



# 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.