SCOTTISH STATUTORY INSTRUMENTS

2026 No. 85 (C. 6)

CRIMINAL LAW

CRIMINAL PROCEDURE

DOMESTIC ABUSE

The Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 (Commencement No. 1 and Transitional Provision) Regulations 2026

Made - - - -	*12th February 2026*
Laid before the Scottish Parliament	*16th February 2026*
Coming into force - -	*26th February 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 34(4) and (5) of the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025(**a**) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 (Commencement No. 1 and Transitional Provision) Regulations 2026 and come into force on 26 February 2026.

(2) In these Regulations, "the Act" means the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025.

Appointed days

2.—(1) 26 February 2026 is the day appointed for the coming into force (so far as not already in force) of the provisions of the Act specified in column 1 of the table in the schedule, the subject matter of which is described in column 2 of that table.

(2) If a purpose is specified in column 3 of that table in relation to a provision specified in column 1, that provision comes into force on 26 February 2026 for that purpose only.

(3) 1 April 2026 is the day appointed for the coming into force of all the provisions of Part 2 of the Act, so far as not already in force.

(**a**) 2025 asp 14.

Transitional provision: domestic homicide and suicide reviews

3.—(1) Part 2 of the Act applies in respect of—

(a) a domestic abuse death,

(b) a connected death of a young person,

occurring on or after 1 April 2026.

(2) In this regulation, "domestic abuse death" and "connected death of a young person" have the meanings given by section 12(3) and (4) and section 12(5) of the Act respectively.

ANGELA CONSTANCE
A member of the Scottish Government

St Andrew's House,
Edinburgh
12th February 2026

SCHEDULE

Regulation 2(1) and (2)

PROVISIONS OF THE ACT COMING INTO FORCE ON 26 FEBRUARY 2026

Column 1 Provisions of the Act	Column 2 Subject matter	Column 3 Purpose
Section 3	Review of virtual attendance provisions	
Section 9(1), (3) and (4)	National jurisdiction for custody cases in sheriff courts and JP courts	
Section 13	Power to modify matters in relation to reviews	
Section 14	Review oversight committee	
Section 15	Case review panels	For the purpose of appointment of case review panel chairs under subsection (2)
Section 16	Committee and panels: further provision	
Section 24	Protocol in relation to interaction with criminal investigations etc.	
Section 25	Duty on designated core participants to co-operate	For the purpose of making regulations under subsection (7)
Section 27	Reports on case reviews: content and preparation	For the purpose of making regulations under subsection (10)
Section 31(2) and (3)	Guidance by the Scottish Ministers	
Schedule	Domestic homicide and suicide reviews: public appointments	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 26 February 2026 sections 3, 9(1), (3) and (4), 13 to 16, 24, 25, 27 and 31(2) and (3) and the schedule of the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 ("the Act"). Section 9(1) is already in force insofar as it relates to section 9(2) and will be brought fully into force on that day. Section 15 comes into force on that day only for the purpose of appointment of case review panel chairs by the Scottish Ministers. Sections 25 and 27 come into force on that day only for the purpose of enabling the making of regulations under section 25(7) and section 27(10). These Regulations bring into force on 1 April 2026 all provisions of Part 2 of the Act (domestic homicide and suicide reviews) so far as not already in force on that date.

Regulation 3 provides that Part 2 of the Act has effect in relation to domestic abuse deaths and connected deaths of young people (see section 12 of the Act) where these occur on or after 1 April 2026. Earlier deaths will not be eligible for a domestic homicide or suicide review.

The Bill for the Act received Royal Assent on 19 November 2025. Part 3 (sections 32 to 35) came into force the following day. In accordance with section 34(2) and (3), sections 1, 2, 4, 8, 9(1) insofar as relating to section 9(2), 9(2) and 10 came into force on 1 December 2025.

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