

Domestic Abuse Policy



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1 Background

- 1.1 The four local Registered Social Landlords, Berwickshire Housing Association, Eildon Housing Association, Scottish Borders Housing Association and Waverley Housing in conjunction with our key strategic partner Scottish Borders Council are committed to a unified approach to domestic abuse – prevention and response – as reflected in this shared policy which is accompanied by a suite of shared procedures.
- 1.2 Each organisation is committed to preventing and alleviating domestic abuse, its impact and cost, in the broadest sense through working with other organisations and by collaborative and individual practice to ensure that individuals and any family members including children, experiencing domestic abuse, receive timely and consistent assistance, information and advice on housing options.
- 1.3 The organisations will ensure that this Policy links with other key policies including Allocations, Anti-Social Behaviour, local and national strategies on homelessness to ensure best practice is demonstrated in the prevention, management, and promotion of access to specialist services by appropriate signposting.
- 1.4 Each organisation are committed to treating domestic abuse seriously, to providing a supportive and enabling environment which encourages people to seek support for their experience of domestic abuse, including reporting to the police; to taking a multi-agency approach in holding perpetrators accountable for their actions; to working co-operatively to enable households experiencing domestic abuse to access a range of housing options, advice and information and support options in line with their needs; to being sensitive to the diverse needs of victims, (including children), considering their age, disability, gender, race or ethnicity, religion or belief, or sexual orientation.

2 Purpose

- 2.1 The purpose of this policy is to clearly describe the principles on which the Borders Housing Network base our actions as Registered Social Landlords to respond to individuals and where applicable their families, applicants, Tenants, and members of their household experiencing domestic abuse.
- 2.2 The Policy aims:
 - To prevent homelessness and address the housing needs of victims of domestic abuse and their children.
 - To intervene effectively with Tenants who perpetrate domestic abuse.
 - To ensure that through a unified approach, appropriate sustainable housing solutions are provided as far as practically possible, contributing to ensuring that violence and abuse are not tolerated and that the Scottish Borders is a safe place for all in which to live.
 - To enable effective signposting to specialist support services for all victims of domestic abuse and their children.
 - To provide clarity on the housing and related options available to those experiencing domestic abuse and to those who have perpetrated it.

- To work in partnership with other organisations to create a supportive environment which encourages people to report domestic abuse and to assist in ensuring a joined up holistic response when this happens.
- To support and enable staff to effectively respond to victims of domestic abuse.

3 Definition

3.1 The nationally agreed definition of domestic abuse is:

‘Domestic abuse (as gender-based abuse) can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate woman and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family or friends).’

4 Scottish Social Housing Charter

4.1 The policy seeks to achieve the following regulatory requirement contained in the Scottish Social Housing Charter:

Charter Outcome	
1: Equalities	“Social landlords perform all aspects of their housing services so that: They support the right to adequate housing; and Every Tenant and other customer have their individual needs recognised, are treated fairly and with respect, and receive fair access to housing and housing services.”
7/8/9: Housing Options	“Social landlords work together to ensure that: People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them; and Tenants and people on housing lists can review housing options. Social landlords have a role to prevent homelessness and should ensure that: People at risk of losing their homes get advice and information on preventing homelessness.”
10: Access to Social Housing	“Social landlords ensure that: People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.”
11: Tenancy Sustainment	“Social landlords ensure that: Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.”

5 Prevention

- 5.1 The Prevention of domestic abuse, with its impact, on individuals, children, families and, communities and as a significant cause of homelessness is integral to this unified policy.
- 5.2 We will engage with others in awareness raising campaigns which seek to challenge attitudes and promote gender equality.
- 5.3 We will make all new Tenants aware of this policy including the consequences for perpetrators and support for survivors.
- 5.4 We will promote our approach to all customers through our websites and customer newsletters.
- 5.5 We will require all employees and contractors to report any concerns to the relevant reportable Officer (as defined by each RSL).

