

NOT PROTECTIVELY MARKED

The Scottish Government published a document entitled '*The Creation of a Specific Offence of Domestic Abuse - Proposed Associated Reforms to Criminal Procedure*'. It provides details of a number of reforms proposed to criminal procedure that relate to the creation of a specific offence of domestic abuse. In summary, the proposals are:

- PROTECTION PRIOR TO AND DURING TRIAL - BAIL CONDITIONS
 - A new standard condition of bail that prohibits an accused, when they are charged with domestic abuse offences, from obtaining precognitions or statements from a complainer except through a solicitor.
- ACCUSED PERSON CONDUCTING THEIR OWN DEFENCE
 - A ban on an accused conducting their own defence when they are charged with domestic abuse offences.
- EXPERT EVIDENCE RELATING TO THE BEHAVIOUR OF THE COMPLAINER
 - The introduction of expert evidence relating to the behaviour of the complainer in domestic abuse offence cases.
- MANDATORY CONSIDERATION BY THE COURT OF IMPOSITION OF A NON-HARASSMENT ORDER UPON CONVICTION
 - The court will be required to always consider whether to impose a criminal non-harassment order (NHO) following an offender being convicted of domestic abuse offences.

Please note that Police Scotland fully support the proposed reforms and will continue to support and engage with any further consultation from the Scottish Government.