

Scottish Women's Convention response
to the Criminal Justice Committee's
Consultation on:

Prevention of Domestic Abuse (Scotland) Bill



September 2025

Premise

Pam Gosal MSP is proposing a new law, which she believes will prevent domestic abuse in Scotland. This Bill will:

- Aim to introduce notification requirements for certain people convicted of domestic abuse offences.
- Give the courts the power to order an assessment of the suitability of certain people convicted of domestic abuse to take part in rehabilitation or behaviour change programmes.
- Place a data collection duty on Police Scotland, the Crown Office and Procurator Fiscal Service and charities working with victims of domestic abuse, and an annual reporting duty on the Scottish Government.
- Require schools to provide education on domestic abuse and healthy relationships as part of the curriculum.

To understand whether this Bill will be effective, the Criminal Justice Committee have released the following consultation. Views will then be collected, with relevant information considered.



The Scottish Women's Convention (SWC)

The SWC is funded to engage with women across Scotland to ensure that their views are represented in policy and decision-making processes. The SWC uses the views of women to respond to a variety of parliamentary, governmental, and organisational consultation papers at Scottish, UK and international levels.

The SWC gathers information using different methods, including roadshows, thematic conferences, surveys, and both in-person and online roundtable events. This submission presents the views of a range of women, reflecting their opinions, ideas and lived experience. Working together with many other equalities organisations and community groups, we use our broad network to ensure that women from a range of backgrounds are heard and acknowledged. We are continually reviewing innovative ways of engaging with women and developing our trauma-informed and culturally sensitive practice to support vital contributions from as many women as possible.

Notification Requirements and Monitoring of Domestic Abuse Offenders

What are your views on this proposal?

The SWC support the intent behind the Prevention of Domestic Abuse (Scotland) Bill, particularly its focus on improving public protection. The introduction of notification requirements is a positive step towards ensuring that those who pose a risk are monitored appropriately. However, we are concerned that the Bill places a significant degree of responsibility on the offender to self-report, which may undermine its overall effectiveness.

The current framework relies heavily on the assumption that offenders will voluntarily comply with notification duties, and that they will understand their obligations. This may not reflect the reality of working with individuals who have a history of non-compliance and/or manipulation. In cases where the offender is not subject to ongoing supervision, the risk of non-reporting is particularly high.

To strengthen the Bill, we recommend introducing automatic notification triggers linked to sentencing or release procedures, ensuring that the requirement is activated and recorded without relying solely on the offender's initiative. Additionally, the Bill could benefit from clearer enforcement mechanisms and inter-agency collaboration to detect and respond to non-compliance. For high-risk individuals, it may be of value to explore mandatory supervision periods to ensure that notification duties are fulfilled.

We also recommend that the Bill include more post-release monitoring tools, such as electronic tagging and foreign travel notifications. These measures alongside oversight mechanisms similar to Multi-Agency Public Protection Arrangements (MAPPA), would significantly strengthen the ability of authorities to manage ongoing risk. Their inclusion would align the Bill with best practice in offender management and ensure that high-risk or repeat offenders are subject to consistent supervision.

Reducing reliance on self-reporting and embedding stronger safeguards would enhance the Bill's ability to deliver public protection and ensure that risk is managed proactively and consistently.

Is the definition of a domestic abuse offender in Part 1 of the Bill the right one?

The definition provided is robust in relation to those convicted of domestic abuse offences. However, by only including the narrow scope of those who have been formally convicted, a significant number of individuals who pose a serious risk are likely to be excluded.

Convictions can be prevented for multiple reasons, for example, evidentiary challenges, fear of reporting, or systemic barriers within the justice system. As a result, many perpetrators are known to services – including police, social work, and third sector organisations – but fall outside of the scope of the Bill's provisions. This undermines the

Bill's preventative aims and creates gaps in public protection, particularly for victim-survivors who continue to face risk from individuals not subject to formal monitoring.

We therefore recommend that it include discretionary powers for authorities to apply certain provisions – such as notification requirements or behavioural assessments – to individuals assessed as high risk. This would allow for a flexible approach, that reflects the realities of abuse as a pattern of behaviour, not just a criminal conviction.