6 Multi-Agency Working

- 6.1 Each organisation recognises the importance of working with other agencies to make sure a co-ordinated approach is taken for the benefit of those experiencing and affected by domestic abuse.
- 6.2 Research suggests that a significant number of those experiencing domestic abuse do not report it to anyone. However, they may still, for other reasons, come into contact with a wide range of service providers, including teachers, the police, courts, health professionals and social services. It is vital to the success of local strategies that these agencies are open to the possibility of domestic abuse and be as approachable and accessible as possible so that victims can be given appropriate support.
- 6.3 We will take steps to enter into planned partnership working with the following organisations to co-operate in assisting victims of domestic abuse:
 - Organisations providing specialist domestic abuse support and advice.
 - Police (DSDAS).
 - Fire Service.
 - Organisations providing advice on health, housing advice and substance misuse.
 - Victim Support.
 - Organisations providing more general advice services.
- 6.4 We will work in partnership with specialist support providers to ensure that there are clear referral routes, and our staff will support a victim's engagement with the receiving agency.
- 6.5 Training will be provided for our frontline employees on the services provided by these specialist support agencies, and how to supportively engage victims with these services.

7 Confidentiality, Information Sharing and the Disclosure Scheme

- 7.1 Each organisation is committed to maintaining the highest standards of confidentiality/information sharing and risk management to ensure the safety and wellbeing of both victims/children and staff in accordance with the Data Protection Act and GDPR.
- 7.2 Any information disclosed should be treated in the strictest confidence. Integral to this, the health, safety, and wellbeing of the victim will be paramount, and staff must not pass on or share information, including tenancy related matters with any third parties, irrespective of their stated relationship with the victim, except in circumstances where the victim has given written consent.
- 7.3 In exceptional circumstances, where the health and safety of an individual is at risk, including children, and it is not feasible to obtain the individual's consent then information that would normally be considered confidential may be passed on to appropriate agencies. It would be reasonable to disclose information if:
- The victim is considered at risk.
 - A vulnerable adult is considered at risk.
 - A child is considered at risk.
 - A member of staff is at risk.
 - Information about the perpetrator could reduce risk.
- 7.4 In all circumstances where a child is considered to be at risk of harm, staff will comply with the local Child Protection Guidelines.
- 7.5 In all circumstances where an adult is considered to be at risk of harm, staff will comply with the local Adult Protection Guidelines.
- 7.6 The Disclosure Scheme for Domestic Abuse Scotland (DSDAS) was rolled out nationally on 1st October 2015 and aimed at tackling and preventing domestic abuse.
- 7.7 The scheme has two main pathways for disclosure:
- The 'Right to Ask' element, whereby an individual can ask if their partner has a history of domestic abuse and the 'Power to Tell' which is generated by Police and partners.
 - The Power to Tell gives Police the power to disclose information to a person they feel may be at risk in their current relationship. A Power to Tell application can be created by any police officer or partner agency who is in receipt of intelligence or information about an individual which indicates their domestic history may present a risk to an identified partner. The responsibility for generating a submission lies with us all. As agencies with differing interactions and engagement with individuals, we are all in receipt of varying levels of information which is not always necessarily shared across each organisation.
- 7.8 Officers or partner agencies who wish to make a Power To tell application should complete the online form available on the Police Scotland Website.
- 7.9 When a Power to Tell application has been agreed as an appropriate course of action, information requests are sent to partner agencies and other Policing Divisions to collate any information held. An assessment is made from the information gathered as to whether a Concern is highlighted and if the application

is to proceed to a multi-agency decision making forum (DMF). This forum will decide whether a disclosure will be made or not.

- 7.10 Disclosures will be made to the applicant by Police and agencies best placed to safeguard the individual at risk and will always be conducted in conjunction with advocacy services. All disclosures made allow individuals to assess the threat and risk their relationship represents to them and any children/wider family and allows for an informed decision as to whether to continue in the relationship.
- 7.11 Queries can be made via the online form or by the designated email: LothianScotBordersDAIUEast@scotland.police.uk.

8 Supportive First Point of Contact

- 8.1 Staff will enquire as to the person's experiences in their relationship to make sure they receive the right help and support.
- 8.2 Staff will know about the services available locally to support people who experience or perpetrate domestic violence or abuse and how to make a referral, whilst being aware of the potential impact of equality and diversity issues.
- 8.3 Consideration will be given to the type of support needed, both immediately and longer term.

