

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.
- (2) In section 23D—
- (a) in subsection (2)—
 - (i) in paragraph (a), for the words “a violent or sexual offence” there is substituted “an offence falling within subsection (3A)”,
 - (ii) in paragraph (b), for the words “a violent or sexual offence” there is substituted “an offence falling within subsection (3A)”,
 - (b) after subsection (3) there is inserted—

“(3A) An offence falls within this subsection if it is—

 - (a) a violent offence,
 - (b) a sexual offence, or
 - (c) a domestic abuse offence.”
 - (c) in subsection (4), after the first definition there is inserted—

““domestic abuse offence” means—

 - (a) an offence under section 1(1) of the Domestic Abuse (Scotland) Act 2018, or
 - (b) an offence that is aggravated as described in section 1(1)(a) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016;”
 - (d) in subsection (5), for the words “a violent or sexual offence or a drug trafficking offence” there is substituted “a type of offence”.