

*These notes relate to the Domestic Abuse (Scotland) Act
2018 (asp 5) which received Royal Assent on 9 March 2018*

DOMESTIC ABUSE (SCOTLAND) ACT 2018

EXPLANATORY NOTES

THE STRUCTURE AND A SUMMARY OF THE ACT

Part 2 – Further and Final Matters

*The **schedule** – details*

Part 1 – rules of criminal procedure

***Chapter 2** - conduct of precognition and defence*

Bail condition concerning precognition

65. Section 24 of the 1995 Act provides for the rules governing bail and imposition of bail conditions. Section 24(5)(e) provides that where a person is accused of any of the sexual offences listed in section 288C of the 1995 Act, a standard condition of bail applies which prohibits the accused from seeking any precognition of or statement from the complainer in relation to the subject matter of the offence other than via a solicitor.
66. Paragraph 2(2) of the schedule adjusts section 24 of the 1995 Act so the prohibition in section 24 operates, in addition to section 288C cases, also in relation to persons being granted bail in respect an offence under section 1(1) of this Act or an offence aggravated under section 1(1)(a) of the 2016 Act.