Additionally, the definition of a domestic abuse offender can vary by UK nation, and at an international level. It is therefore imperative that continual review occurs to ensure an evolving understanding of a domestic abuse offender. This should also encapsulate domestic abuse more generally, ensuring that all legislation relating to the proposed Bill remains relevant.

Do you think these notifications and monitoring requirements would help to improve safety for victim-survivors?

We believe that the proposed notification and monitoring requirements will likely provide a meaningful level of support and protection for victim-survivors. The proposed measures represent a step forward in recognising the complexities of domestic abuse.

However, protective orders which are imposed without requiring victim-survivors to initiate legal action can reduce safety. We are concerned that failing to notify victim-survivors may undermine the very protections these orders aim to provide. Victim-survivors must be informed when such measures are in place to ensure they can make informed decisions about safety, movements and interactions. Without this knowledge, they may unknowingly place themselves at risk or miss opportunities to access support services aligned with the protective order.

Moreover, withholding this information can be disempowering and paternalistic, potentially retraumatising victim-survivors who have often had their autonomy eroded by abuse. Respecting their right to know and participate in decisions affecting their safety is essential to a trauma-informed and rights-based approach. We therefore recommend that any protective order mechanism includes a clear and timely notification process for victim-survivors, alongside appropriate support to understand and act on the information provided.

Do you think there is other information that domestic abuse offenders should be required to notify the police of that isn't included in the Bill?

The Bill sets out a clear list of personal details that individuals convicted of domestic abuse offences must provide to Police Scotland. We would however recommend that workplace or employment information be included as a discretionary requirement. This would allow authorities to request this information, where it is relevant, to effectively enable the operation of MAPPA and risk assess.

Workplace details can be critical in cases where the offender's employment may place them near a victim-survivor's home, workplace, or child's school, or where the nature of

their job raises safe-guarding concerns. Criminal justice social workers and police can rely on this information to develop risk management plans and monitor compliance with supervision or exclusion conditions.

Making workplace information a discretionary requirement would strike a balance between privacy and proportionality, allowing authorities to request it, only, when necessary, rather than imposing a blanket obligation. This approach would enhance the flexibility and responsiveness of the notification system while ensuring that public protection remains a priority.

Do you agree with the notification periods included in the Bill or should these be different?

We welcome the introduction of notification requirements for domestic abuse offenders as a means of enhancing public safety and accountability. However, we believe that the proposed notification period – set at three times the length of the custodial sentence – requires further scrutiny.

The rationale for this multiplier is not clearly articulated in the Bill's supporting documentation, and it is unclear whether this approach adequately reflects the long-term risks posed by domestic abuse perpetrators. Domestic abuse is characterised by patterns of coercive control and repeat offending, and the impact of victim-survivors can be enduring. A notification period based solely on sentence length may not fully capture these dynamics.

Also, we note that under the Sexual Offences Act 2003, individuals convicted of sexual offences typically face a 10-year notification period for custodial sentences between six and 30 months¹. In contrast the custodial sentence for domestic abuse offences in Scotland is approximately 16 months, which would result in a notification period of around four years under the proposed Bill. This is significantly shorter than the notification period for sex offenders with similar sentences, despite the comparable seriousness and potential for ongoing risk.

We therefore recommend that the notification period be reconsidered, aligning more closely with the framework used for sex offenders. This would ensure consistency in public protection measures and better protect domestic abuse victim-survivors. Additionally, we suggest that notification periods be subject to risk-based review mechanisms, allowing for extension where ongoing concerns exist.

Risk Notifications

Do you think the provisions in the Bill will mean that more disclosures will be made under this scheme?

The proposed provisions in the Bill may enable more disclosures of domestic abuse offences, however this is difficult to say with full confidence. Similar approaches, such as those set out for sexual offences, have had some positive impacts, but there is limited

¹ UK Legislation. (2003). Sexual Offences Act 2003. Available at: <https://www.legislation.gov.uk/ukpga/2003/42/contents/scotland>

publicly available data quantifying a direct increase in the number of disclosures since their introduction.

