



# The Salvation Army

Response to the Consultation by  
Pam Gosal MSP on a proposed bill to  
prevent Domestic Abuse

## About You

*This response is submitted by The Salvation Army, which has over 150 years of experience of working with families and of providing services to the community, often dealing with vulnerable groups. The response draws upon the experience of professional staff working in our Homelessness Services and in the Safeguarding Department.*

*I am content for this response to be published and attributed to The Salvation Army*

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### Data protection declaration

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

## Your views on the proposal

### 1. Which of the following best expresses your view of the proposed Bill?

Please note that this question is compulsory.

**Partially supportive**

Please explain the reasons for your response.

*The Salvation Army agrees that there is a need to take measures to protect individuals from domestic violence. We suggest that more work needs to be done to clarify the purpose of the proposed Register and evaluate the effectiveness of mandatory rehabilitation measures. The Salvation Army agrees that including domestic violence in the education curriculum could be an effective measure, while data collection is vital to evaluating the impact of any measures and providing evidence for further development of measures.*

### 2. Do you think legislation is required, or are there are other ways in which the proposed Bill's aims could be achieved more effectively?

Please explain the reasons for your response.

*While The Salvation Army believes that legislation can play an important role in restraining undesirable conduct and providing support for changes in cultural and individual attitudes, we have some reservations regarding some of the proposed measures, as explained below, and we believe that further reflection is appropriate before proceeding to legislate on these aspects of the proposed bill.*

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

**Partially 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 this document.

*The Salvation Army supports measures to enhance robust management of domestic abuse perpetrators, protect victims, ensure that the risk of reoffending is reduced and prevent its occurrence. However, the purpose of the register is not clear from the proposal. Further details are needed of how the proposed register relates to the provision of the Disclosure Scheme for Domestic Abuse Scotland for police to inform people at risk, how it*

*relates to the MAPPA and VISOR processes, and the connection to the SOR if the offences are connected. Given that DSDAS, MAPPA and VISOR already fulfil the functions of a register, it is not clear what advantage is gained by the proposed register.*

*In addition, while the proposed register duplicates the functions of the Sex Offenders Register and mirrors the arrangements of the Sexual Offences Act 2003, and is therefore modelled on a successful parallel, we suggest that there are significant differences. The Salvation Army suggests that the following points require further attention to develop an effective bill:*

*The criteria for inclusion in the register;*

*Would stalking offences be included?*

*Would revenge porn, voyeurism offences etc. within a domestic context, as indicators of potential domestic abuse, be included?*

*If emotional abuse is to be included, how will this be defined?*

*Would 'relevant information' from other sources (eg. children's social work) meet the threshold for inclusion on the register?*

*The scope of the register:*

*Would it apply only to those convicted under the Domestic Abuse (Scotland) Act 2018? Would stalking offences be included?*

*Would it be backdated to include Domestic Abuse offences (or Domestic Abuse indicators under previous legislation) predating the register?*

*Would perpetrators of Domestic Abuse who are under 18 be included?*

*What would impact would there be on listing (ie. Adults and children's lists?)*

*Would it apply to Domestic Abuse offenders convicted in England and Wales?*

*How would it work for perpetrators convicted in Scotland but living in England/Wales?*

*The arrangements for review:*

*Who would be responsible for updating and reviewing the register?*

*How often would records be reviewed?*

*What criteria would be used to determine if an offender should be removed from the register (eg. type of offence, length of time with no further offences, progress reports from rehabilitation programmes)?*

*How long would someone be on the Domestic Abuse register? Similar to Sex Offenders Register? (2, 5, 7, 10 years or indefinitely)?*

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

**Partially 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 this document.**

*The Salvation Army believes in rehabilitation and agrees that a reworking of the "Caledonian system" to expand its geographical extension, widen its scope beyond anger management, create a long-term system to monitor behaviour and progress, and provide targeted support for abusers (both during and after prison sentences) could be a significant step forward. As it stands, however, the proposal does not provide strong evidence in favour of A) the effectiveness of anger management interventions with domestic abusers, and B) evidence of the effectiveness of mandated interventions.*

*On point A, the research cited by the proposal is of dubious relevance. The dissertation thesis in question examined the beliefs of anger management professionals who provided*

