

Domestic Abuse (Scotland) Bill

Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Sections 1 to 14
Long Title

Schedule

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 12A

Michael Matheson

- 1** In section 12A, page 6, line 29, leave out from <review> to end of line 30 and insert <prepare a report on the use of, during the reporting period—
- () an offence under section 1(1),
 - () an offence that is aggravated as described in section 1(1)(a) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.>

Michael Matheson

- 2** In section 12A, page 6, line 31, leave out <the reporting period> and insert <those sorts of offences>

Michael Matheson

- 3** In section 12A, page 6, line 32, leave out from <involving> to end of line 35 and insert <for which criminal proceedings are undertaken,>

Claire Baker

- 14** In section 12A, page 6, line 35, at end insert—
- <() the number of cases where it has been—
 - (i) specified in the complaint or libelled in the indictment that the offence is aggravated by reason of involving a child as described in section 4(1)(a),
 - (ii) proved that the offence is so aggravated,>

Michael Matheson

- 4** In section 12A, page 6, line 36, leave out from <respect> to end of line 37 and insert <criminal proceedings,>

Claire Baker

- 15** In section 12A, page 6, line 37, at end insert—

<() the number of cases in which a non-harassment order has been made under section 234AZA of the Criminal Procedure (Scotland) Act 1995 (non-harassment orders: domestic abuse cases) in favour of—

- (i) a victim,
- (ii) a child by virtue of subsection (1B) of that section.>

Michael Matheson

- 5 In section 12A, page 7, line 1, leave out from <taken> to end of line 2 and insert—
- <() from service of the complaint or indictment,
 - () to finding or verdict as to guilt (including plea of guilty),>

Claire Baker

- 16 In section 12A, page 7, line 3, after <witnesses> insert <, including witnesses who are children,>

Michael Matheson

- 6 In section 12A, page 7, line 3, leave out from <in> to end of line 4 and insert <at court>

Michael Matheson

- 7 In section 12A, page 7, line 5, at end insert—
- <() The report must, in relation to those sorts of offences—
 - (a) include distinct statistics for each of them,
 - (b) provide details with respect to particular—
 - (i) areas,
 - (ii) types of court.>

Michael Matheson

- 8 In section 12A, page 7, line 5, leave out <other> and insert <additional>

Michael Matheson

- 9 In section 12A, page 7, line 6, leave out subsection (3)

Michael Matheson

- 10 In section 12A, page 7, line 9, at end insert—
- <() For the purpose of the report, the Scottish Ministers must seek information from the Lord President of the Court of Session on how court business is arranged, including in different areas or types of court, so as to ensure the efficient disposal of cases involving those sorts of offences.>

Michael Matheson

- 11 In section 12A, page 7, line 10, leave out subsection (4)

Michael Matheson

- 12** In section 12A, page 7, line 15, leave out subsection (5) and insert—
- <(5) The report must be laid before the Scottish Parliament as soon as practicable after the end of the reporting period.>

Michael Matheson

- 13** In section 12A, page 7, line 16, leave out subsection (6) and insert—
- <(6) The reporting period is the period of 3 years beginning with the day on which section 1(1) comes into force.>

Claire Baker

- 13A** As an amendment to amendment 13, line 2, leave out <3> and insert <2>

Schedule

Linda Fabiani

- 17** In the schedule, page 15, line 4, leave out from beginning to <or> in line 7 and insert—
- <() after hearing the prosecutor as well as the person, make such an order unless of a negative conclusion on the question,
- () if of a negative conclusion on the question, explain the basis for this.
- () Here, a negative conclusion on the question is the conclusion by the court that there is>

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