Under Scotland's MAPPA, information about registered sex offenders can be shared with relevant third parties when necessary to protect the public. Recent legislative developments, including proposed reforms to notification requirements and the Disclosure (Scotland) Act 2020, have further strengthened the framework for managing and disclosing risk. These changes reflect a growing recognition of the importance of transparent, risk-based information sharing as a tool for safeguarding. In this context, the notification requirements proposed in the Bill should be similarly robust, ensuring that the public and potential victims are adequately protected through consistent and effective disclosure mechanisms.

Rehabilitation and Behaviour Change Programmes

What are your views on this proposal?

The SWC support the proposals surrounding rehabilitation and behaviour change programmes. Providing domestic abuse offenders with improved awareness of the harmful impact of their actions, should work to alter behaviours and attitudes. Therefore, this must be central to any strategy aimed at reducing reoffending and improving outcomes for both victim-survivors and perpetrators.

However, we are concerned that the proposals do not sufficiently address the current capacity limitations within criminal justice social work services. The success of any rehabilitative approach depends heavily on the availability of skilled staff, appropriate resources, and consistent access to evidence-based interventions. At present, many local authorities face significant challenges in meeting demand, and therefore increasing pressures may increase risk.

Without a commitment to increasing investment in criminal social work infrastructure – including workforce development and service expansion – the rehabilitative aims of the Bill may be undermined. We urge that the Bill be altered to consider how it will support the scaling up of criminal social work capacity, to ensure that rehabilitation becomes reality.

We also recommend that the implementation of the Bill be accompanied by a robust monitoring framework to assess the effectiveness of rehabilitative measures and identify any gaps in service-provision. This will be essential to ensuring that the Bill delivers meaningful change.

Can these types of programmes be effective in reducing harms?

Within Scotland the Caledonian system has shown evidence of reducing harm in cases of domestic abuse by offering a structured, court-mandated programme for those convicted, alongside support for affected women and children. Evaluations indicate that men who complete the programme demonstrate improved emotional regulation and reduced abusive behaviours, while women report feeling safer and more

supported². Its whole-system approach aligns with Scotland's Equally Safe strategy and contributes to lower reoffending rates³. However, its effectiveness is limited by availability – currently only in 19 of 32 local authorities – and by the resource-intensive nature of its delivery⁴. To maximise its impact, the programme must be expanded and adequately resourced across Scotland.

Data Collection and Reporting

Do you support this proposal?

We support the strengthening of data collection methods within the proposed Bill. Understanding who has been subject to violence and abuse is important with regards to funding allocation and service delivery. We would go on to recommend that data collection efforts include perpetrators. Understanding patterns of offending is essential for developing effective prevention strategies and risk management frameworks. Without robust data on perpetrators, opportunities to intervene earlier and tailor rehabilitation or monitoring efforts may be missed. Therefore, we recommend that perpetrator-focused data is incorporated into annual reporting requirements, ensuring a more comprehensive picture of domestic abuse across Scotland.

Is the data the Bill requires to be collected the right information that is needed?

The Prevention of Domestic Abuse (Scotland) Bill rightly recognises the importance of collecting demographic data from victim-survivors to inform policy and service delivery. However, it is a significant oversight that the Bill does not require the collection of data on all protected characteristics as defined under the Equality Act 2010. Currently, the Bill limits data collection to age, sex, disability, and ethnicity, omitting key characteristics such as sexual orientation, gender reassignment, religion or belief, pregnancy and maternity, and marriage or civil partnership.

We hold concerns surrounding these gaps as domestic abuse does not affect all groups equally. Women from LGBT+ communities, for example, may experience distinct forms of abuse and face additional barriers to accessing support. Similarly, religious or cultural contexts can shape both the experience of abuse and the response to it. Pregnant women in particular are at a heightened risk of domestic abuse, and survivors who are married or in civil partnerships may face complex legal and financial entanglements. Failing to collect data on these characteristics, increases the risk of overlooking the needs of marginalised groups.

Moreover, the omission may undermine the Public Sector Equality Duty, which requires public bodies to eliminate discrimination, advance equality of opportunity, and foster

² Scottish Government. (2016). Evaluation of the Caledonian System: Analysis of a Programme for Tackling Domestic Abuse in Scotland. Available at: <https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021-updated-2023/pages/14/>

³ Scottish Government. (2020). Equally Safe: Final Report. Available at: <https://www.gov.scot/publications/equally-safe-final-report/pages/9/>

⁴ Scottish Government. (2020). Scottish Advisory Panel on Offender Rehabilitation (SAPOR): Overview. Available at: <https://www.gov.scot/publications/scottish-advisory-panel-on-offender-rehabilitation-overview/>

good relations between different groups. Comprehensive data collection is essential to fulfilling this duty and ensuring that services are responsive to the diverse realities of those affected by domestic abuse.

