

# Justice Secretary comments on domestic abuse figures

## **Police dealt with just over 60,000 incidents in 2018-19**

Justice Secretary Humza Yousaf has responded to official statistics showing police recorded 60,641 incidents of domestic abuse in 2018-19 – a 2% rise on the previous year.

Levels of domestic abuse recorded by police in Scotland have remained relatively stable since 2011-12, with around 58,000 to 61,000 incidents each year, according to the latest annual bulletin published by Scotland's Chief Statistician.

In 2018-19, 41% of incidents of domestic abuse recorded by the police in Scotland included the recording of at least one crime or offence. Where gender information was recorded, around four out of every five incidents had a female victim and a male accused.



## **Cabinet Secretary for Justice Humza Yousaf said:**

“Domestic abuse exacts a terrible toll on victims and often causes much wider harms, such as impacting on children’s safety and well-being within the family home.

“While these figures are for the year before our domestic abuse laws came into force, the passage of that legislation in 2018 alongside Police Scotland’s ‘Every 9 minutes’ campaign, helped raise awareness of this insidious crime and its many facets and encouraged people to report their experiences.

“Domestic abuse is neither acceptable nor inevitable. We must work collectively – as parents, friends, co-workers and legislators – to bring an end to this blight on society, address underlying attitudes that enable it to persist, call out those who dismiss or minimise its impact, and ensure that perpetrators are dealt with robustly and effectively.”

## **Background**

A statistical news release, linking to the full statistical publication, can be accessed at:

<https://news.gov.scot/news/domestic-abuse-recorded-by-the-police-in-scotland-2018-19>

In February 2018 the Scottish Parliament passed ground-breaking legislation

criminalising psychological domestic abuse and coercive and controlling behaviour, which was brought into force in April 2019. The Domestic Abuse Act provides for prison sentences of up to 14 years and is the only UK legislation with a specific statutory sentencing aggravation to reflect the harm that can be caused to children growing up in an environment where domestic abuse takes place. The Act also requires courts to consider imposing a Non-Harassment Order on an offender convicted of a domestic abuse offence to protect their victim from further abuse and makes a number of other reforms to criminal procedure to protect victims.

The Scottish Government has rolled out the Caledonian System – an accredited, two-year court-mandated, behaviour change programme for men convicted of domestic abuse offences. Around 75% of Scotland’s population now live in local authorities with access to the programme. An evaluation published in 2016 found that women felt safer as a result of a partner or ex-partner undertaking the programme, while men who had completed it posed a lower risk to their families.

The Scottish Government is also supporting the development of the ‘Safe and Together’ framework for partnering with parents experiencing domestic abuse and intervening with perpetrators to enhance the safety and wellbeing of children. Funding has been provided to support work by the Improvement Service and the Safe and Together Institute UK Lead to promote Safe and Together and build momentum at a national and local level.

The Scottish Government has also announced plans to give police and the courts new powers to remove suspected domestic abusers from the homes of victims or others at risk for a period of time, without the need for the person at risk to make an application to the court themselves, through legislation to be introduced during the current Parliamentary session that ends in June 2021.

The Scottish Government supports a range of projects to prevent gender-based violence, including Mentors in Violence Prevention, a bystander programme delivered in schools which aims to empower young people to safely challenge and speak out against bullying, abusive and violent behaviour, as well as the negative attitudes and assumptions which underpin this behaviour.

Official statistics are produced by professionally independent statistical staff – more information on the standards of official statistics in Scotland can be accessed at: <http://www.scotland.gov.uk/Topics/Statistics/About>

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# The year in review

## ***Justice Secretary Humza Yousaf reflects on some key milestones of 2019.***

As 2019 draws to a close I want to express my thanks to everyone working across Scotland's justice system – many of them through the festive holiday period – whether in law enforcement, the legal profession, prisons, social work or among community safety partners in the public and third sectors.

On a daily basis these many tens of thousands of people are working to help build a safer, just and resilient Scotland.

In my first full year as Justice Secretary I continued to meet victims of crime to hear from them about how we can continue improving the public's experience of the justice system.

Strongly allied to that is a firm focus on crime trends and identifying how to prevent criminality and reoffending in order to [continue reducing the number of victims](#) – down from one-in-five Scots adults in 2008-09 to one-in-eight in 2017-18.

Prevention begins long before anyone comes into the criminal justice system, with key partnerships across public services and the third sector for example in family support, education, employability, social work and housing.

