



Domestic Abuse (Protection) (Scotland) Act 2021

2021 asp 16

PART 1

DOMESTIC ABUSE PROTECTION NOTICES AND ORDERS

Persons to whom, and behaviour to which, notices and orders may relate

PROSPECTIVE

2 Meaning of abusive behaviour

- (1) In this Part, “abusive behaviour by person A” means behaviour by person A which is abusive of person B.
- (2) Behaviour by person A is abusive of person B if a reasonable person would consider the behaviour to be likely to cause person B to suffer physical or psychological harm.
- (3) Behaviour is behaviour of any kind, including (for example)—
 - (a) saying or otherwise communicating something as well as doing something,
 - (b) intentionally failing—
 - (i) to do something,
 - (ii) to say or otherwise communicate something.
- (4) Behaviour directed at a person is such behaviour however carried out, including (in particular)—
 - (a) by way of conduct towards property,
 - (b) through making use of a third party,as well as behaviour in a personal or direct manner.
- (5) In subsection (2), the reference to psychological harm includes fear, alarm and distress.
- (6) Behaviour may consist of a single incident or a course of conduct.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Domestic Abuse (Protection) (Scotland) Act 2021, Section 2.