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.".

Commencement Information

I1 Sch. para. 8 in force at 1.4.2019 by S.S.I. 2018/387, **reg. 2** (with reg. 7)

Changes to legislation:
There are currently no known outstanding effects for the Domestic Abuse (Scotland) Act 2018, Paragraph 8.