*mandated courses on the effectiveness of anger management interventions. It did not look specifically at domestic abuse perpetrators and anger management is only one aspect of domestic abuse, which involves a more complex set of issues. The evidence for anger management interventions for domestic abuse perpetrators is weak. Domestic abuse perpetrators are often expert at controlling their anger and teaching them new ways to do so could prove counterproductive.*

*On point B, The Salvation Army agrees that generally it would be better for a perpetrator to engage in rehabilitation interventions. However, making an intervention mandatory introduces another dynamic and evidence in favour of mandatory interventions is not strong (see **Court-Mandated Interventions for Individuals Convicted of Domestic Violence - Feder - 2008 - Campbell Systematic Reviews - Wiley Online Library**). There is reason to believe that in the case of a recalcitrant domestic abuser, a mandatory course could have little to no positive impact and ‘coercive counselling’ could make things worse.*

*The Salvation Army would be concerned if mandated treatment came to be viewed within the criminal justice system as an alternative to incarceration or an alternative to longer sentences for serious offenders. Such courses could be manipulated by perpetrators to give the impression that they have rehabilitated (there are examples of this in the Prevent Channel, which is voluntary, and the research cited above would suggest that similar examples would be found under a mandatory system). While rehabilitation is crucial, the proposals here need revisiting.*

**5. Which of the following best expresses your view of the proposals for data collection and reporting set out in this 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.**

*The Salvation Army recognises the importance of evidence-based interventions and seeks to collect data to evaluate and develop its own programmes in working with vulnerable individuals. We are therefore broadly supportive of the proposals for data collection.*

*We suggest that reporting should be annual rather than every two years and should collect data relating to the categories of: age, ethnic origin, sex, sexual orientation and religious belief.*

*If participation in rehabilitation programmes is voluntary (as we suggest above) rather than mandatory, it will be particularly important to collect data on the uptake of services and support in the specific groups, and of outcomes and progress.*

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

**Fully supportive**

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

*The Salvation Army believes that while legislation can play an important role in restraining inappropriate conduct, real change is ultimately achieved by changing*

attitudes. Education has a vital role to play in this process, and we support the proposals for the topic of domestic violence to be included in the education curriculum.

In particular, The Salvation Army proposes that:

*Domestic abuse be dealt with in the context of a wider healthy living and relationships curriculum where all aspects of relationships both positive and negative are explored, including living with people living with addiction etc and how their behaviour impacts on others;*

*Domestic abuse should be a recurring topic in the curriculum (rather than a one-off session) and be delivered at various stages from primary to secondary (in age-appropriate forms);*

*Domestic abuse should be a compulsory element of the curriculum in both local authority and private schools, and be mandatory for all students to ensure that perpetrators cannot withdraw their children;*

*Provision be made for trained professionals to provide support to any child disclosing that they or family members have been subjected to domestic abuse.*

**7. 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?**

**a significant 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.**

*As the consultation document recognises (p.32ff) over 33000 domestic abuse charges were recorded in 2020-21, as opposed to circa 6000 sex offenders on the register or in prison. It therefore seems likely that setting up and running a Register and implementing a reporting system would lead to a significant increase in administrative costs. The proposal to introduce domestic abuse as a topic in the education curriculum would also require increased investment (as recognised in the consultation document).*

*However, these initial costs would probably be offset by long-term savings as money spent on prevention, education and raising awareness will save in resources used to address issues over time.*

**8. 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?**

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

*We believe that legislation in this area could be beneficial, supporting and making provision for certain groups: women, vulnerable adults, people in 'closed' communities, people in certain groupings who are more isolated, people whose first language is not English, migrants who are new to the community and haven't had the opportunity to build up supporting environments or have a small or very limited support network. This would also support children and elderly adults who often feel they have no voice*

*This legislation could also assist with breaking down stigma around reporting of incidents of domestic abuse as the legislation would highlight that such acts are not acceptable and, in fact, against the law.*

*Hopefully this legislation would also lead to there being more support for those subject to domestic abuse - in a consistent and country wide approach.*

*Care must be taken to avoid possible negative consequences for those reporting domestic abuse by providing trauma informed support, guidance, assistance and a place of safety.*

**9. 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**

*The proposed bill adopts a holistic approach to the well-being of citizens, which is likely to have a beneficial effect on the economy. The proposals regarding education are welcome and could encourage those being abused to seek help.*

**10. 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)?**

*No comment.*