



Audrey Nicoll MSP
Convener
Criminal Justice Committee
c/o Clerk to the Committee

Dr Pam Gosal MSP
9 September 2025

Dear Ms Nicoll

Prevention of Domestic Abuse (Scotland) Bill

The Non-Government Bills Unit (NGBU) has provided support to me in the preparation and drafting of the Bill. As part of that role, NGBU has carried out an Equalities Impact Assessment (EQIA) for the Bill in order to ensure that best practice has been followed and that the Bill's impact has been appropriately identified and considered. I have added my comments to the EQIA.

The EQIA is attached at the Annex for the Committee's information.

Yours sincerely,

Dr Pam Gosal MBE MSP

Equality Impact Assessment

Prevention of Domestic Abuse (Scotland) Bill	
(1) Aims of the Policy	
What is the purpose of the proposed policy?	The purpose of Prevention of Domestic Abuse (Scotland) Bill (introduced by Pam Gosal MSP) is 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 become subject to notification requirements and provide certain information to Police Scotland; 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.
What are the anticipated outcomes of the policy?	<p>The proposal seeks to prevent incidences of domestic abuse. The key measure proposed is the introduction of notification requirements akin to what is known as the ‘Sex Offender Register’ but for domestic abuse offenders, together with the sharing of this information with responsible authorities under MAPPA. The aim is to reduce re-offending, prevent further harm and protecting those around the offender, including current and future partners.</p> <p>The second part a series of rehabilitation measures in relation to offences related to domestic abuse – is also aimed at preventing future offending.</p> <p>The third measure, introducing data collation and reporting requirements, aims to ensure data gaps are addressed including in relation to victims from ethnic minorities or with disabilities.</p> <p>The final aspect of the proposal is domestic abuse education in schools.</p>
Who will be affected by the policy?	The Bill will affect domestic abuse offenders some of whom will be subject to the notification requirements and rehabilitation programmes.

	<p>Victims of domestic violence will be affected by the Bill, in some cases children, and those with protected characteristics (e.g. race and disability who have particularly experienced difficulties accessing help). It is likely given the types of offences covered by the notification scheme that the victims will largely be partners or ex partners of the offender.</p> <p>The Bill will affect a range of bodies carrying out work associated with domestic abuse offences, including Police Scotland, COPFS, Scottish Prison Service, NHS, local authorities, Parole Board, third sector organisations, rehabilitation providers, and domestic abuse education providers, among others.</p> <p>The Bill will also affect victims of domestic abuse who will be asked to provide personal data at the point of reporting a domestic abuse offence to Police Scotland, COPFS and charities. The data would be collected directly from the victim and the victim can decline to give the above data.</p> <p>The fourth measure, the provision of domestic abuse education in schools, will affect school children and education authorities and providers. The Bill provides that that a pupil may be withdrawn by their parent from any domestic abuse education provided in any school, and no pupil in any school is to be placed at any disadvantage by reason of their being withdrawn from any domestic abuse education.</p>
(2) What is known about the diverse needs of those who will be affected by the policy	
Gender* (including transgender, maternity and pregnancy)	<p>Women are more likely to be victims of domestic abuse than men. Just over four-in-five (81%) incidents of domestic abuse in 2023-24 involved a female victim and a male suspected perpetrator. This was the same as in 2021-22 and 2022-23. In 2023-24, 15% of domestic abuse incidents involved a male victim and a female suspected perpetrator (where this information was recorded). This decreased slightly from 16% in 2022-23.</p> <p>Domestic abuse: statistics recorded by the police in Scotland, 2023 to 2024 - gov.scot</p>

	<p>The gendered nature of domestic abuse is reflected in the Scottish Government's Equally Safe Strategy, which was developed in partnership with CoSLA and in association with a wide range of partners including Scottish Women's Aid and Rape Crisis Scotland alongside Police Scotland and NHS Health Scotland. It emphasises that violence against women and children, including domestic abuse, is linked with systematic gender inequality.</p> <p>A publication by the Scottish Government considered research that had taken place during the first 8 weeks of the Covid-19 lockdown in March 2020.</p> <p>Supporting documents - Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020) - gov.scot (www.gov.scot)</p> <p>The report found that domestic abuse referrals began to increase from Lesbian, Gay, Bisexual and Transgender (LGBT+) victims as lockdown progressed.</p> <p>There is limited evidence concerning the extent to which pregnant women and new mothers experience domestic abuse in Scotland. However, research quoted in the 2013 publication Scottish Government's Equality Outcomes: Pregnancy and Maternity Evidence Review found that "research highlights that pregnant women face an "increased risk of domestic abuse, with domestic abuse 'estimated to occur in 5% to 21% of pre-birth cases and in 13% to 21% of post-birth cases'" and that "evidence from Scotland and across the UK indicates that 'abuse often starts in pregnancy and gets worse when the first child is new-born'."</p>
Religion or Belief	<p>There is a lack of evidence that domestic abuse differentially affects people on the basis of their religion or belief.</p> <p>However, an Improvement Service briefing in July 2015 noted that "a recent study by the Equality and Human Rights Commission highlights that much domestic abuse is never reported, and under-reporting is a particular issue in women from religious and ethnic minority communities." Elected Member Briefing Note: Preventing and Eradicating Domestic Abuse</p>

