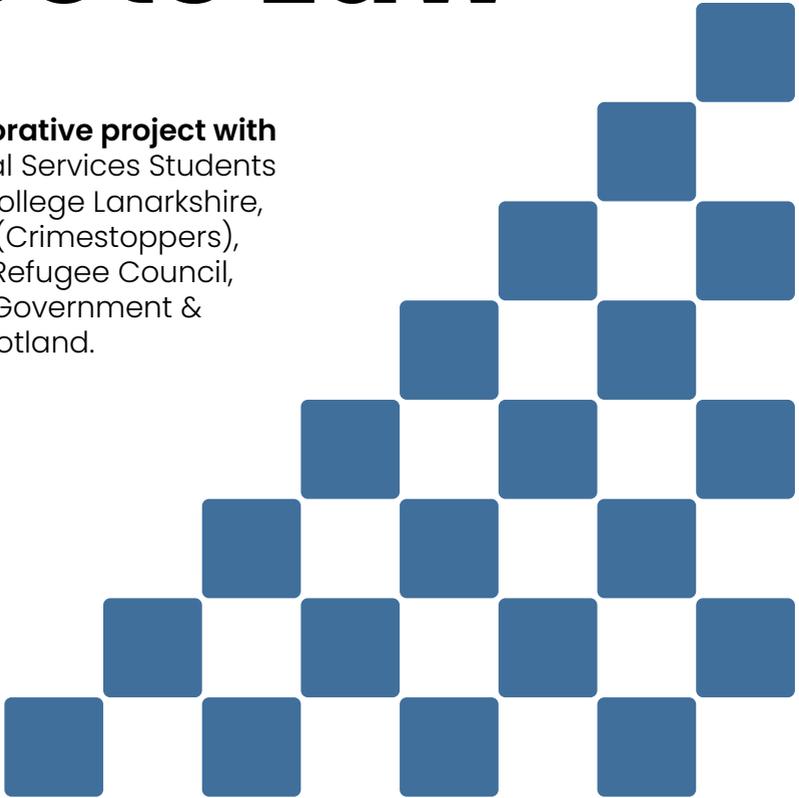


Laws keep us safe  
Let us keep you safe

Second Edition  
2026

# A Guide to Scots Law

**A collaborative project with**  
HND Legal Services Students  
of New College Lanarkshire,  
Fearless (Crimestoppers),  
Scottish Refugee Council,  
Scottish Government &  
Police Scotland.



NEW  
COLLEGE  
LANARKSHIRE



Scottish Government  
Riaghaltas na h-Alba



POLICE  
SCOTLAND  
Keeping people safe  
POILEAS ALBA

## **Acknowledgements**

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New College Lanarkshire

Scottish Government

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Scottish Refugee Council

Fearless (Part of Crimestoppers)

### **Particular thanks go to:**

The Right Honourable Lord Mulholland C.B.E., K.C.,  
Senator of the College of Justice.

HND Legal Services students:

- Samantha McCaig
- Tamara Sanchez Fernandez
- Maksymilian McCormick



# **We welcome you to our country and wish you all the best with your new life in Scotland**

## **Foreword**

“When I was a Law Officer, I worked with the Law Students at New College Lanarkshire. One of the projects we worked on was a booklet explaining the Law of Scotland in basic terms so it could be translated into many languages for the benefit of people seeking asylum and refugees. This initiative was supported by the Scottish Refugee Council, the Police, the Crown Office and Procurator Fiscal Service and the Scottish Government. That it was an initiative of high importance was reflected in the attendance of the First Minister at a conference at Hampden Park, Glasgow when she made reference to it in her speech.

I know that the students who produced the first version worked very hard to produce a first class booklet, easy to read and understand and of course correct on the law. It was much appreciated and used by the refugees themselves. Their tutors Eleanor and Ciaran put their heart and soul into the booklet working with the law students. Both have since passed away and they are sorely missed.

The law of course moves on and is constantly being updated and added to, that is why the second edition of the booklet is much needed. The latest booklet produced by the law students brings the law up to date and expands on the topics contained in the first version. I am proud of them for their work to help the disadvantaged, the people who need help in their lives at a time when they need it most.

The booklet is a tribute to the pioneering work that Eleanor and Ciaran both did in producing the first booklet. I endorse and recommend its use.

**The Right Honourable  
Lord Mulholland C.B.E., K.C.,  
Senator of the College of Justice**



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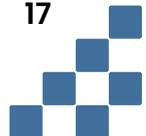
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# Family

## Marriage and Civil Partnerships

Anyone over the age of 16 can get married or enter into a civil partnership. This includes opposite sex and same sex couples. It is illegal to be married to more than one person at the same time.

It is illegal to arrange forced marriages; people in Scotland enter marriage on their own free will, to whom they choose, and all marriages must be registered, which includes religious marriages.

