



# Domestic Abuse (Scotland) Act 2018

## 2018 asp 5

### DOMESTIC ABUSE (SCOTLAND) ACT 2018

#### PART 1

##### OFFENCE AS TO DOMESTIC ABUSE

###### *Engaging in course of abusive behaviour*

- 1 Abusive behaviour towards partner or ex-partner
- 2 What constitutes abusive behaviour
- 3 Extra-territorial jurisdiction

###### *Evidence, aggravation and defence*

- 4 Evidence of impact on victim
- 5 Aggravation in relation to a child
- 6 Defence on grounds of reasonableness

###### *Presumption, alternative and penalty*

- 7 Presumption as to the relationship
- 8 Alternative available for conviction
- 9 Penalty for offence under section 1(1)

###### *Meaning given to key expressions*

- 10 Meaning of references to behaviour
- 11 Meaning of partner and ex-partner

#### PART 2

##### FURTHER AND FINAL MATTERS

###### *Schedule, regulations and reporting*

- 12 The 1995 Act etc.
- 13 Ancillary provision
- 14 Reporting requirement

*Commencement and short title*

- 15 Commencement
- 16 Short title

---

SCHEDULE — MODIFICATION OF ENACTMENTS  
PART 1 — RULES OF CRIMINAL PROCEDURE

**CHAPTER 1**

## RESTRICTION ON BAIL IN SOLEMN CASES

- 1 (1) The 1995 Act is amended as follows.

**CHAPTER 2**

## CONDUCT OF PRECOGNITION AND DEFENCE

- 2 Bail condition concerning precognition
- 3 Prohibition on conduct of own defence
- 4 (1) The 1995 Act is amended as follows.
- 5 (1) The Criminal Justice (Scotland) Act 2016 is amended as...

**CHAPTER 3**

## VULNERABLE WITNESSES AND EXPERT EVIDENCE

- 6 Special measures for vulnerable witnesses
- 7 Presentation of certain expert evidence

**CHAPTER 4**

## VICTIM SAFETY AND NON-HARASSMENT

- 8 Victim safety in relation to sentencing
  - 9 Consideration of non-harassment order
- PART 2 — MINOR AND CONSEQUENTIAL AMENDMENTS
- 10 (1) The 1995 Act is amended as follows.
  - 11 (1) The Abusive Behaviour and Sexual Harm (Scotland) Act 2016...