Age*	<p>Females aged 31-35 had the highest rate per 10,000 population for victims, whereas males aged 31-35 had the highest rate for suspected perpetrators, where gender and age were known. Supporting documents - Domestic abuse: statistics recorded by the police in Scotland, 2023 to 2024 - gov.scot</p> <p>An estimated 1 in 5 (20%) of children have lived with an adult perpetrating domestic abuse. Child abuse and neglect in the UK today NSPCC Learning</p>
Disability*	<p>A publication by the Scottish Government considered research that had taken place during the first 8 weeks of the Covid-19 lockdown in March 2020.</p> <p>Supporting documents - Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020) - gov.scot (www.gov.scot)</p> <p>The report found that domestic abuse referrals began to increase from victims with disabilities as lockdown progressed.</p> <p>While there does not appear to be any Scotland-specific data available, it may be the case that disabled people are more likely to experience domestic abuse than non-disabled people. Statistics published in relation to England and Wales show that between April 2019 and March 2020 5% of non-disabled people experienced domestic abuse compared to 14% of disabled people.¹</p> <p>In 2015, Public Health England published a report on disabled people's experiences of domestic abuse. It noted that "Disabled people experience disproportionately higher rates of domestic abuse. They also experience domestic abuse for longer periods of time, and more severe and frequent abuse than non-disabled people."</p>
Ethnicity and race	<p>Within some minority ethnic communities there are significant cultural barriers which prevent victims from accessing domestic abuse services or reporting incidents of</p>

¹ [Disability and crime - Office for National Statistics \(ons.gov.uk\)](#)

	<p>domestic abuse. These barriers can range from not understanding how the system works, or a language barrier, to more complex issues such as the shame of being seen to access domestic abuse services.</p> <p>A publication by the Scottish Government considered research that had taken place during the first 8 weeks of the Covid-19 lockdown in March 2020.</p> <p><u>Supporting documents - Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020) - gov.scot (www.gov.scot)</u></p> <p>The report found that domestic abuse referrals began to increase as lockdown progressed. Two specialist Black and Minority Ethnic (BME) domestic abuse support organisations highlighted a decrease in contact from women experiencing honour-based violence and/or enforced servitude from their extended family, raising concerns that women were unable to make contact due to stricter controls on their freedoms.</p>
Sexual Orientation	<p>In 3% of recorded domestic abuse cases, the victim and suspected perpetrators were the same gender.</p> <p><u>Domestic abuse: statistics recorded by the police in Scotland, 2023 to 2024 - gov.scot</u></p> <p>A publication by the Scottish Government considered research that had taken place during the first 8 weeks of the Covid-19 lockdown in March 2020.</p> <p><u>Supporting documents - Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020) - gov.scot (www.gov.scot)</u></p> <p>The report found that domestic abuse referrals began to increase from Lesbian, Gay, Bisexual and Transgender (LGBT+) victims as lockdown progressed.</p> <p>UK research suggests that more than one in four gay men and lesbian women and more than one in three bisexual people report at least one form of domestic abuse since the age of 16. While lesbian women report similar rates of</p>

	<p>domestic abuse to that of heterosexual women, gay and bisexual men might be twice as likely to experience domestic abuse compared to heterosexual men. National statistics also suggest bisexual women are twice as likely to disclose intimate partner violence compared to heterosexual women. Myths and stereotypes about abuse among LGBT+ people Galop</p>
Marriage and Civil Partnership	<p>Almost half (49%) of domestic abuse incidents recorded by Police Scotland were between current partners in 2023-24. Half (50%) of incidents recorded by Police Scotland were between ex-partners. Domestic abuse: statistics recorded by the police in Scotland, 2023 to 2024 - gov.scot</p> <p>38% of female homicide victims were most likely to be killed by a partner or ex-partner in Scotland. Supporting documents - Homicide in Scotland 2023-24 - gov.scot</p> <p>According to the most current UK figures, the UK 2021 Femicide Census Report – 67(52%) women killed by men in 2021 were killed by a current or former intimate partner. The average between 2009 and the end of 2021 is 60%. 2021-Femicide-Census-Report.pdf</p> <p>According to the UK 2021 Femicide Census Report – 33 women (52% of those killed by intimate partner/former partner) were taking steps towards leaving or had left the relationship. 2021-Femicide-Census-Report.pdf</p>
(3) Is there enough information to help understand the needs and/or experiences of those affected by the policy	
Gender* (including transgender, maternity and pregnancy)	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
Religion or Belief	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
Age*	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
Disability*	Yes, enough information is available to understand the needs and experiences of those affected by the policy.

