



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### AGENDA

**34th Meeting, 2020 (Session 5)**

**Tuesday 22 December 2020**

The Committee will meet at 9.30 am in a virtual meeting and be broadcast on [www.scottishparliament.tv](http://www.scottishparliament.tv).

1. **Domestic Abuse (Protection) (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Tam Baillie, Vice Chair, CPCScotland;

Dr Marsha Scott, Chief Executive Officer, Scottish Women's Aid;

Lyndsay Monaghan, Solicitor, Scottish Women's Rights Centre;

and then from—

Gillian Mawdsley, Secretary to the Criminal law Committee, Law Society of Scotland;

Detective Chief Superintendent Samantha McCluskey, Head of Public Protection, Specialist Crime Division, Police Scotland;

Joan Tranent, Vice-chair of the Social Work Scotland Children and Families Standing Committee, Social Work Scotland;

Professor Mandy Burton, Professor of Socio-Legal Studies, University of Leicester;

and then from—

Paul Short, Homelessness Manager, Fife Council, Association of Local Authority Chief Housing Officers;

Callum Chomczuk, Director, Chartered Institute of Housing;

Garry Burns, Communication and Engagement Manager, Homeless Action Scotland;

Stacey Dingwall, Senior Policy Manager, Scottish Federation of Housing Associations.

2. **Domestic Abuse (Protection) (Scotland) Bill (in private):** The Committee will review the evidence heard earlier in the meeting.

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The papers for this meeting are as follows—

**Agenda item 1**

Paper from the Clerk

J/S5/20/34/1

(Paper to follow)

J/S5/20/34/2(P)

**Justice Committee**

**34th Meeting, 2020 (Session 5), Tuesday, 22 December 2020**

**Domestic Abuse (Protection) (Scotland) Bill**

**Paper from the Clerk**

**Introduction**

1. The Domestic Abuse (Protection) (Scotland) Bill (“the Bill”) was introduced by the Cabinet Secretary for Justice on 2 October 2020. The Bill and accompanying documents can be found [here](#).
2. According to the Scottish Government the provisions of the Bill are intended to improve the protections available for people who are at risk of domestic abuse, particularly where they are living with the perpetrator of the abuse.
3. The [Policy Memorandum](#) states that the Bill will do this by providing courts with a new power to make a Domestic Abuse Protection Order (“DAPO”) which can impose requirements and prohibitions on a suspected perpetrator of domestic abuse, including removing them from a home they share with a person at risk and prohibiting them from contacting or otherwise abusing the person at risk while the order is in effect.
4. The Bill will also provide a power for the police, where necessary, to impose a very short-term Domestic Abuse Protection Notice (“DAPN”) ahead of applying to the court for a full order.
5. The Bill is also intended to help improve the immediate and longer-term housing outcomes of domestic abuse victims who live in social housing, including by helping to avoid homelessness.
6. The Bill will do this by creating a new ground on which a social landlord can apply to the court to end the tenancy of the perpetrator with a view to transferring it to the victim of domestic abuse or end the perpetrator’s interest in the tenancy where the perpetrator and victim are joint tenants, and enable the victim to remain in the family home.

**Approach to Stage 1 consideration**

7. The Committee agreed to begin taking Stage 1 oral evidence on the Bill on Tuesday 15 December by hearing from the officials of the Scottish Government Bill team. Stage 1 scrutiny of the Bill will continue during December and January 2021.

**Oral evidence**

8. To date, the Committee has taken oral evidence on the Bill on 15 December from the Scottish Government Bill Team.

9. At its meeting on 22 December, the Committee will continue taking oral evidence on the Bill by hearing from three panels of witnesses. They are—

- Tam Baillie, Vice Chair, CPCScotland, Dr Marsha Scott, Chief Executive Officer, Scottish Women's Aid and Lyndsay Monaghan, Solicitor, Scottish Women's Rights Centre;
- Gillian Mawdsley, Secretary to the Criminal law Committee, Law Society of Scotland, Detective Sam McCluskey of Police Scotland, Joan Tranent, Vice-chair of the Social Work Scotland Children and Families Standing Committee, Social Work Scotland, and Professor Mandy Burton, Professor of Socio-Legal Studies, University of Leicester;
- Paul Short, Homelessness Manager, Fife Council, Association of Local Authority Chief Housing Officers, Callum Chomczuk, Director, Chartered Institute of Housing, Garry Burns, Communication and Engagement Manger, Homeless Action Scotland and Stacey Dingwall, Senior Policy Manager, Scottish Federation of Housing Associations.

10. Following this evidence session, the Committee will consider the evidence received as part of the Stage 1 scrutiny of the Bill.

11. This evidence session will be a virtual session with Members and witnesses participating via live video conferencing. Members of the public can watch the evidence session live on [Scottish Parliament TV](#) from 9:30 am on Tuesday 22 December.

12. Following the evidence session, the Committee will consider the evidence received as part of the Stage 1 scrutiny of the Bill.

### **Written evidence**

13. Written submissions received by the Committee in response to its call for views on the Bill are available [here](#).

14. A SPICe briefing setting out the key issues in the Bill is also available [here](#).

### **Next steps**

15. At its next meeting on Tuesday 12 January 2021, the Committee will continue its Stage 1 scrutiny and will hear from the Cabinet Secretary for Justice.

**Justice Clerks  
17 December 2020**