

Proposed Domestic Abuse (Prevention) (Scotland) Bill

Introduction

A proposal for a Bill to make provision for the prevention of domestic abuse and improve support for those affected, including by requiring: those convicted of offences related to domestic abuse to provide information for a register; use of this information to prevent further harm; use of rehabilitation measures in relation to offences related to domestic abuse; collation and reporting of data related to domestic abuse; and domestic abuse education in schools.

The consultation runs from 29 August 2022 to 20 November 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the Public

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).
(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Daniel Hale

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

[REDACTED]

Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

Fully supportive

Please explain the reasons for your response.

The measures set out in this consultation will plug outstanding gaps in the domestic abuse legislative

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

landscape. I believe that they will elevate the crime of domestic abuse to a new level of stigma, and the rehabilitation measures are much needed.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Legislation is required - one of the outstanding problems with the current provision of services is that there is too much variation from place to place.

Domestic Abuse Register

Q3. Which of the following best expresses your view on creating a register of those convicted of domestic abuse related offences?

Fully supportive

Please explain the reasons for your response. Please include any views you have on the list of policy details set out in bold on pages 23 and 24 of the consultation document.

This register would place domestic abuse on a par with sexual offences in terms of the stigma attached to the crime.

It would also ensure police know who is in a given area more proactively.

Rehabilitation Measures

Q4. Which of the following best expresses your view of introducing mandatory rehabilitation measures for those convicted of domestic abuse?

Fully supportive

Please explain the reasons for your response. Please include any views you have on the list of policy details set out in bold on page 26 of the consultation document.

The current Caledonian system is flawed in that it is not mandatory. There should be provision for mandatory rehabilitation measures as the current reoffending rate is too high.

Consideration should be given to making the Caledonian System mandatory in some instances, where appropriate. But overall this should be decided on a case-by-case basis - the most appropriate form of rehabilitation will depend on the circumstances and the type of abuse committed, but it should definitely be mandatory in all cases which this Bill would allow for.

Data

Q5. Which of the following best expresses your view of the proposals for data collection and reporting set out in the consultation document in bold on pages 30 and 31?

Fully supportive

Please explain the reasons for your response including what information could usefully be collated and which groups in society could most benefit from improved information on their access to domestic abuse services and support.

It is currently too difficult to access domestic abuse services for some demographics. If the government has to report on what they're doing in this area then at least they will work towards improving this over time. It remains to be seen how effective this kind of reporting would be and whether it would lead to significant improvements in services. But if they don't make improvements they will at least be accountable for this failure.

Education

Q6. Which of the following best expresses your view of introducing mandatory education in schools on domestic abuse?

Partially supportive

Please explain the reasons for your response including any comments on the issues in bold on page 32 of the consultation document.

This would likely be a very positive measure which would ensure domestic abuse awareness is increased, as is necessary.

However, very few parts of the Scottish curriculum are currently mandated in the way this Bill proposes so it remains to be seen if this could be implemented without creating consequences, such as leading to many different aspects of the curriculum becoming mandatory in all schools. There are many things which can be taught in schools which are very important, but local flexibility should be compatible with this. If domestic abuse education is made mandatory in schools, there will potentially be calls for many other things to be made mandatory and it's not clear if this would be helpful in what is otherwise a flexible education system.

Financial Implications

Q7. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some increase in costs

Please explain the reasons for your answer, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.

The register would probably create additional costs for the police to manage (but these would be quickly justified by the benefits). Everything else wouldn't necessarily add any meaningful costs.

Equalities

Q8. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

The third section should improve access to domestic abuse services for people from minority backgrounds so it would have a positive impact in this respect.
I can't see the Bill having any negative impacts on different individuals apart from perpetrators.

Sustainability

Q9. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

There should be no impact in these areas.

General

Q10. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

Overall these proposals would take a meaningful case forward in tackling this type of crime and the changes are definitely substantive enough to justify introducing new primary legislation.