



Protection from Abuse (Scotland) Act 2001 2001 asp 14

4 Powers and duties of police

- (1) Where a power of arrest attached to an interdict has effect a constable may arrest the interdicted person without warrant if the constable—
 - (a) has reasonable cause for suspecting that person of being in breach of the interdict; and
 - (b) considers that there would, if that person were not arrested, be a risk of abuse or further abuse by that person in breach of the interdict.
- (2) A person who is arrested under subsection (1) must be ^{F1}... detained until—
 - ^{F2}(a)
 - (b) brought before a court under section 5.
- ^{F3}(3)
- ^{F3}(4)
- ^{F3}(5)
- (6) When a person has been arrested under this section the facts and circumstances giving rise to the arrest must be reported to the procurator fiscal as soon as is practicable.

Textual Amendments

- F1** Words in s. 4(2) omitted (25.1.2018) by virtue of [The Criminal Justice \(Scotland\) Act 2016 \(Modification of Part 1 and Ancillary Provision\) Regulations 2017 \(S.S.I. 2017/453\)](#), reg. 1, **sch. para. 3(2)(a)(i)**
- F2** S. 4(2)(a) omitted (25.1.2018) by virtue of [The Criminal Justice \(Scotland\) Act 2016 \(Modification of Part 1 and Ancillary Provision\) Regulations 2017 \(S.S.I. 2017/453\)](#), reg. 1, **sch. para. 3(2)(a)(ii)**
- F3** S. 4(3)-(5) repealed (25.1.2018) by [The Criminal Justice \(Scotland\) Act 2016 \(Modification of Part 1 and Ancillary Provision\) Regulations 2017 \(S.S.I. 2017/453\)](#), reg. 1, **sch. para. 3(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the Protection from Abuse (Scotland) Act 2001, Section 4.