Forced Marriage must not be confused with arranged marriage. In an arranged marriage, while families take a lead role in choosing the marriage partner, the marriage takes place with the consent of both parties. In forced marriages, one or both spouses do not consent to the marriage, or consent is extracted under duress. Age can be a factor, and some forced marriages involve children and young people.

## Divorce

If you no longer wish to be married, you can get a divorce under certain circumstances. These circumstances include adultery, unreasonable behaviour or if you have been living apart for a certain period of time. If you have children, then contact arrangements for both parents must be agreed on before divorce. Please seek legal advice to assist in these matters.

## Parental Responsibilities

Under Scots Law, children's rights are protected. These are all the things that keep children healthy, happy and safe and belong to all children up to the age of 18. Children's rights are outlined in the United Nations Convention on the Rights of the Child (UNCRC). As a parent, you must respect their rights and be responsible for your child's health, safety and education. A child should not be left alone or unsupervised for a period

of time that would be likely to cause unnecessary suffering or injury, and that due to all children developing in their own way this will depend on their developing capacity to deal with any potential emergency that may occur. Very young children should not be left alone at any time.

Children have the same rights as adults in Scotland regarding assault – this means it is illegal in Scotland to hit your child, even if it leaves no mark or injury. This includes punching, kicking, pushing or any other form of physical attack as well as the use of objects or weapons, or threatening to do so, to invoke fear or alarm. Hitting a child is both physically and mentally damaging and will affect them in the short term and later in life. As a parent, you are legally responsible for making sure that your child is educated, either by sending the child to school or by other means (such as homeschooling). Once you enrol your child at school, the law says the child must attend school unless you have permission from the education authority to withdraw your child. If a child is absent without a reasonable excuse, parents may face legal action, including prosecution. Further information is available here:

[School attendance: a guide for parents - gov.scot](https://www.gov.scot/topics/education/school-attendance)



## Domestic Abuse

Domestic Abuse is where one person, who is the partner or ex-partner of another person, harms them physically, mentally, sexually or emotionally. This can be same sex or opposite sex partners, and it can be male-to-female or female-to-male; they do not need to live in the same house to experience it.

Domestic abuse can include:

- Being threatened
- Name calling
- Controlling what you do, where you go and who you speak to
- Financial abuse
- Threatening your children or pets
- Not being allowed to see your friends and family
- Accusing you of cheating
- Threatening to out your sexual orientation
- Sharing - or threatening to share - intimate images of you with family, friends or work colleagues
- Being hit, kicked, punched, or being struck with or have objects or weapons thrown at you
- Rape, being forced into sexual acts

The police will take all reports of domestic abuse seriously. The Domestic Abuse (Scotland) Act 2018 is in place to protect the safety and well-being of the victim and their family.

A person is not permitted to control their partner in any way, whether that be emotionally, physically, sexually or financially and includes imprisoning them within the home. It is important to state that all persons domiciled in Scotland have free will, and if a person is found to control this free will, this would be considered a criminal offence. All people, regardless of sex or gender, are entitled to earn their own money and live life in peace, free of fear. This act protects all genders and sexual identities and includes the LGBTIQ+ community.

A person found responsible for committing domestic abuse may be detained in custody and prosecuted in court. Serious cases can result in a prison sentence.

## Stalking

Two or more behaviours directed towards a victim which cause, are intended to cause, or where the perpetrator's behaviour is reckless as to whether it causes the victim to suffer fear and alarm.

Stalking behaviours include:

- Following someone
- Contacting or attempting to contact a person by any means
- Publishing material about someone without their consent
- Monitoring someone's phone, internet, email or other form of communication
- Loitering in a public or private place
- Interfering with someone's property
- Leaving unwanted gifts or notes for someone
- Watching or spying on someone

If you think you are being stalked or are suffering harassment, please report it to Police Scotland. You can do this at your local police station, by phoning **101**, reporting online or calling **999** if it is an emergency. You can access the online Stalking Form to report an incident of stalking that has occurred within Scotland. Online form link: [www.scotland.police.uk/secureforms/c3](http://www.scotland.police.uk/secureforms/c3)

## Pregnancy & Abortion

More detailed information on pregnancy can be found at [www.readysteadybaby.org.uk](http://www.readysteadybaby.org.uk), or you can contact the NHS on **111** or contact your local doctors' surgery once you have registered with them.

Abortion in Scotland is legal; it is a person's right to choose and that they have rights over their own body and free will. It is legal to terminate a pregnancy up to 24 weeks with the agreement of 2 separate doctors. Terminations must be conducted in hospitals or approved centres under the care of the NHS. You cannot terminate a pregnancy in this country without consultation from a registered doctor. The NHS are bound by confidentiality; therefore, no one will be aware of your choices.

