

PARLIAMENTARY BUREAU

REFERRAL OF DRAFT PROPOSAL FOR THE DOMESTIC ABUSE (PREVENTION) (SCOTLAND) BILL

1. A draft proposal for a Domestic Abuse (Prevention) (Scotland) Bill was lodged on 23 August 2022 by Pam Gosal MSP.
2. The proposal is 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.
3. The draft proposal is accompanied by a consultation document which runs from 29 August 2022 to 20 November 2022.
4. In terms of Standing Orders (Rule 9.14.5) the Parliamentary Bureau is required to refer the draft proposal to a committee (or committees) within whose remit the subject matters falls.
5. This referral is for information only – there is no expectation that the committee will scrutinise or report on the draft proposal at this stage.
6. The proposal falls within the remit of a number of committees.

Committee	Remit and relevance
Criminal Justice Committee	<p>To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Veterans, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.</p> <p>The Cabinet Secretary's responsibilities include law courts and sentencing, the justice system and criminal law procedure, violence reduction and reducing reoffending.</p> <p>The Cabinet Secretary is supported by the Minister Community Safety, whose responsibilities include a strategic approach to women in the justice system and violence against women.</p> <p>The proposal's central aim is to require those</p>

	<p>convicted of offences related to domestic abuse to provide information to populate a new domestic abuse register. The rehabilitation measures proposed would also impact on the current arrangements for sentencing and associated conditions.</p>
<p>Social Justice and Social Security Committee</p>	<p>To consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice, Housing and Local Government, excluding matters relating to local government, housing and planning.</p> <p>The Cabinet Secretary's responsibilities include tackling inequalities and violence against women and girls and domestic violence.</p> <p>Policies in the proposed bill are aimed at protecting victims and potential victims of domestic abuse, including women and girls.</p>

7. As this is a bill with numerous policy strands, there are a number of other committees with remits which are engaged to a degree. The Equalities, Human Rights and Civil Justice Committee's remit is engaged, including because the proposal would require the Scottish Government to assess the level of support available for groups with particular protected characteristics, including their access to domestic abuse services. Finally, the Education, Children and Young People Committee's remit is engaged, including in relation to the policy for mandatory school education on domestic abuse.
8. It is considered that the Criminal Justice Committee has the greatest interest of these committees. It is recommended that the Bureau refer the proposal to the other committees for information only.

Recommendation

9. The Bureau is invited to refer the draft proposal on Domestic Abuse (Prevention) (Scotland) Bill to the Criminal Justice Committee.