9 Housing Options and Preventing Homelessness

- 9.1 Staff will explore a range of options with domestic abuse victims:
- Supporting victims and survivors to transfer tenancies into their name.
 - Making effective use of management transfers so victims can make planned moves and avoid homelessness.
 - Providing security measures to the home.
 - Supporting victims and survivors to access specialist support.
 - Supporting victims and survivors to access legal advice and representation.
 - Rehousing the perpetrator.
 - Providing general financial support.
- 9.2 All the above should be considered. The aim of this policy is to ensure choice and options for victims of domestic abuse and their children.
- 9.3 Where the victim and survivor of domestic abuse chooses to leave their existing home, each organisation recognises that a collaborative approach is the most client centred and outcome focussed.
- 9.4 Each organisation will consider whether they have suitable alternative accommodation available within a reasonable timescale that may prevent the need for temporary accommodation and/or the requirement for a formal statutory assessment.
- 9.5 Scottish Borders Council will determine whether or not advice and assistance, or formal statutory homeless assessment is required in any given circumstance.
- 9.6 A range of emergency accommodation is available for people experiencing domestic abuse who require an urgent move away from their current accommodation.

10 Rehousing

- 10.1 Applications for housing are received by housing associations from people wishing to be housed or who wish to be transferred to alternative accommodation for a number of reasons. This section outlines how staff will respond in terms of applicants experiencing domestic abuse.
- 10.2 The circumstances of applicants who experience domestic abuse will be varied. Staff will recognise that a victim may not feel strong enough to leave the abuser imminently and that the safest option for them may be to remain in their home – leaving is a process.
- 10.3 Victims of domestic abuse may request that correspondence relating to their application be sent to a care of address. Where this is the case staff must ensure that the form is clearly marked showing this and must respect the need for sensitively handling the application.
- 10.4 Victims of domestic abuse, who make their applications in person, must be treated appropriately and as with other applicants, interviewed in private. Where possible interviews should be conducted by members of staff of the same gender if desired.
- 10.5 Victims of domestic abuse who require emergency accommodation should be assisted to contact other services e.g. Homelessness Services, Social Work, and Border Women’s Aid.
- 10.6 Referrals where appropriate, will be made to support staff for both assistance in making an application and sustaining a tenancy once an allocation is made. This is in recognition that domestic abuse victims are looking for housing assistance at a difficult time and are particularly vulnerable.
- 10.7 Referrals will be made for assistance in making claims for benefits and other financial advice and assistance as appropriate.
- 10.8 Victims of domestic abuse may not wish to be visited at home and where this is the case, office interviews must be arranged. Where home visits are carried out staff must be mindful of personal safety issues and make joint visits when deemed necessary.
- 10.9 When making offers of alternative accommodation to victims of domestic abuse it is essential for staff to be mindful of adhering to the confidentiality to ensure that victim’s forwarding addresses cannot be traced.
- 10.10 Offers of re-housing will require to be risk assessed in relation to the previous circumstances of the individual and any family and to the whereabouts of the perpetrator where known.

11 Remaining in the Home

- 11.1 The disruption and wide-ranging costs – financial, emotional, social, caused by having to move can be greatly reduced where victims are able to remain in their homes safely and the perpetrator excluded/re-housed.

- 11.2 Consideration will be given to the use of exclusion orders to enable those experiencing domestic abuse to remain in their home and exclude an abusive partner.
- 11.3 A coordinated approach will be taken involving housing associations, Police and Fire Services, following a risk-based approach to enable and support those who have experienced domestic abuse to remain at home, with additional safety measures in place.
- 11.4 Housing associations will consider what action they can take to maximize the safety of an individual and their family where appropriate. This may include additional work to the property to assist in making it more secure such as changing locks, provision of an emergency alarm, etc.