Ethnicity and race	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
Sexual Orientation	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
Marriage and Civil Partnership	Yes, enough information is available to understand the needs and experiences of those affected by the policy.
If not, what other information is required	None
(4) What does the information given say about how the policy might impact positively and negatively on different groups	
Gender* (including transgender, maternity and pregnancy)	<p>It is evident that women are more likely to be victims of domestic abuse and would therefore be more likely to benefit from the proposed Bill.</p> <p>There are not expected to be any negative impacts on people of any gender as a result of the Bill.</p>
Religion or Belief	<p>The policy is that prevention of domestic abuse will have a positive impact on all people, regardless of their religion and belief.</p> <p>There are not expected to be any negative impacts on people of any religion or belief as a result of the Bill.</p>
Age*	<p>The policy is that prevention of domestic abuse will have a positive impact on all people, particularly those affected by domestic abuse.</p> <p>The Bill includes adjustments to provisions taking into account the age of those affected by the provisions.</p> <p>Part 1: provisions for offenders under 18 years old</p> <p>Under Part 1 of the Bill with regards to the notification period, where an adult would be subject to the notification requirements for a determinate period as a result of imprisonment, that period will be halved in the case of an offender who is under 18 at the time of conviction. For example, a domestic abuse offender who is under 18 at the time of conviction and sentenced to 12 months imprisonment</p>

	<p>would be subject to the notification requirements for 1 year and 6 months.</p> <p>Under Part 1 of the Bill, the date of discharge will depend on the age of the relevant domestic abuse offender on the date of conviction. It will either be 15 years (for those domestic abuse offenders who are 18 or older) or 6 years (for under 18s) after the date of conviction disregarding any time spent on remand, in custody, detention, imprisonment or abroad.</p> <p>Part 4: domestic abuse education in schools The purpose of this part of the Bill is to ensure that young people are educated about domestic abuse. The Bill provides for flexibility to choose whether or not participation in domestic abuse education is suitable and appropriate for the individual pupil, depending on their circumstances.</p> <p>In addition, the Policy Memorandum which accompanies the Bill contains a statement of compatibility under section 23(1) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 statement on UNCRC. Pam Gosal MSP states that in her view the Bill as a whole further embeds UNCRC requirements.</p> <p>There are not expected to be any negative impacts on people of any age as a result of the Bill.</p>
Disability*	<p>People with a disability appear to be both at greater risk of experiencing domestic abuse and they would therefore be more likely to benefit from the proposed bill.</p> <p>Part 3 of the Bill introduces a statutory duty on Police Scotland, COPFS and charities to request data from victims and record the data received in relation to offences involving domestic abuse. The data is to be provided by victims on a voluntary basis, they may decline to provide any of the data requested. Section 20 sets out the data to be collated including whether they have a disability, and their ethnic origin.</p> <p>There are not expected to be any negative impacts on disabled people a result of the policy.</p>

<p>Ethnicity and race</p>	<p>The policy is that prevention of domestic abuse will have a positive impact on all people, regardless of their ethnicity and race.</p> <p>Part 3 of the Bill introduces a statutory duty on Police Scotland, COPFS and charities to request data from victims and record the data received in relation to offences involving domestic abuse. The data is to be provided by victims on a voluntary basis, they may decline to provide any of the data requested. Section 20 sets out the data to be collated including whether they have a disability, and their ethnic origin.</p> <p>There are not expected to be any negative impacts on people of any ethnicity or race as a result of the Bill.</p>
<p>Sexual Orientation</p>	<p>The policy is that prevention of domestic abuse will have a positive impact on all people, regardless of their sexual orientation.</p> <p>There are not expected to be any negative impacts on people of any sexual orientation as a result of the Bill.</p>
<p>Marriage and Civil Partnership</p>	<p>The policy is that prevention of domestic abuse will have a positive impact on all people, regardless of their marriage or civil partnership status.</p> <p>There are not expected to be any negative impacts on people of any marriage or civil partnership status as a result of the Bill.</p>
<p>Completed by the Non-Government Bills Unit: 15 August 2025</p>	

*Although not a protected characteristic, carers should be given specific consideration in this category (e.g. the potential impact on those who care for older people).

Member's Comment on NGBU's Equalities Impact Assessment	
Evidence gaps identified	Evidence gaps identified will be addressed by the provisions of the bill
<p>Member's comment:</p> <p>For example, the extent of incidences of domestic abuse going unreported, especially amongst ethnic minority communities remains unclear. A Scottish Government study during the Coronavirus pandemic found that two specialist BME domestic abuse support organisations highlighted a decrease in contact from women experiencing honour-based violence and/or enforced servitude, raising concerns that women were unable to make contact due to stricter controls on their freedoms.</p> <p>While this is evidence to suggest less reporting in these communities, the extent of this is not apparent from the current data available to us.</p>	
Adverse impacts identified	None
<p>Member's comment:</p> <p>No adverse impacts identified. The Bill aims to address evidence gaps, like the one I outline above, by increasing the availability of data including around domestic abuse reporting in minority communities.</p>	
Completed by Dr Pam Gosal MBE MSP on 18 August 2025	