## **Honour-Based Abuse**

Honour-Based Abuse is a term to describe a crime or incident, which has, or may have, been committed to protect or defend the perceived honour of the family/and or community. Those who carry out 'honour crimes' do so because they believe the victim has brought shame to the family or community. The police will treat every report of this type of crime very seriously and will conduct a thorough investigation. Any act of violence will be treated accordingly and may face prosecution.

## **Female Genital Mutilation (FGM)**

Female Genital Mutilation refers to procedures that can alter or cause injury to the female genital organs for non-medical reasons. This is extremely painful and can lead to serious health issues both when the procedure is done and later in life. This is illegal in the UK, and it is illegal for it to be arranged to be carried out abroad.

If you are a female and have had this procedure prior to entering Scotland, and it is causing you pain and issues, please consult with your doctor, whereby assistance can be given without judgment.

# **Housing**

## **Renting**

You may choose to look for a house yourself, where you would pay rent. When you find a home and you begin paying rent, you would be called a 'tenant' and the person/association you are renting from is your 'landlord'. With this comes many tenants' rights. Firstly, it is very common for you to have to pay a deposit to your landlord. This is a sum of money which is kept until the tenancy ends to cover any damage/repair costs. Your deposit **MUST** be placed in a Tenancy Deposit Scheme by your landlord, which protects your deposit until it is due to be repaid. Your landlord must give you the following details in terms of your deposit:

- The address of the rented property
- How much deposit did they pay, and when did you get it

- The date you paid it into a scheme
- The scheme's name and contact details
- That you're registered as a landlord, or have applied to register
- When you would want to keep some or all the deposit at the end of the tenancy

If you end your tenancy, your landlord must inform you if they intend to keep some of the deposit. If you disagree with this, try negotiating with your landlord; if this is unsuccessful, you may raise a dispute with the scheme that your landlord put the deposit in with.

## **Evictions**

Your landlord cannot evict you for no reason. To begin an eviction, your Landlord **MUST**;

### **Give you a notice of leave containing the following;**

- That you must leave the property
- The reason you're being asked to leave – called an 'eviction ground'
- How long they're giving you to move out – called your 'notice period'

### **Give you a notice period;**

The notice period you must get depends on the eviction ground and how long you've lived on the property. It will either be:

- 28 days (4 weeks)
- 84 days (12 weeks)

### **Your landlord must use one of the following grounds;**

1. Your landlord intends to sell the property
2. The property is to be sold by the mortgage lender
3. Your landlord intends to refurbish the property
4. Your landlord intends to live in the property
5. Your landlord's family member intends to live in the property
6. Your landlord intends to use the property for non-residential purposes
7. The property is required for a religious reason
8. You've ceased to be or failed to become an employee of your landlord
9. You no longer need supported accommodation

10. You're no longer occupying the property
11. You've breached a term of your tenancy agreement
12. You're in rent arrears over 3 consecutive months
13. You have a relevant criminal conviction
14. You've engaged in relevant anti-social behaviour
15. You've associated with the property someone who has a relevant criminal conviction or has engaged in relevant anti-social behaviour
16. Your landlord has had their registration refused or revoked
17. Your landlord's HMO licence has been revoked or renewal refused
18. An overcrowding statutory notice has been served on your landlord

It is important to know that this ground can only be used under certain circumstances, which can be found on;

<https://www.mygov.scot/tenant-eviction/private-residential-tenancy>

### **Local Authority Support**

Every local authority can support you if you are struggling to find housing. You must first ensure that you contact the right authority. The 'authority' is the council of your local area. For example, if you were in Edinburgh, your local authority would be the 'City of Edinburgh Council'.

If you are granted 'leave to remain', you will gain access to public funds. This would allow you to:

- Apply for benefits if you have no money to live on
- Apply for homeless support if you have nowhere to live

You can make a homeless application by going to your local council or contacting them online, or by phone. If you need homeless support in an emergency, check Shelter Scotland's page on emergency homeless help from the council. After you make your homeless application, the council will assess your situation to decide what help they will give you. You have the right to have your homeless application assessed by the local council and to be given written confirmation of the assessment. When you present a homeless person to one local council, they

should not ask you to present it to a different local council.

For further information, visit your Local authority's website or visit: <https://scottishrefugeecouncil.org.uk/housing/#Yourrights>

## **Important**

If you are living in a property, you are paying rent on, you must ensure you have done the following;

- Pay council tax, which can be done online or by contacting your local authority
- Pay a TV Licence if you have a TV which has access to any live TV channels, such as the BBC



## **Mental Health**

If someone is seeking help in relation to their mental health, there is support available through the NHS (**111**) and third-party agencies. If urgent support is required, the Scottish Ambulance Service (**999**) respond to those in a mental health crisis.

