authorities the power to provide relief or write-offs of council tax arrears to a person who may have accrued them as a direct result of financial abuse.”

The [Scottish Government are funding](#) Citizens' Advice Scotland to work with local authorities to support good practice in Council Tax Debt. The project was previously available in nine local authorities and in March was extended to the whole of Scotland.

Social Landlords

Views were also expressed by respondents on the policies of social landlords when tenants have experienced domestic abuse.

For example Scottish Women's Convention noted that:

“a woman with unpaid housing debt would not be considered for a new home until she has put a suitable payment plan in place.”

Govan Law Centre noted that while:

“a tenant's experience of domestic abuse, and its contribution to rent arrears, can be taken into consideration as part of the court's determination of whether it is reasonable to evict a social tenant” they were concerned that it is rarely considered earlier in the process and that “few housing associations appear to take financial abuse into consideration when pursuing tenants for rent arrears and considering raising proceedings.”

On the other hand, submissions from local authorities gave examples of where domestic abuse was taken into account. For example, the submission from East Ayrshire Council said that housing services work closely with East Ayrshire Women's Aid and referred to a Housing Staff Protocol for Domestic Abuse implemented in 2020 with training “to raise awareness of housing and tenancy rights to staff supporting tenants and housing applicants experiencing domestic abuse.”

The submission from South Lanarkshire Council said:

“Where a victim of domestic abuse indicates that their situation is contributing to their arrears, advice, support and income maximisation can be put in place.”

The Chartered Institute of Housing said:

“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.”

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.”

As noted above, the **Housing (Scotland) Bill** requires that where the social landlord considers that a tenant has experienced or is experiencing domestic abuse and this explains or partly explains the rent arrears, the social landlord:

- must take such action to support the needs of the tenant arising in connection with rent arrears as the landlord considers reasonable having regard to its domestic abuse policy
- must provide the tenant with details of such other support that may be available to the tenant in relation to domestic abuse.

Suggested changes

Suggestions for change in the Call for Views included:

- Providing separate payment accounts in cases of joint tenancy and provide dual notification of shared bills (Edinburgh Women's Aid)
- Local authority debt should be written off (Inclusion Scotland)
- Fund to flee type grants should be excluded from earnings arrestment (CAS)
- Pause debt collection from one party in joint debts (Financially Included)
- Suspend debt collection for 12 to 24 months (Scottish Women's Aid), provide flexible options for payment,
- Local authorities should disregard rent or council tax arrears when providing emergency accommodation to victim-survivors and their children (Scottish Women's Aid)

Scottish Government policy on public debt collection practices

In answer to a PQ ([S6W-34434](#)) by Pam Gosal in February 2025 asking whether the Scottish Government plans to outline a comprehensive plan for reforming public debt collection practices. Although not specifically on the issue of domestic abuse, the answer sets out the Scottish Government's general approach to public debt:

“it is important to be clear on the role and responsibilities of all partners in relation to public sector debt and to recognise that local authorities have independence to make decisions particularly regarding their approach to collection of council tax arrears and school meal debt.”

[...]

Scottish Ministers have consistently encouraged public bodies to share good practice on debt assistance and collection and to show empathy and dignity when working with people struggling with debts.

[...]

The Scottish Government and COSLA recognise that there are opportunities to improve collection practices in Council Tax. The 'Joint Working Group on Council Tax Reform', which is co-chaired by COSLA, is undertaking work to encourage better practices in debt collection. This includes ensuring that

councils are furnished with the information they need to improve practices, and identify those in need of support.”

Members may wish to discuss:

- 12. The Housing (Scotland) Bill requires social landlords to take action if they think that rent arrears are linked to domestic abuse. Does there need to be similar consideration for council tax debt?**
- 13. What are witnesses views on the recommendation from Scottish Women’s Aid that “Local authorities should disregard rent or council tax arrears when providing emergency accommodation to victim-survivors and their children.”**

Theme 7: Homelessness

The [Scottish Government recognise](#) that domestic abuse is a leading cause of homelessness amongst women.

