



The Scottish Parliament  
Pàrlamaid na h-Alba

## Finance and Constitution Committee

### Introduction

The deadline for the Finance and Constitution Committee's call for evidence on the Domestic Abuse (Scotland) Bill's Financial Memorandum (FM) passed recently and a total of 16 responses were received. These are available on the [Committee's webpage here](#). The Committee took oral evidence from the Scottish Government's Bill team on 31 May 2017 and you can access the [Official Report here](#).

A number of submissions highlighted that there is a relatively high level of uncertainty in terms of providing an exact estimate of the costs of introducing the proposed offence.

### Criminal Payback Order

A number of local authorities raised concerns about the estimates used for the cost of Criminal Payback Orders (CPO's). Dumfries and Galloway Council said "the stated cost of a Community Payback Order (CPO) is an average figure based on a 2014/15 report. Domestic Abuse CPOs require more time and resources than average CPOs and therefore the estimated figure needs to be above the average." The City of Edinburgh Council echoed this view, stating "the FM does not take account of the fact that the cost of a Caledonian Community Payback Order will be significantly more than the average cost of a CPO."

The Committee asked the Scottish Government's Bill Team whether they accepted the general principle that CPO's for domestic abuse tend to be more expensive to deliver than CPO's in general. The Bill Team commented that the "The work that was done in 2014-15 on the average cost of a CPO obviously covered a lot of CPOs relating to domestic abuse cases. I am not aware of work that shows explicitly that the cost of a CPO that relates to a domestic abuse case is higher than the cost of other CPOs, so I cannot confirm what you have said." The Lead Committee may wish to seek further information on this aspect.

### Criminal Justice Social Work Reports

Dumfries and Galloway Council stated that "the cost of the production of Criminal Justice Social Work Reports (CSJW) is not reflected in the costing exercise at all" explaining that "CJSW Reports on domestic abuse cases are more resource intensive than most other reports because of the complexity and additional work required to ensure safety of partners and children and therefore the unit cost of these is higher." Aberdeenshire Council, City of Edinburgh Council, North Ayrshire Council

and South Lanarkshire Council all raised concerns about a possible increase in demand for Social Work services.

The Scottish Government's Bill Team told us that "we accept, however, that criminal justice social inquiry reports would be a direct cost. If the court asks for a report when someone has been convicted and is awaiting sentence, criminal justice social work has to provide it and we estimate approximately 650 additional convictions a year, so we accept that that is a gap in the financial memorandum." The Lead Committee may wish to seek further information on the costing of this aspect and the impact it might have on local authorities.

### **Impact on other services**

Aberdeenshire Council stated that cost implications for services outwith the criminal justice department, "namely Domestic Abuse and Children and Families Services" had not been considered.

North Ayrshire Council said that for every domestic abuse case where there are children present, there are a range of protection issues that need to be considered.

Stirling Council, North Ayrshire Council and City of Edinburgh Council raised concerns about possible impacts on Housing and Homelessness services. North Ayrshire Council said "much of the work we do locally within North Ayrshire particularly when supporting victims of abuse and their children also relates to Home Security initiatives and Housing Options all of which have associated costs to the Council."

At the Committee's oral evidence session the Scottish Government responded saying "with respect to some of the other issues that have been raised about housing support for victims of domestic abuse and so on, we acknowledge that the bill might have some impact, but those costs are more indirect. We are not directly legislating to provide for that support and we hope that the creation of the new offence will, in due course, lead to less domestic abuse taking place. Although we accept and acknowledge the comments that, as the convener indicated, some, but not all local authorities have made about indirect costs, we are not entirely convinced that it would be appropriate to put indirect cost estimates in the financial memorandum..."

### **Impact on third sector organisations**

Scottish Borders Violence Against Women Partnership (SBVAWP), Scottish Women's Aid and Victim Support Scotland noted a likely increase in referrals and requests for support. Scottish Women's Aid highlighted increased requests for refuge accommodation and direct support for women and children, resulting in "increased pressure on local Women's Aid groups already strained resources." SBVAWP noted that "this will potentially increase the number of referrals to specialist domestic abuse services, and increase the length of time that victims may require support, thus having an impact on capacity of specialist services, both in the statutory and voluntary sector."

The Scottish Government's Bill Team said "Ministers will keep under review the funding arrangements for third sector organisations. They will look at a range of

factors, and any new pressures that may arise indirectly as a result of the bill will be factored into future spending reviews and budget processes.”

### **Savings**

Both Highland Violence Against Women Partnership (HVAWP) and Scottish Women’s Aid noted the possibility for savings, particularly in the long term. HVAWP said that by “increasing capability to hold domestic abuse perpetrators to account we may reduce subsequent offending behaviours and reduce the significant impact that domestic abuse can have on the lives of those who experience it and their children.” HVAWP went on to suggest that savings to the public purse were likely, “particularly in the areas of children and families social work, mental health, sexual health, substance misuse, child & adolescent mental health, maternity services, child health services and housing.”

Scottish Women’s Aid said “so it may well be that any additional costs in one part of the system will be balanced out by savings in another.”

The Lead Committee may wish to consider the above information along with the submissions in its evidence session with the Minister in charge of the Bill.