If a person is in a mental health crisis in a public place and requires immediate care or treatment, the Mental Health (Care and Treatment) (Scotland) Act 2003 allows police to detain that person and take them to a place of safety to receive a medical assessment. This will usually be a hospital.

## **Birth, Death, Marriage**

All births must be registered with your local council within 21 days, and all deaths must be registered within 8 days. Marriages must be registered within 29 days.

# The Law at Home

## Alcohol

In Scotland, you are legally allowed to buy and drink alcohol if you are 18 years old or over. It is illegal to buy alcohol for anyone under 18. In many shops and pubs, you may be asked to show ID if you look under 25. Accepted forms of ID include a passport, a UK driving licence, or a Young Scot card that has the PASS logo. Scotland has a law called minimum unit pricing. This law makes sure alcohol cannot be sold at very low prices, to reduce alcohol problems and keep people safe. You are allowed to drink alcohol at home and in pubs or restaurants that are licensed. However, in some towns or cities, drinking alcohol in public places, such as on the street or in parks, is banned by the local council.

## Smoking and Vaping

You must be 18 or older to buy any tobacco or nicotine products. This includes cigarettes, cigars, rolling tobacco, vapes (e-cigarettes), nicotine pouches, and heated tobacco products. It is illegal to buy these for someone under 18, and shops that sell to underage people can face penalties. Smoking and vaping are not allowed inside public buildings, restaurants, cafes, public transport, schools, and workplaces. This includes both traditional cigarettes and modern vaping devices. The ban on the sale and supply of single-use vapes in Scotland came into effect on 1 June 2025.

You are allowed to buy tobacco or vape products from registered shops. Do not buy these items from street sellers or unapproved websites, as they may be unsafe and are often illegal.



## TV Licence

In Scotland, you must have a TV licence if you watch live television on any device or use BBC iPlayer. This includes watching live channels on a television, computer, smartphone, tablet, or any other screen. You also need a licence if you record live TV to watch later. However, if you only watch on-demand services like Netflix, YouTube, Disney+, Amazon Prime, or similar platforms and you do not watch live broadcasts or BBC iPlayer, then you do not need a TV licence. You should complete a no TV licence declaration from which will prevent you from receiving unwanted mail.

Please do this online via: <https://www.tvlicensing.co.uk>

Using modified or jailbroken Firesticks, TV boxes, or other illegal streaming devices to watch live sports, films, or channels without paying is against the law. This is known as digital piracy. It is illegal both to sell these devices and to use them. People caught using them to avoid paying for TV services, including a TV licence, can be fined or prosecuted.



# Borrowing Money

If you need to borrow money in Scotland, always use legal and regulated lenders such as banks, credit unions, or authorised finance companies. These organisations must follow strict rules to treat customers fairly and help them manage their loans. You must never borrow money from someone who is not officially registered. These illegal lenders often charge very high interest and may use threats or violence to get their money back.

Dealing with loan sharks is dangerous and against the law. If you are struggling with money or debt, there is free help available.

You can speak to Citizens Advice Scotland, Step Change, or Money Advice Scotland for support and advice. They will not judge you, and everything you say is confidential.

# The Law on the Street

Important rules to follow when out in public.

## Anti-Social Behaviour

These things can cause problems and could lead to a fine or being arrested by the police:

- Shouting, swearing, fighting.
- Being violent or threatening toward people.
- Abusing or shouting at neighbours or strangers.
- Dropping litter or rubbish in the street.
- Damaging property (benches, windows).

## Public Order – Keeping Peaceful

You can get into trouble for:

- Drinking alcohol where it is not allowed.
- Acting in a way that makes people feel scared or threatened.
- Fighting or acting aggressively in public.
- Not listening to the police when asked to stop.

## **Littering – Keeping the Streets Clean**

You must not drop rubbish, use a bin provided or take it home. If caught littering, you risk being fined. It is an offence not to clean up your dog's waste whilst in public.

## **Public Indecency**

Do not show parts of your body in public which would cause distress to others, this includes the breast or genital area. This is a crime. Behaviour which is allowed in private can be criminal if carried out in public.

Sexual acts in public are also illegal and a crime.

## **Stop and Search**

Police can stop you and search your person, your bags, pockets or vehicle if they think you have a weapon, stolen items or drugs.

Stay calm, you can also ask why you are being searched.

You also have the right to ask for an interpreter.

A female should be searched by a female officer.

## **Using Pavements**

Pavements are for walking; keep them clear for everyone.

Do not block paths with bikes, prams, trolleys, or bags.

Cross the roads at safe places like traffic lights or pedestrian crossings.

Be careful near driveways or busy roads.



