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**Changes to legislation:** There are currently no known outstanding effects for the Domestic Abuse (Scotland) Act 2018, Cross Heading: Victim safety in relation to sentencing. (See end of Document for details)

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## 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.”.

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##### **Commencement Information**

**II** Sch. para. 8 in force at 1.4.2019 by S.S.I. 2018/387, reg. 2 (with reg. 7)

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