12 Action that will be taken against Perpetrators

- 12.1 Each organisation shall ensure that we are consistent in our remedies and actions against perpetrators of domestic abuse within our tenancies, we will:
- Ensure that tenancy agreements state that domestic abuse will be treated as a breach of tenancy that could lead to eviction.
 - Include information in tenancy handbooks, newsletters, websites on the action you will take against perpetrators.
 - Take a victim-centred approach to support any legal or other action necessary to transfer a tenancy to the victim and rehouse a perpetrator.
 - Ensure that our response to a perpetrator does not place a victim at increased risk or blame the victim for a perpetrator's behaviour.
 - Ensure that staff are appropriately trained and have good working relationships with specialist domestic abuse services and an appropriate level of training.
 - Support police with any required preventative steps or otherwise appropriate action.
- 12.2 Whilst legislative provisions from the Domestic Abuse (Protection) (Scotland) Act 2021 remain unacted at the time of drafting the policy. Each organisation is committed to implementation once brought into force. This will include legal mechanisms to end and transfer joint tenancies.
- 12.3 This provision was a key part of the Domestic Abuse (Protection) (Scotland) Act 2021 but is yet to be brought into force. The Scottish Government is currently developing the necessary secondary legislation and guidance and is working with the Scottish Court Service to develop changes to court rules and forms. The provisions aren't expected to come into force until late 2023.
- 12.4 The provisions on ending interest in sole and joint tenancies, contained in Part 2 of the Act, are explained in the Act's Explanatory Notes here
- 12.5 In summary, the main factors to note are:
- For tenants who have engaged in abusive behaviour, a new ground (para 15A of Schedule 2) has been inserted into the 2001 Act to enable recovery action to be taken against the perpetrator.

- Where the perpetrator is the sole named tenant, recovery action must be accompanied by the intention to offer the tenancy to the person who has suffered the abuse.
- Where the perpetrator is one of the joint tenants, the landlord will have the power to apply to remove that person from the tenancy, leaving the other joint tenant in the tenancy.
- The new ground defines the perpetrator to be either a spouse or former spouse, or civil partner or former civil partner, or a person with whom the abused person has lived with in the house to which the tenancy relates as if a spouse, for a period of at least six months in the twelve months prior to the proceedings being raised. This can include intermittent periods that amount to six months in total within the last twelve months.
- Landlords will be required to give the perpetrator, as well as any qualifying occupier, advice, and assistance regarding alternative accommodation. This advice and assistance must be provided as soon as is reasonably practicable after raising the proceedings.
- In using any of these powers and duties, landlords must have regard to any guidance produced by the Scottish Government. This guidance must be the subject of consultation with the sector.

13 Legal Rights and Options

13.1 **Appendix 2** sets out the legislative context relating to domestic abuse.

13.2 Each organisation is committed to ensuring that staff are knowledgeable about the options available including interdict and exclusions orders and to ensuring that these are fully explored.

13.3 Where someone feels unsafe in their home and would prefer their spouse/partner does not live in the property with them then they can apply to the court for an interdict or exclusion order.

13.4 Legal Aid may be available, and victims will be directed to seek legal advice and/or support from the Police Domestic Abuse Liaison Officer.

13.5 An interdict can:

- Restrain or prohibit conduct by one spouse against the other or any of their children.
- Prohibit one spouse from entering or remaining in the matrimonial home or in a specified area around the matrimonial home.
- Stop a partner/ex-partner making other forms of unwelcome contact such as phoning, texting, or emailing or doing other things, for example taking items from the victim's home, where evidence of such harassment is available.

13.6 The court can also attach power of arrest provided an application has been made. For couples who are not married they can still apply to the court for an interdict with powers of arrest to prevent their partner from harassing them.

13.7 An exclusion order can:

- Remove the person causing risk from the property.

14 Staff Training and Development

14.1 It is essential that staff have the requisite awareness and training to recognise the difficulties facing those experiencing domestic abuse and to provide the necessary information and assistance. Domestic abuse is often hidden and unreported. Staff need to be alert to domestic abuse, when considering reports of neighbour nuisance and antisocial behaviour, repair requests, rent/arrears management, allocations, and homelessness presentations.

14.2 There will be mandatory training on domestic abuse for all staff who come into contact with customers and all staff who are responsible for implementing this policy which will cover:

- This policy and related procedures.
- Relevant legislation.
- The services available from other agencies to support those experiencing domestic abuse.
- Understanding the survivor experience.
- Personal safety measures.
- Supporting victims of domestic abuse and their children to provide feedback on their experiences of service provision, and encouraging, where appropriate survivors to contribute to service policy and procedure reviews.

15 Risk Management

15.1 Each organisation is committed to ensuring that staff are confident and competent in responding to the potential, perceived or real risks associated with domestic abuse.

15.2 This Policy recognises that a major barrier to women leaving an abusive partner is that it can be extremely dangerous. Women and children are at most risk of serious harm when separating from an abusive partner.