To strengthen this Bill, the SWC recommends that it should be amended to include all protected characters in its definition of 'relevant' personal data. This would enable a fuller understanding of how domestic abuse impacts different communities and supports the development of equitable, evidence-based policy.

Domestic Abuse Education in Schools

What are your views on this proposal?

The Bill's inclusion of a duty on schools to provide education on domestic abuse and healthy relationships is a welcome and progressive step. Women have commonly explained that education is an effective tool in the reduction of violence against women and girls. They have made repeated calls for improved education surrounding healthy relationships and discrimination.

- "...I think education is key, not just for women and girls, but also for men and boys. You know, encouraging men to push back against this rise of misogyny and inequality."
- "[The Scottish Government should] develop learning programmes for pupils to recognise and address misogyny."

We hold some concerns however, that the Bill does not include a statutory commitment to fund this provision. Without dedicated financial support, there is a risk that implementation will be inconsistent across local authorities and schools, particularly in areas already facing resource shortages. The Scottish education system is facing considerable challenge in the current financial climate. Women have pointed to insufficient teaching staff numbers and reduced space for children with additional support needs. School staff continue to work within a challenging work environment, however, whether they would be able to take on the additional task of effective domestic abuse education is questionable.

- "...support for learning workers, they're the ones being attacked [by pupils], walk the corridors [with pupils], they're the lowest paid in the school, and they're the ones that don't get any training."
- "There is a presumption of mainstream, that means many autistic children will attend mainstream school, but the funding and wide-reaching training is not there to make sure that the school is appropriately staffed"
- "The staffing and resources and adequate funding required to tackle [violent behaviour from pupils] needs to be delivered."

Delivering high-quality, trauma-informed education on domestic abuse requires more than curriculum guidance. It demands investment in teaching training, age-appropriate resources, and ongoing professional development. Schools may also need access to

external expertise, such as third sector organisations with specialist knowledge of domestic abuse and violence. Without clear financial backing, ambitions are unlikely to be realised. Domestic abuse education must also be delivered to national standards, with statutory minimum requirements put in place. This actively prevents patchy provision, enabling young people across Scotland to receive good quality, age-appropriate learning.

Crucially, the education duty should also include a requirement to teach young people about the impact of domestic abuse – not just its definitions or forms. Children and young people need to understand how domestic abuse affects individuals, families, and communities, including its emotional, psychological, and social consequences. This helps young people build empathy and awareness, ensuring that education is not abstract, but directed by the lived reality of victim-survivors.

To strengthen this section of the Bill, we recommend a resourcing strategy or statutory commitments to funding for the implementation of this duty, alongside clear minimum standards. This would ensure that all children and young people in Scotland receive consistent, meaningful education on domestic abuse, and that schools are properly supported to respond to the complex realities that may arise from it.

At what age should this education begin?

Throughout recent discussions with women, they have been resolute in their view, that healthy relationship education should begin from a young age. Some have recommended from nursery; however, the majority believe it is required from early primary school. They have highlighted these formative years as being integral to the anti-misogyny movement, proposing that education be age-appropriate but comprehensive.

- “Change will be difficult. If [misogyny is] a learned behaviour from a young age, it’ll be extremely hard to break that...So, if you want to stop this behaviour, it has to start very young”
- “...we definitely need to start having these conversations at primary one.”

What topics should be covered to make it meaningful and inclusive?

To ensure a robust and effective understanding of domestic abuse, we propose that the underlying causes are considered – in particular misogyny. Misogyny, both overt and subtle, underpins many of the societal structures and attitudes that enable domestic abuse to persist. It manifests in cultural norms and interpersonal relationships that devalue women and girls, reinforcing power imbalances and legitimising violence.