### **Cashback for Communities**

<https://webarchive.nrscotland.gov.uk/20220419012405/https://twitter.com/ScotGovJustice/status/1142114958731333634>

A key project in my justice portfolio is Cashback for Communities which reinvests seized criminal assets into projects to support young people, in some cases diverting them away from potentially anti-social or even criminal behaviour.

CashBack provides opportunities to raise the attainment, ambition and aspirations of young people, many of them living in our most disadvantaged communities.

Cashback's Phase Five, which [opened for bids in May](#), will take total investment to almost £110 million since the programme began in 2008, with funding allocations for 2020 to be announced early in the new year.

### **Police – serving a changing Scotland**

Police Scotland continues to adapt to the changing nature of crime and of society – whether that's tackling sexual crimes, successfully disrupting [organised crime groups](#) and [traffickers](#), or strengthening its response to people in mental health distress.

This year the Scottish Government provided [dedicated funding to roll out new mobile technology](#), allowing officers to spend more time in communities.

In March the Parliament's Justice Committee recognised significant achievements since Police Scotland's creation in 2013, including new national capabilities and improvements in how rape and sexual crimes are investigated.

## **Domestic Abuse Act**

This year a new domestic abuse law came into force in Scotland, recognising psychological harm, as well as physical harm, as an offence.

The means that abusers engaging in patterns of coercive and controlling behaviour can be punished by law. [#16days#EquallySafe pic.twitter.com/5DjMpyKaci](#)

– ScotGov Justice (@ScotGovJustice) [November 28, 2019](#)

Police Scotland has also undertaken a huge amount of work – including delivering [training](#) to more than 10,000 officers, and developing online training for all of its workforce – for the [successful implementation and enforcement of new domestic abuse laws](#).

Hailed by campaigners as a “landmark piece of legislation,” the Domestic Abuse Act [came into force in April](#), making coercive and controlling behaviour a specific offence. The Act also recognises children as victims of domestic abuse.

In October, the First Minister [announced proposals](#) to give police and courts new powers to remove suspected domestic abusers from the homes of victims or others at risk.

In 2020 I will continue working with colleagues across government to [tackle gender-based violence](#) and strengthen support for survivors.

## **Children and the justice system**

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In just a few weeks, child witnesses in the most serious cases will be able to have their evidence pre-recorded ahead of jury trials, reducing the potential for re-traumatisation in court. The change is part of our [Vulnerable Witnesses Act, passed by Parliament in May](#).

This year we have also made progress [towards introducing the Barnahus concept](#)

[to Scotland](#). A consultation on the draft standards will be published in the new year.

And in September, the Minister for Community Safety introduced the [Children Bill](#), which aims to ensure the child's interests are at the centre of every family law case.

### **Improving support for victims**

2019 was marked by a number of important developments for victims, driven forward by the work of the [Victims Taskforce](#) which I established just over a year ago.

In July, I joined Victim Support Scotland to launch a [new service for families bereaved by crime](#). Developed by VSS with Scottish Government funding, it ensures families have a dedicated support worker and will reduce the number of times they have to re-tell their story to get essential support.

The Health Secretary recently introduced important legislation in the Parliament which, if passed, will [improve access to healthcare services for rape and sexual assault survivors](#), allowing self-referral for forensic examination and establishing clear rights for victims to know what will happen with evidence taken from them.

This year we also consulted on [widening the scope of victim statements](#), introduced a [new surcharge on offenders](#) to fund victim support work, and commissioned a major study into [repeat victimisation](#) to help tackle violence wherever it persists.

### **Scottish Jury Research**

Today we have published major research into how juries in Scotland make decisions in criminal trials.

We will now engage with the legal profession, third sector and public to consider whether changes are needed to the system.

Read more:

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In October we published research into jury decision making in Scotland's unique system. Nearly 1,000 people took part in the research, which found that the size of the jury, the number of verdicts available and the type of majority required can all have an effect on the outcome of finely balanced cases.

How our system operates in practice has a significant and long-lasting effect on people's lives, particularly those accused or a victim of crime. This research will allow us, for the first time, to have a nationwide discussion informed by the evidence and consider whether changes are needed.

## **Reducing Reoffending**

A key part of our work to keep crime down and continue reducing victimisation rates is to challenge and support people with convictions to turn their lives around and contribute positively to their families and communities.

In June National Statistics showed [Scotland's reconviction rate remains at its lowest level since records began](#). Our firm focus on prevention and rehabilitation in both custody and the community is working, with the reconviction rate remaining at its lowest level in 20 years.

People released from a short prison sentence of 12 months or less were reconvicted nearly twice as often than those sentenced to serve community payback orders.

