

SCHEDULE
MODIFICATION OF ENACTMENTS

PART 1

RULES OF CRIMINAL PROCEDURE

CHAPTER 4

VICTIM SAFETY AND NON-HARASSMENT

Victim safety in relation to sentencing

- 8 (1) The 1995 Act is amended as follows.
(2) After section 210AA there is inserted—

“Approach in domestic abuse cases

210AB Particular factor as to victim safety

- (1) When sentencing a person convicted of an offence listed in subsection (2)(b), the court must have particular regard to the aim of ensuring that the victim is not the subject of a further such offence committed by the convicted person.
- (2) For the purpose of subsection (1)—
- (a) “victim” means the person against whom the offence was committed,
 - (b) the list is—
 - (i) an offence under section 1(1) of the Domestic Abuse (Scotland) Act 2018,
 - (ii) an offence that is aggravated as described in section 1(1)(a) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.”.