Domestic abuse remains fuelled by the continued systemic disadvantage faced by women. Prejudicial attitudes – such as victim-blaming, minimisation of abuse, and the normalisation of male violence – create an environment where women and girls are denied the right to live free from violence. These attitudes are often deeply engrained and perpetuated through media, education, and policy, making it crucial to challenge and dismantle them through targeted intervention.

We advocate for a comprehensive approach to understanding domestic abuse through anti-misogyny education. This learning must go beyond surface-level awareness and delve into the structural and cultural factors that sustain gender inequality. By fostering critical reflection and promoting gender equity, such education can empower individuals and communities to recognise and resist misogynistic beliefs and behaviours.

Moreover, this learning must be intersectional. It is vital to acknowledge and address the multiple and overlapping layers of disadvantage that face women. Women and girls who experience racism, ableism, homophobia, transphobia, poverty, or immigration-related vulnerabilities, often face compounded risks and barriers to support. An intersectional lens ensures that responses to domestic abuse are inclusive, equitable, and sensitive to women's experiences.

In addition to addressing the structural and cultural causes of domestic abuse, it is crucial that educational efforts also encompass the growing prevalence of online harms. Digital spaces have become arenas where misogyny and abuse are perpetuated. Women and girls are disproportionately targeted by online harassment, image-based abuse, stalking, and coercive control, which can have devastating psychological and social impacts. These harms are frequently under-recognised and under-reported, yet they mirror and reinforce the same power dynamics found in offline abuse. Therefore, we propose that learning includes digital literacy and online safety, equipping young people with the tools to identify, challenge, and report abusive behaviours online.

How can we ensure this is delivered in a way that is safe and appropriate for all pupils?

The Bill should include provisions for specialist training and support for teachers and school staff, in responding to disclosures of domestic abuse by children and young people. Education on domestic abuse may prompt disclosures, and staff must be equipped to respond safely, sensitively, and in line with child protection practices. This includes understanding trauma responses, knowing how to properly escalate concerns, and being supported to manage the emotional impact of such disclosures.

Additionally, there are significant access barriers to domestic abuse support for marginalised women. Migrants and those with an insecure immigration status face particular challenge, with translation services and culturally appropriate options being severely limited. To ensure that education is delivered in a way that is safe and appropriate for all pupils, we would recommend increased consideration of cultural elements, as well as the need for translated materials.

Support for Victim-Survivors and Their Families

Do you think this Bill goes far enough in addressing the needs of people affected by domestic abuse?

No.

While the Bill introduces important measures aimed at preventing reoffending and improving the management of domestic abuse perpetrators, we hold significant concerns surrounding the complete lack of direct provisions to support victim-survivors. The current draft focuses heavily on offender management – such as notification requirements, behavioural assessments, and data collection – without addressing the urgent and ongoing needs of those who have experienced domestic abuse.

Victim-survivors often face significant barriers when fleeing abuse, including homelessness, poverty, and legal vulnerability, yet these issues are not addressed in the current proposals. The Bill provides no tangible support mechanisms for individuals affected by domestic abuse, including a lack of access to safe housing, trauma-informed counselling, financial assistance, or legal advocacy. Although the Bill proposes collecting demographic data from victim-survivors, this is primarily for statistical purposes and does not translate into service provision or enhanced protections.

In addition, we recommend that the Bill include provisions for mandatory or discretionary notification to victim-survivors, particularly in cases where the offender becomes subject to notification requirements or is released from custody. This would allow victim-survivors to take protective steps, access support, and feel reassured that monitoring is in place. Notification should be coordinated through multi-agency arrangements and offered on an opt-in basis, respecting the autonomy and safety needs of each individual. Including this measure would align the Bill with trauma-informed practice and ensure that public protection efforts are not solely focused on offender management, but also on empowering victim-survivors.

The absence of support measures risks creating a one-sided approach, where the rehabilitation of the offender is prioritised, without ensuring the safety, recovery, and empowerment of women and children harmed. To ensure a balanced and effective response to domestic abuse, the Bill should be amended or supplemented with a parallel strategy that guarantees access to support services, including housing, mental healthcare, and legal aid. It should also include funding for third sector organisations, that currently provide these supports.

What else could be included to strengthen support for victim-survivors, children, and families?