In 2020 the Scottish Government accepted in principle all 27 recommendations from the working group report “[Improving Housing Outcomes for Women and Children Experiencing Domestic Abuse](#).” These were wide-ranging covering

- Taking a human rights approach
- Developing a gendered response to domestic abuse and homelessness
- Strengthening the role of social landlords in responding to domestic abuse
- Protecting women’s and children’s rights to remain in their home
- Providing housing that meets women’s and children’s needs – covering refuges, temporary accommodation and social/affordable housing.
- No recourse to public funds -

In 2021 the [Homelessness Prevention Review Group \(PRG\) recommendations](#) included:

- people at risk of homelessness as a result of domestic abuse should be able to access free legal aid in order to obtain an exclusion order
- the definition of abuse within homelessness legislation is expanded to cover both the Protection from Abuse (Scotland) Act 2021 and the Domestic Abuse (Scotland) Act 2018
- assistance from homelessness services to prevent homelessness must include support and security measures to enable applicants to remain in their homes safely where this is their preference

- homelessness prevention services should work with other partners to ensure they are able to meet the needs of people requiring housing assistance due to domestic abuse
- local authorities support victims of domestic abuse to access exclusion orders
- when considering the suitability of accommodation offered to a perpetrator or victim of domestic abuse, consideration must be given to its proximity to the other party in the abuse
- social landlords should put in place protocols to address housing issues relating to domestic abuse.

As mentioned above, Shelter and Engender published a joint report in October 2024 on '[Gender and the Housing Emergency](#)'. The report refers to negative experiences of local authority homelessness teams and lack of suitable temporary accommodation.

- Research by Scottish Women's Aid found that local authority staff often questioned the validity of women's experiences of abuse and failed to offer safe alternatives to moving out of the family home
- Shelter Scotland services frequently see women with children housed in hotels for weeks at a time due to the lack of appropriately sized Temporary Furnished Flats (TFF) available

The **Housing (Scotland) Bill** requires social landlords to have a policy which sets out how they will support tenants who are at risk of homelessness due to domestic abuse.

The PRG Task and Finish Group's final report (2023) made the point that recommendations set out in the Improving Housing Outcomes for Women and Children Experiencing Domestic Abuse report, and the Domestic Abuse Protection (Scotland) Act 2021 must be implemented if a new approach to homelessness prevention is to be a success.

In addition, other non-legislative change is required:

"The need is not just in terms of legislation change, but 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. In both the solutions for preventing youth homelessness, as well as women's homelessness (which often includes children) arising as a result of domestic abuse, **we already know what works** - information that has already been collated across several Scottish Government and third sector documents. **We need a Scottish Government spotlight and strategy to ensure they do**

not remain only as good practice on paper, and instead plan and implement solutions in line with these.”

Members may wish to discuss:

- 14. There has been significant policy work around domestic abuse and homelessness. The homelessness prevention task and finish group said in 2023 that “we already know what works.” What is needed now, in addition to measures in the Housing (Scotland) Bill, to ensure real progress ‘on the ground’ in preventing homelessness for victim/survivors of domestic abuse?**

Theme 8: Scottish Welfare Fund and Discretionary Housing Payments

Scottish Welfare Fund Guidance

[New guidance on the Scottish Welfare Fund](#) was issued on 31 March, following a review of the fund. In relation to domestic abuse it states that:

“SWF advisors should be able to recognise and respond appropriately to support people to escape domestic abuse, this includes knowledge and understanding of what constitutes domestic abuse, including coercive control and financial abuse, and have developed good relationships and referral processes with specialist domestic abuse services such as Scottish Women’s Aid or other local organisations.”

The guidance states that decision-makers can take into account whether domestic abuse prevents someone having access to their apparent income:

“If there are other financial issues the local authority thinks should be taken into account, such as experiencing homelessness, experiencing domestic abuse, or the applicant not having access to their money for some reason (for example, relating to domestic abuse), the local authority may make the judgement that an applicant on a seemingly higher income should still be considered for a grant.”

