



Domestic Abuse (Scotland) Act 2018

2018 asp 5

PART 1

OFFENCE AS TO DOMESTIC ABUSE

Engaging in course of abusive behaviour

1 Abusive behaviour towards partner or ex-partner

- (1) A person commits an offence if—
- (a) the person (“A”) engages in a course of behaviour which is abusive of A’s partner or ex-partner (“B”), and
 - (b) both of the further conditions are met.
- (2) The further conditions are—
- (a) that a reasonable person would consider the course of behaviour to be likely to cause B to suffer physical or psychological harm,
 - (b) that either—
 - (i) A intends by the course of behaviour to cause B to suffer physical or psychological harm, or
 - (ii) A is reckless as to whether the course of behaviour causes B to suffer physical or psychological harm.
- (3) In the further conditions, the references to psychological harm include fear, alarm and distress.

Commencement Information

II S. 1 in force at 1.4.2019 by S.S.I. 2018/387, **reg. 2** (with **reg. 4**)

Status:

Point in time view as at 01/04/2019.

Changes to legislation:

There are currently no known outstanding effects for the Domestic Abuse (Scotland) Act 2018, Section 1.