To strengthen support for victim-survivors, children, and families affected by domestic abuse, the Bill should be complemented by a robust framework of practical, trauma-informed support measures. The current draft focuses on offender management, lacking provisions which will directly address the needs of those experiencing/have experienced abuse. A more holistic approach is therefore required to ensure that safety, recovery, and long-term wellbeing of victim-survivors are centred.

Firstly, guaranteed access to safe and secure housing is integral to a domestic abuse strategy. Victim-survivors often face homelessness or housing insecurity when fleeing

abusive environments⁵, and without dedicated pathways into emergency accommodation and long-term housing, many are forced to remain in unsafe situations. This is particularly critical for families with children, who may be uprooted from schools and support networks.

- “I’m a domestic abuse worker...it’s nigh on impossible to speak to housing departments and say that someone needs to be moved as a matter of priority. It’s impossible.”

Additionally, the Bill should include funding for trauma-informed mental health services, including counselling and psychological support tailored to the needs of both adults and children. Domestic abuse has long-term emotional and developmental impacts, with recovery requiring sustained access to therapeutic care⁶. These services should be embedded within community settings and coordinated with social work and third-sector organisations.

- “I cannot emphasise enough the impact domestic abuse has. I was able to escape my abusive marriage, but I left with no money in my bank account. I have PTSD as a result of the historical and post-separation abuse, which has resulted in me losing my job. I also lost my home, so now I rely on benefits”

We would also recommend that legal advocacy and representation be strengthened. Victim-survivors often find navigating the justice system retraumatising and complicated. Measures such as automatic access to special protections in court, legal aid, and advocacy workers can significantly improve their experience and outcomes.

- “...too many women who experience rape/sexual assault/domestic violence often feel that they are traumatised by their experience in court; if the case is taken to court.”
- “I think it takes far too long for violence against women cases to get to court and that retraumatizes them.”

Moreover, the Bill should support the expansion of multi-agency partnerships, including social work, education, health, and third-sector organisations. These partnerships should be resourced to provide coordinated wraparound support for families, including early intervention and prevention work. Criminal justice social workers in particular, should be supported to work, not only with perpetrators, but also in safeguarding and supporting affected families.

Finally, we propose that provisions are made to commit long-term funding for specialist domestic abuse services, including those led by and for marginalised communities. These organisations provide culturally competent and survivor-led support that is essential for reaching those who may not engage with statutory services. Yet, many third

⁵ Scottish Women's Aid. (2020). Improving Housing Outcomes for Women and Children Experiencing Domestic Abuse. Available at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>

⁶ Scottish Women's Aid. (2016). Health and Domestic Abuse. Available at: <https://womensaid.scot/wp-content/uploads/2017/09/HealthDomesticAbuse.pdf>

sector workers face increased burn-out and vicarious trauma, resulting in staff reductions and the inevitable closure of services. Through long-term funding, domestic abuse provision can be strengthened and made sustainable.

By embedding these measures into the legislative framework, the Member can ensure that the Bill delivers meaningful change, not only in preventing reoffending, but in supporting recovery and resilience for those most affected.

Anything Else?

Do you have any other comments or concerns about the proposals in this Bill that haven't been covered?

While consulting with women in Scotland, the need for improved legislation to tackle misogynistic behaviour has been consistently raised. Many have expressed that cultural change is essential to preventing domestic abuse in the long-term. Although the Misogyny Bill is not directly part of this consultation, we note that its introduction remains a key ask from women across Scotland. Embedding such legislation alongside the Prevention of Domestic Abuse (Scotland) Bill could help address the societal attitudes that enable abuse and strengthen Scotland's overall approach to violence against women and girls.

Conclusion

Having listened to women, our three key recommendations on this topic are:

- Protective order mechanisms must include timely notification processes for victim-survivors.
- Amend the Bill to include statutory support mechanisms for victim-survivors, including housing, healthcare, and legal aid.
- Statutory financing and guidelines should be outlined in relation to preventative education.

The SWC is grateful for the opportunity to respond to the Criminal Justice Committee's Consultation on **Prevention of Domestic Abuse (Scotland) Bill**. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to this topic and its effects on women's equality.

For further information or to share your views, please contact:

Email - info@scottishwomensconvention.org

Telephone - 0141 339 4797

Website – www.scottishwomensconvention.org

Facebook, X & Instagram - @SWCwomen