The guidance gives a list of examples of emergencies for which living expenses can be awarded. This included: “where there is, or has been, a breakdown of relationships within the family, perhaps including domestic abuse”

Among the list of examples that might make a person more vulnerable is: “People experiencing domestic abuse and leaving an abusive relationship/partner”.

Discretionary Housing Payment (DHPs)

DHPs are available to help towards rent payments for those claiming housing costs through Housing Benefit or Universal Credit. They can be used for:

- Mitigating the 'bedroom tax' in full
- Mitigating the benefit cap as fully as possible
- Mitigating shortfalls in the amount of rent covered by Housing Benefit or Universal Credit due to the Local Housing Allowance
- Other exceptional pressures.

[Scottish guidance was issued in 2024](#) by the Scottish Government. It makes the following mentions of domestic abuse:

- To raise awareness of DHPs, within available resources, an LA may wish to consider: [...] • ensuring that domestic abuse victims who are trying to move to a place of safety through contact with external welfare organisations and refuges are supported
- A DHP can be awarded in respect of two homes when someone is treated as temporarily absent from their main home. This includes those who have fled their main home because they are a victim of domestic abuse
- You may also wish to assist certain other groups to stay in their home, for example: people who have had to flee domestic abuse [...] or people affected by domestic abuse who remain in a property which has been adapted under a sanctuary scheme

Members may wish to discuss:

- 15. How effective is the Scottish Welfare Fund as a source of emergency financial help for those experiencing domestic abuse? What are witnesses views of the new guidance?**
- 16. To what extent are Discretionary Housing Payments a useful fund to assist those leaving an abusive partner?**
- 17. What other funds are available from local authorities that could assist someone leaving an abusive partner?**

Theme 9: Support for those with No Recourse to Public Funds

The support that local authorities and social landlords can offer to those with no recourse to public funds (NRPF) is limited.

An [update](#) to the 2021 strategy Ending Destitution Together was provided by COSLA in June 2024, which noted that the next iteration of the strategy was in development.

[COSLA provides national guidance](#) for Scottish councils which describes the current legal framework and good practice to assist local authorities. This sets out how:

“People who have ‘no recourse to public funds’ (NRPF) will not be able to access most social security benefits, homelessness assistance and a local authority allocation of social housing, but in some cases may be able to receive accommodation and financial support from social services. For example, the local authority may have duties under social work legislation to support NRPF families with children, or vulnerable adults

As noted above the Migrant Victims of Domestic Abuse Concession (MVDAC) enables people who have leave to enter or remain as a partner on certain immigration routes to gain access to public funds for 3 months following a relationship breakdown with their partner due to domestic abuse. The [NRPF network describes how](#):

“MVDAC provides an essential means of accessing benefits and local authority housing assistance when a victim of domestic abuse would otherwise be left without accommodation or funds to meet their basic living needs following separation from their partner.”

In the Call for Views, Financially Included noted that:

“Whilst women with NRPF that have children are able to access destitution support via social work services, the situation for single women with NRPF and no children is bleak. They are often left with no money, no food and no safe place to sleep.”

The submission from the Glasgow Violence Against Women Partnership described the ‘Women, Destitution and NRPF Initiative’ which supported single women with no dependents subject to NRPF and not currently in the asylum system, by offering 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. To date the project has supported 34 women, and a report on the work of the project is currently in development.

A similar scheme was piloted in 2020 across the UK. The [Support for Migrant Victims Pilot](#) supported migrant victims of domestic abuse who did not have access to public funds to access safe accommodation. In Scotland, the pilot involved Shakti Women’s Aid.

Members may wish to discuss:

- 18. Social work legislation enables local authorities to support vulnerable individuals and children who have no recourse to public funds. To what extent is this used to support migrant victims of domestic abuse?**
- 19. Given the constraints of immigration law, how can the Scottish Government assist local authorities and social landlords to provide the maximum possible support to migrant victim/survivors of domestic abuse?**

SJSS/S6/25/13/2

Camilla Kidner
SPICe,
25 April 2025