



# Domestic Abuse (Scotland) Act 2018

## 2018 asp 5

### PART 1

#### OFFENCE AS TO DOMESTIC ABUSE

##### *Engaging in course of abusive behaviour*

## **2 What constitutes abusive behaviour**

- (1) Subsections (2) to (4) elaborate on section 1(1) as to A's behaviour.
- (2) Behaviour which is abusive of B includes (in particular)—
  - (a) behaviour directed at B that is violent, threatening or intimidating,
  - (b) behaviour directed at B, at a child of B or at another person that either—
    - (i) has as its purpose (or among its purposes) one or more of the relevant effects set out in subsection (3), or
    - (ii) would be considered by a reasonable person to be likely to have one or more of the relevant effects set out in subsection (3).
- (3) The relevant effects are of—
  - (a) making B dependent on, or subordinate to, A,
  - (b) isolating B from friends, relatives or other sources of support,
  - (c) controlling, regulating or monitoring B's day-to-day activities,
  - (d) depriving B of, or restricting B's, freedom of action,
  - (e) frightening, humiliating, degrading or punishing B.
- (4) In subsection (2)—
  - (a) in paragraph (a), the reference to violent behaviour includes sexual violence as well as physical violence,
  - (b) in paragraph (b), the reference to a child is to a person who is under 18 years of age.