# Driving Laws

If you wish to drive a motor vehicle in Scotland, you will need the following:

## Who Can Drive?

To drive a car or motorcycle in Scotland, you need to be at least 17 years old. You'll also need a valid driver's licence for that particular vehicle. It's important to be in good health and alert, and you must not be under the influence of alcohol or drugs. If you are aged 16 and over and registered disabled, you can apply for a licence under certain criteria. Please check the DVLA website for further information.

## Your Driving Licence

### UK Residents

To obtain a full driving licence in the UK, you first need to apply for a provisional driving licence. A computer-based theory test should also be undertaken, which checks your knowledge of road rules and safety. After that, you'll need to take a practical driving test to show you can drive safely on the road. Once you successfully complete both tests, you will receive your driving licence.

### Foreign Drivers

If you're visiting or have recently moved to Scotland, you might be able to use your current driving licence for a limited time. Here's a simple breakdown of how it works:

- If your driving licence is from the EU or EEA (European Union or European Economic Area), you can drive in the UK until you turn 70 or for three years after you move to the UK whichever lasts longer. After that, you can switch it to a UK licence without needing to take a driving test
- If your licence is from countries like Australia, Canada, Japan or New Zealand, you can drive for one year after moving to the UK. Within five years, you can exchange your licence for a UK one without taking a test

- If your licence is from somewhere else, you can still drive for one year. After that, you'll need to apply for a UK provisional licence and pass both a written theory test and a practical driving test.
- If your driving licence isn't in English, it's a good idea to carry an International Driving Permit (IDP) or a certified translation of your licence.

This way, you can drive safely and legally while you adjust to living in Scotland.

## Vehicle Paperwork

### Road Tax

All cars that drive on public roads need to pay a tax. You can easily pay this vehicle tax online at the website:

[gov.uk/vehicle-tax](https://www.gov.uk/vehicle-tax)

### Insurance

To drive a car, you need to have insurance. At a minimum, you **MUST** get third-party insurance. This type of insurance helps pay for any damage you might cause to other people's cars or property. It's also important to ensure that your name is listed on the insurance policy and that the insurance is active and up to date.

### MOT Test

If your car is older than three years, you need to have it checked for safety every year in a test called an MOT. You can schedule this test at a trusted garage. The results of the test are kept in an online record, and it's a good idea to keep a copy for yourself as well. Remember, it's against the law to drive a car that doesn't have valid tax, insurance, or an MOT. Doing so can result in fines or even having your car taken away.

**Important:** Make sure your tyres are in good shape. The legal minimum tread depth for a tyre is 1.6mm measured across the central three-quarters of the tyre's tread width and around its entire circumference. Regularly check your tyres for wear, low air pressure, or any damage. If they're not in good condition, it's time to replace them.

# Safety Rules on the Road

- Always wear your seatbelt when you're in a car.
- Stick to the speed limits unless there are signs telling you to go slower:
  - Many town or city areas have 20, 30 or 40 miles per hour zones.
  - Many country roads will have 40, 50 or 60 miles per hour zones.
  - Most motorways are 70 miles per hour, but some may be slower.
- Link to the Gov website [Speed limits - GOV.UK](#) as there are now multiple towns setting a 20mph speed limit.
- Never use any handheld device, such as a phone or sat nav, while driving unless you have a hands-free setup that lets you talk without holding the device. Make sure to set up the device completely before you start driving and never use it while you're on the road. Also, it's important that the device doesn't block your view of the road while you drive.

Stay safe on the road!



## **Drink-Drive Law**

Scotland has one of the strictest drink-driving limits in the UK:

- 22 micrograms of alcohol per 100ml of breath
- 50 milligrams of alcohol per 100ml of blood
- 67 milligrams of alcohol per 100ml of urine

## **Zero Tolerance**

The best decision is to avoid drinking if you plan to drive.

Even a little alcohol can affect your ability to drive.

This rule is for everyone, whether you're a new driver or have been driving for many years.

## **Consequences of Drink Driving**

If you are caught drink driving in Scotland, you could face:

- A driving ban (minimum 12 months)
- A criminal record
- A fine (up to £5,000)
- Up to 6 months in prison
- Increased car insurance costs
- Losing your job, especially if you drive for work.

For repeat offences or more serious cases (such as causing an accident), the penalties can be even more severe.

## **What About the Morning After?**

Alcohol can stay in your body for several hours. This means you might still be too impaired to drive the next morning, especially if you had a lot to drink the night before. There's no fast way to feel sober again; the only solution is to wait until your body processes the alcohol.

## **Stay Safe - Plan Ahead**

Arrange a lift, use public transport, or call a taxi.

Nominate a designated driver who stays alcohol-free.

Never accept a lift from someone who has been drinking.