15.3 Domestic abuse does not stop when a woman ends a relationship and/or leaves: abuse, stalking and harassment continue and often escalate. It may seem counter-intuitive, but it is often safer for women to stay in a situation in which abuse occurs, but which is more predictable and in which they have some (albeit limited) agency.

15.4 The victim themselves are often best placed to understand the risk to them and their children. A victim's assessment of her safety balances several factors:

- The knowledge of the perpetrator's behaviour
- Their likely reaction
- The law's ability to protect the victims from that reaction.

15.5 The Policy recognises that supporting victims of domestic abuse can be stressful and can impact on staff members. This Policy fully supports the use of support and supervision for staff who may require to access additional support.

- 15.6 All frontline staff and designated frontline operatives are trained to identify and assess risk factors relevant to domestic abuse. All staff will be trained in the Referral Flowchart contained in **Appendix 1**, and supported to make effective, timely referrals where appropriate.
- 15.7 When a member of our teams identify risk, a specific domestic abuse housing pathway will provide them a process to follow so they can deal with the risk according to the level of risk and the immediacy of the situation.
- 15.8 All relevant staff are trained to work within child protection and adult protection policies and procedures as specified within the Public Protection Committee learning resource.
- 15.9 Multi-Agency Risk Assessment Conference (MARAC) is confidential, regular, local meetings where information about domestic abuse victims at risk of the most serious levels of harm (including murder) are shared between representatives from local agencies (with BHN representation across all four housing associations) to inform a coordinated action plan to increase the safety of the victim and their children and reduce risk. Local authority housing/homeless services are members of MARACs and provide housing responses/solutions.