## **Sentencing and management of offenders**

MSPs have voted to extend Scotland's presumption against ineffective short prison sentences, up to 12 months or less – to promote more effective community-based disposals that better address offending and support rehabilitation. <https://webarchive.nrsotland.gov.uk/20220419012405/>  
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– ScotGov Justice (@ScotGovJustice) [June 26, 2019](#)

Short prison sentences are disruptive and counterproductive so it was a significant moment, also in June, when Parliament voted to [extend the presumption against short prison sentences](#) to 12 months or less.

In doing so we are asking judges to give serious consideration to community alternatives that prioritise rehabilitation and use custody as a last resort.

Many people given short prison sentences have complex needs that contribute to offending behaviour. Rather than removing what stability they have from family, housing or a job, they can often be helped in the community to tackle the root causes of those problems. In so doing they avoid the revolving door of prison – where, rightly, those who commit the most serious crimes and pose a risk of harm, are detained.

This year Parliament also passed our [Management of Offenders Act](#) to allow greater use of electronic monitoring to support rehabilitation in the community while better protecting victims. I also established a national community justice leadership group to drive further progress.

Ultimately, by adopting smart justice approach to penal policy, we can continue to prevent reoffending and so contribute to keeping crime down and communities safe.

These are some of the highlights of the last 12 months, and among the issues that I will continue taking forward in 2020.

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#### **Cashback for Communities**

We have committed over £100m to [@CashBackScot](#) – to invest seized criminal assets in Scotland's young people, especially those from disadvantaged communities. 🌐🇬🇧👍

Just one week left to apply for Phase 5 funding 🙌  
<https://t.co/pqoGoTcOUM#CashBack@FoundationCFC>  
<pic.twitter.com/JQ1av02h9F>

– ScotGov Justice (@ScotGovJustice) [June 21, 2019](#)

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– ScotGov Justice (@ScotGovJustice) [September 3, 2019](#)

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✖ This festive season Police Scotland Youth Volunteers (PSYV) in West Dunbartonshire have been working tirelessly to build strong, friendly relationships with their vulnerable neighbours, to help keep them safe and secure.

The PSYV programme aims to strengthen the relationship with the police and young people, breaking down barriers and promoting positive role models.

John from Police Scotland Youth Volunteers tells us more about the work they have been undertaking this year to help keep our communities safe.

*The youth volunteers fully understand that in this modern age the elderly population are challenged on a daily basis with health, technology and modern living where they grew up in 'simpler' times with no internet, online banking or mobile phones.*

*The youth volunteers are fully aware that because our vulnerable neighbours struggle with a life of fake news, online fraud and telephone scams they are more likely to become a victim of such despicable crimes. As a result, the PSYV groups have commenced a program to support as many vulnerable residents as they can.*

*This program started a few months ago where a leaflet drop was coordinated by the police in order to raise the awareness surrounding bogus callers, while highlighting the latest tactics used to swindle cash from a potential victim.*

*Police find that these criminals tend to befriend the victim by stating that they are there to help with a problem that is not there in the first place. Once the deception has been committed and the criminal has their trust, it often ends up in heartache and misery which is difficult to overcome.*

*During this leaflet drop, our advice was simple. We informed residents to think before committing and to speak to a trusted friend before any decisions were made.*

*During the last couple of weeks, the youth volunteers had been on their travels where they spent some 'festive' time with local residents of independent living.*

*This was a valuable opportunity for the youths to provide positive community spirit given that loneliness and poor mental health can be a major factor for many, especially at this time of year.*

*"We wanted to provide some cheer, especially around this time of year," one of the volunteers observed, while another said "I know that some of the residents might be feeling lonely and I just wanted to come along and provide some company".*

*As a result, the volunteers came along in their numbers and sang carols with the residents, served tea and mince pies, listened to music and chatted about life in general whilst providing that all important safety message.*

*One of the residents stated that she "loved the visit and it was great to see so many energetic, enthusiastic and considerate youths come along and spend some time with them".*

*The next step on this journey for the PSYV youths in West*

*Dunbartonshire is to provide a simple gardening service to vulnerable residents during the spring time.*

*The coordinator and his team know that this is a time when rogue traders tend to start plying their 'incredible offers' upon the unsuspecting public. We want to show the community that these offers tend to be a rip-off and that maintaining someone's lawn, needn't cost a great deal of money.*

Read more about the PSYV, including information for anyone interested in becoming a Youth or Adult Volunteer, on the [Police Scotland website](#).

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