

Dear Philip,

In response to the above, for the sake of completeness and to put our backing for this on record, Scottish Women's Aid support the proposals in this paper

- for a new standard condition of bail that prohibits an accused when they are charged with domestic abuse offences from obtaining precognitions or statements from a complainer, except through a solicitor, for anyone accused of the new domestic abuse offence and also domestic abuse-related offences not prosecutable under the specific offence where the domestic abuse aggravator has been added, namely where these are a single incident and no course of conduct is involved.
- that there should be an explicit ban on the accused conducting their own defence when they are charged with domestic abuse offences and, further, that this ban should also operate in relation to domestic abuse-related offences not prosecutable under the specific offence where the domestic abuse aggravation has been added to the offence, which, again, will cover single incidents where no course of conduct is involved.
- the introduction of permitting expert evidence relating to the behaviour of the complainer in domestic abuse cases, to provide expert opinion on the range of reactions and decision-making typical of persons traumatised by domestic abuse, i.e. on matters that may be beyond the experience of the court/jury and on which they may harbour misconceptions.
- the mandatory consideration by the court of imposition of a NHO upon conviction for either the new domestic abuse offence or an offence with a domestic abuse aggravation (as discussed above.)

Best wishes,
Louise