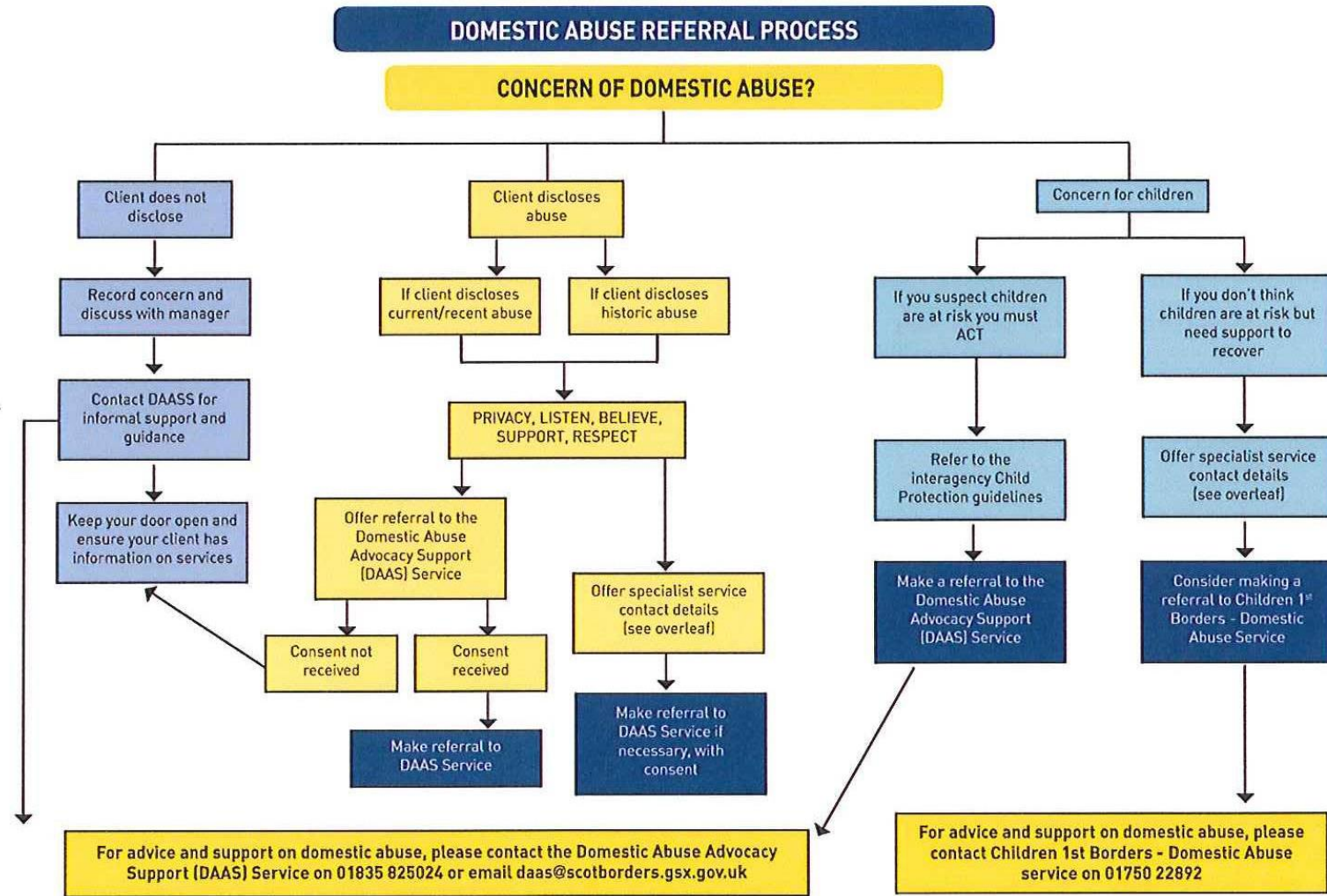
16 Equalities

- 16.1 The policy recognises the vulnerability of victims of domestic abuse and their children. It aims to ensure that individual needs are identified, and victims of domestic abuse are treated fairly and with respect and services are delivered that recognise and meet those needs, including the receipt of fair access to housing and services.
- 16.2 Research shows that domestic abuse is most commonly experienced by women and perpetrated by men, however, this Policy recognises that domestic abuse also occurs in other circumstances, for example, same sex relationships, women against men and from other family members. This policy also recognises victims with protected characteristics including disabled woman, BME woman.

17 Monitoring, Evaluation and Review

- 17.1 Each organisation is committed to monitoring and evaluating the effectiveness of this unified policy using a range of measures and performance indicators, specific to each provider.
- 17.2 This information will be shared with strategic partnerships to provide evidence, data, and feedback on the coordinated, community approach to addressing domestic abuse in the Scottish Borders.
- 17.3 Additionally, service user feedback will be gathered to inform changes to policy and practice.
- 17.4 This policy will be reviewed every 3 years or earlier due to changes in law, regulation, best practice, or requirements of any of the organisations.

Appendix 1 Referral Pathways



For further information on understanding and identifying domestic abuse please visit www.scotborders.gov.uk/domesticabuse

Appendix 2 Legislative Context

1 Matrimonial Homes Act 1981 This Act was introduced because of the acknowledged injustice of the Homelessness faced by women who had been put out of the family home or who were seeking security from the violence of their partner and to afford protection to cohabiting couples The main functions of the Act are:

- To give wives/husbands who are not the owners or tenants of the matrimonial home, the right to live in the home.
- To give the courts the power to transfer the tenancy of the family home from one partner to another.
- To increase legal protection against domestic abuse by means of exclusion orders and interdicts with powers of arrest.

2 Transfer of tenancy under the Matrimonial Homes Act 1981

Section 13 of the Matrimonial Homes Act 1981 gives spouses and co-habitants with occupancy rights the right to apply to the court for a transfer of tenancy.

Where spouses or co-habitants are joint tenants, either may apply to the Court to become a sole tenant. A copy of the application to transfer must be served on the landlord and the Court must give the landlord the opportunity to be heard on the transfer application. Where the original tenancy was a joint tenancy, the former joint tenants remain jointly and severally liable for any arrears accumulated before the order. This means that either spouse/co-habitant can be obliged to repay the entire amount.

For a married couple, the Court may transfer a tenancy at any time during the marriage or upon granting a decree for divorce from one spouse to the other even if they were not originally joint tenants. Again, a copy of the application to transfer must be served on the landlord and the court must give the landlord the opportunity to be heard on the transfer application. The Section 13 order makes it clear that the new tenant will assume all the liabilities of the tenancy agreement other than the former sole tenant's rent arrears. These arrears remain with the former tenant.

The above transfer of tenancy under the Matrimonial Homes Act 1981 does not end the occupancy rights of husband or wife or civil partner. Once the tenancy is transferred, the former entitled husband or wife or civil partner will continue to have occupancy rights in the matrimonial home unless the transfer is granted on divorce or dissolution.