**If you're driving, don't drink.**

**If you've been drinking, don't drive.**

**Please note that drunk cycling is also an offence.**

# Road Traffic Offences in Scotland

In Scotland, there are rules for driving on the roads to ensure the safety of everyone using them. If you are behind the wheel, it's essential to understand what is allowed and what isn't.

## Common Road Traffic Offences

- Failing to stop after an accident
- Speeding
- Driving under the influence of alcohol or drugs
- Causing death by careless or dangerous driving
- Dangerous driving
- Using a mobile phone while driving
- Careless or inconsiderate driving
- Driving without valid motor insurance
- Driving without a licence or while disqualified
- Ignoring traffic signals (e.g. driving through a red light)
- Not wearing a seatbelt
- Driving without a valid MOT certificate
- Driving with unsafe or defective vehicle parts

## Penalties

If you break any of these rules, what happens next can vary based on how serious the offence is. You might face:

- A monetary fine you have to pay
- Points added to your driving record
- A temporary ban on driving
- In serious cases, more severe consequences may apply

It's important to understand that these penalties can affect your ability to drive.

## Penalty Points and Deductions

When you commit certain driving offences, points are added to your driving record. These points stay on your record for a number of years, depending on the type of offence.

If you accumulate 12 or more points within a 3-year period, you will likely lose your driving privileges for at least 6 months.

For new drivers who have passed their driving test within the last 2 years, just 6 points can result in their driving license being taken away. In that case, you would need to retake your driving test to get your license back.

## Electric Bikes and Electric Scooters

### To ride an electric bike:

- It must have pedals that can be used to propel the bike.
- The motor must cut off at 15.5 mph (25 km/h)
- The motor must not be more powerful than 250 watts.
- You must be 14 years or older to ride one.
- No driving licence, insurance, or road tax is needed.

Any e-bike that does not follow EAPC regulations is considered a motorcycle or moped, which needs registration and taxation, and the rider must have a valid driver's licence and wear a helmet.

### To ride an electric scooter:

It's against the law to use privately owned e-scooters on public roads, pavements, and bike paths in Scotland. You can only ride them on private property if you have permission from the person who owns the land. This is because e-scooters are classified as motor vehicles under the Road Traffic Act 1988.

### Requirements to own and drive a scooter:

- Insurance
- Driving Licence
- Road Tax

If you do not meet these requirements, then you are breaking the law.

Please note that religious wear, such as a turban, is an exception to a helmet.



## Penalties

If you're caught using a private e-scooter in public, you may face:

- £300 fine and six penalty points on your driving licence for riding without insurance
- £100 fine and three to six penalty points for riding without the correct licence
- £50 fine for riding on a pavement
- £200 fine and six penalty points for using a mobile phone while riding
- £100 fine and possible penalty points for riding through red lights
- Court-imposed fines, driving bans, and possible imprisonment for riding under the influence of alcohol or drugs



# The Law at Work

Employment is defined as an agreement where the employer will pay the employee to carry out work for them. This agreement can be made in writing or verbally.

## Your Rights

Employee Rights - Under the Employment Rights Act 1996, it states that employees are protected from unfair dismissal, discrimination and that all employees are treated fairly in any way and regarding pay, hours and leave.

- A written statement of the terms of employment within 2 months of your start date.
- The right to receive pay slips with every wage earned.
- The right to be paid the National Minimum Wage
- The right to holiday pay, which is 28 days a year for full-time employees. Part-time employees are entitled to a pro rata amount.
- Part-time workers have the same rights as full-time workers
- The right to paid paternity leave for new parents
- The right to not be discriminated against based on your age, disability, gender, sexual orientation, race, religion/beliefs and pregnancy.

## Dismissal

If you are dismissed, you have the right to a written explanation of why you are losing your job from your employer if you have worked there for 2 years or more.

If a person who is pregnant or on maternity leave has been dismissed, then they have the right to a written reason, no matter how long they have worked there.

If you are unfairly dismissed, you have the right to claim compensation as long as you have worked there for 2 years or more.



## Health and Safety

Employers must make sure that their employees are in a safe workplace and environment. They must provide the necessary equipment and training for all employees if needed, as it will minimise any risks for employees.

## Equality and Discriminations

Under the Equality Act 2010, it states that discrimination against anyone based on any of the protected characteristics

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race, including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

## Contracts of Employment

Clear and enforced by law, they are essential and must outline the terms of employment, pay, and responsibilities

If you are unsure about whether any of these apply to you, you can contact:

Citizens Advice Bureau through their website [www.cas.org.uk](http://www.cas.org.uk) or call your local Bureau in your area.

The Advisory, Conciliation and Arbitration Service, also known as (ACAS) through their website: [www.acas.org.uk](http://www.acas.org.uk) or by calling **0300 123 1100**.