This Act also created 'exclusion' orders which exclude an abusive spouse from the family home, even if that spouse is the legal owner or tenant and 'matrimonial' interdicts with a new statutory power of arrest. However interdicts under this Act terminated on divorce (a time when protection might be most needed) and provided no protection for same-sex or unmarried couples.

In order to put/keep him/her out of the home, the new tenant should apply for an exclusion order together with the transfer of tenancy. However, for a co-habitant, when a transfer of tenancy takes place the occupancy rights of the partner cease immediately. The partner would need to apply to the court to have occupancy rights granted if they wanted to stay or get back into the home.

For a married couple, the Court may transfer a tenancy at any time during the marriage or upon granting decree for divorce. A copy of the application to transfer has to be served on the landlord and the Court must give the landlord the opportunity to be heard in the transfer application. Civil Partnership Act (2004) replicated the provisions of the 1981 Act for civil partners.

- 3 Family Law Act 1996 Part IV: This Act created the 'domestic interdict' - the equivalent to a matrimonial interdict for unmarried cohabitants – either opposite or same sex) The Act makes available non molestation orders which prohibit particular behaviour or “molestation” generally, and occupation orders, which could, for example, define occupation rights in the home, including the exclusion of the respondent from it or an area around it.

The Act requires the Court to attach a power of arrest to an occupation order or non-molestation order if the respondent has used or threatened violence, unless this is unnecessary for the victim's protection. It covers a number of categories of people within a broadly domestic or family relationship.

Importantly the Act amends the Children Act 1989 to enable the Court, when making either an emergency protection order or an interim care order, to include the requirement that the suspected abuser be excluded from the home rather than the child having to be removed as was formerly the case.

- 4 Protection from Harassment Act 1997 the Act makes it a criminal offence to behave in a way which a person knows, or ought to know, causes someone else harassment or fear of violence. This criminalises much domestic of a psychological kind. This Act also allows a victim of abuse to apply for a civil non harassment order [an NHO]. Breach of a NHO is a criminal offence punishable by up to five years in prison.
- 5 Crime & Disorder Act 1998 places a requirement on local authorities and police to form local crime and disorder reduction partnerships and the Government expects them to address domestic abuse in their local audits and the strategies derived from them. Section 115 of Crime and Disorder Act 1998 provides that where it is necessary or expedient for the purposes of any provision of the Act, any person, including a statutory agency can disclose information to the Police, Local Authority, Health Authority or Probation Service Committee. However, the section 115 provision is a power not a duty. It does not override existing controls on the use of personal information such as the common law duties on confidentiality and data protection legislation.
- 6 Protection from Abuse (Scotland) Act 2001 was introduced because many of those who were vulnerable to domestic abuse and abuse were not protected by the Matrimonial Homes Act 1981 (i.e., those victims that weren't married or cohabiting). The power of arrest that can be attached to an interdict granted under

the 2001 Act allows the police to arrest an individual without a warrant where breach of the interdict is reasonably suspected and where the police consider there is a risk of abuse or further abuse.

- 7 Homelessness etc (Scotland) Act 2003 removed the previously iniquitous situation by including 'persons at risk of domestic abuse' as a priority category. The Act also defined domestic abuse by referring to the meaning set out in the Protection from Abuse (Scotland) Act 2001.
- 8 Family Law (Scotland) Act 2006 extended the provisions of the Matrimonial Homes Family Protection (Scotland) Act 1981 to cover same sex couples.
- 9 Domestic Abuse (Scotland) Act 2011 this Act has two main policy objectives (i) to increase access to justice for victims of domestic abuse and (ii) to provide a more robust response to breached civil protection orders which may deter abusers from further abusive action. The Act introduced a new section into the Protection from Harassment Act 1997 which removes the requirement to show a course of conduct before a non-harassment order can be granted in civil proceedings involving domestic abuse; only one incident of harassing behaviour is required in these circumstances. The Act also creates a new criminal offence of breaching a domestic abuse-related interdict.
- 10 Domestic Abuse (Scotland) Act 2018
- 11 Domestic Abuse (Protection) Act 2021
- 12 Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011
- 13 Children (Scotland) Act 1995
- 14 Children's Hearing (Scotland) Act 2011