If you need an interpreter, you can call the number and just ask for one. You can also text at **18001 0300 123 1100** if you can't hear or speak on the phone.

ACAS is open from Monday to Friday from 8am to 6pm.



# Victims of Crime

## Who Can be a Victim?

Crime can affect anyone, regardless of age, gender, or background. A victim is simply someone who has been hurt in some way by a crime, which can mean physical injuries, emotional distress, or financial loss.

## What Should I Do If I'm a Victim?

Don't keep quiet. Talking to someone about what you're going through is the first step to getting support and stopping the hurt.

You can speak to:

- A trusted family member or friend
- The police
- A support organisation

It's completely normal to feel afraid or uncertain sometimes, but keep in mind that you're not by yourself in this.

## Your Rights as a Victim

If you've experienced a crime in Scotland, it's important to know that you have certain rights. These rights can help support you during this difficult time.

- Being treated with dignity and respect
- Getting information about what's happening with your case
- Access to support services to help you cope and recover
- Support if your case goes to court

Everyone involved in your case, such as police officers, lawyers, and court personnel, should treat you with respect and fairness.

## Assault

An assault is an attack upon the person of another. It will normally take the form of a physical attack. The attack does not need to cause injury for it to be seen as an assault in law. An

assault can be carried out using hands and feet or weapons such as sticks, bricks or knives. It is also classed as assault if someone spits on you or threatens to set their dog on you. Aggravated assault makes the crime more serious. Assault can be aggravated in several ways, for example, by the use of a weapon; if the victim was elderly or a child; or if the victim was assaulted in their own home. It is illegal in this country to carry a knife and or weapon on your person.

## **Firearms**

In Scotland, using or carrying a gun without proper permission is a serious crime. The laws about firearms are very strict and are in place to keep everyone safe. This also includes stun guns and pepper sprays.

### **Offences**

- Possessing a gun without a valid firearm certificate or licence
- Carrying a firearm in a public place without a lawful reason
- Using a firearm to commit a crime, such as robbery or assault
- Possessing a firearm with intent to endanger life
- Possession of prohibited weapons in domestic premises/ private dwelling, Section 46, The Offensive Weapons Act 2019
- Supplying or selling guns illegally
- Possessing prohibited weapons like automatic firearms, knives or corrosive substances.

### **Penalties**

If someone is caught having a gun without the proper license, they could face up to 5 years in prison and may also have to pay a large fine.

If a firearm is used to commit a crime, the consequences can be very serious, potentially leading to a life sentence in prison. Possessing a firearm with the intention of putting someone's life at risk can also result in a life sentence.

Supplying illegal guns can lead to an unlimited imprisonment. Having a fake gun out in public can lead to getting arrested if it scares people or if you use it in a threatening manner.

## **Age of Criminal Responsibility in Scotland**

In Scotland, the age of criminal responsibility is 12.

This means, Children younger than 12 can't be charged with a crime or arrested.

If a child, whilst under the age of 12, is suspected of having caused or risked causing serious harm to another person, it can still be investigated by the police and social work.

There is support available for children who show behaviour that may be harmful to others.

- A child is defined as every human being under the age of 18
- This law is designed to protect children while also keeping everyone safe

## **Sexual Offences**

A sexual offence can occur regardless of what sex, gender, age or what colour of skin you have. It can come from strangers, friends or family and can occur within a relationship and/or marriage. The age for sexual consent in Scotland is 16 years old. Consent can be withdrawn at any time.

### **Rape**

Rape happens when someone forces or tricks another person into having sexual intercourse without their permission. This is where one person penetrates another person's vagina, anus or mouth with a penis.

### **Sexual Assault**

This refers to any unwanted sexual touching or physical contact. It includes various actions and can be done by anyone, no matter their sex or gender.

### **Sexual Coercion**

It is against the law to make someone take part in sexual activity if they don't want to, using pressure, threats, or tricks. Everyone has the right to say no, and it's important to respect that.

## **Offences Against Children**

It's against the law to have any kind of sexual activity with someone who is under 16 years old.

## **Image-Based Sexual Abuse**

Sharing or threatening to share private pictures without permission is against the law. This practice is often referred to as "revenge porn."

## **Voyeurism and Indecent Communications**

It's against the law to secretly watch or record someone in a private place without their permission. Additionally, sending explicit messages or images without consent is also a crime.

## **Sextortion**

Sexual extortion or "sextortion" is a type of online blackmail. Children and young people of all ages, genders and sexualities are being targeted worldwide, including Scotland.

Adult criminals, often from overseas organised crime groups, will threaten to share nude or semi-nude images and/ or videos of a person, unless they pay them or carry out some demand.

Sextortion may be from:

- Sexual or inappropriate images shared online, often by individuals posing as someone else.
- Images that have been stolen, taken through hacking, or have been faked using AI generators or other image-altering technology.

The criminal might demand money, gift cards or Bitcoin. They might try to force the person to do something they don't want to do, like give them access to their bank account or provide more sexual images or videos.

<https://crimestoppers-uk.org/fearless/professionals/fearless-scotland/sextortion-in-scotland>

## Typical signs of sextortion attempts may include

- They try to develop a relationship with you very quickly. They might be flirty, tell you they like you very soon, or ask for sexual/indecent images and videos. Some may even send a sexual/indecent image to you first.
- They pressure you to do things you're not comfortable with. They may repeatedly ask you to do sexual things you don't feel comfortable with. It's never ok for someone to ask you to do things you don't want to
- They might tell you they've hacked you or that they have access to your contacts. Some blackmailers might tell you they've got embarrassing images or information about you from your device. They might threaten to share this information unless money is given to them.

If this has happened to you, it is not your fault, and there is help and support available. Do not panic, the police will take your case seriously. Will deal with it in confidence. You will not be judged.

## If You're a Victim of Sextortion

Do not pay; some victims who have paid hear no more about it; others pay and are pressured for more money. In some cases, even when money is paid, the criminals share the videos or images anyway. If you've paid the person, consider getting in touch with your bank. They may not be able to recover payments you have authorised, but they will be able to help UK Law Enforcement better understand the current threat. Do not talk any further to the criminals, take screenshots of any communication and offender's profile information. Keep it as evidence.

Report the incident to the police by calling 101 and report the matter to the social media platform website. If you are over 18, you can go to Stop NCII (Non-Consensual Intimate Image Abuse) and report it using a free tool which helps to detect and remove intimate images from being shared online. If you are under 18, you can go to [Report Remove | Childline](#) and confidentially report sexual images and videos of yourself and remove them from the internet.

If you have been a victim of a sexual offence, you can get help and advice from the agencies below:

**Rape Crisis Scotland – 08088 010 302**

**Victim Support Scotland – 0345 603 9213**

**Police Scotland – 101 (non-emergency) 999 (emergency)**

## **Reporting Sexual Offences**

NHS offers a self-referral service that gives people who have experienced rape or sexual assault the opportunity to access appropriate support and healthcare services.

<https://www.nhsinform.scot/sarcs>

Prostitution is seen as the business or practice of engaging in sexual relations in exchange for payment or some other benefit. Both those engaged in prostitution and those seeking to purchase sex may be liable to prosecution.

## **Prostitution**

**Public Soliciting:** It's against the law to ask for or hang around in public areas for the purpose of engaging in prostitution. It's illegal to approach someone in a vehicle or on foot in public to try to buy sex.

### **What Is Illegal?**

**Running a Brothel:** It's unlawful to operate or help manage a place where prostitution happens.

**Pimping and Exploitation:** It's a serious crime to profit from someone else's involvement in prostitution or to force someone into it against their will.

Traffickers often go after individuals who are in vulnerable

### **Human Trafficking**

situations and use threats, lies, or violence to control them. Many victims are lured to different places with false promises and then taken advantage of. This is a serious crime, and anyone affected deserves to feel safe and receive support.

Migrant workers may be exploited through industries such as agriculture, factories, hotels and restaurants.

Look for the signs:

- Many foreign nationals live together
- Occupants change regularly
- Transported at unusual times of the day and/or night
- The workers' movements are monitored and controlled
- Workers may seem fearful of employers, police or any other external agencies
- Workers have no days off or holiday time
- Workers show signs of physical abuse such as bruises, cuts and signs of untreated medical problems
- Workers show signs of malnutrition, dehydration, exhaustion and poor personal hygiene

## **Forced Labour**

**Domestic servitude** is a form of modern slavery. This is where an adult or child is forced to be a servant.

Look for the signs:

- The person is rarely allowed out of the house
- They don't have a proper place to sleep, so they sleep on the floor or sofa
- They have a poor diet
- They are subject to mental, physical, sexual abuse, threats or other cruelty
- A child might have poor attendance at school and have no time to play with their friends



# Hate Crime

A Hate Crime is a crime committed against a person or property that is motivated by anger or hatred towards certain protected groups.

If you are a victim of a hate crime, if you believe that someone has targeted you because of your:

- Age
- Disability
- Race (including colour, nationality, ethnic or origins)
- Religion or belief
- Sexual orientation
- Transgender identity
- Variations in sex characteristics (intersex)

Hate crime can take a number of forms, including, but not limited to:

- Murder
- Physical assault
- Damage to property, e.g. graffiti, fire raising, vandalism
- Intimidating or threatening behaviour, including obscene calls or gestures
- Offensive letters, leaflets, posters
- Verbal abuse or insults, including name-calling
- Online bullying and abuse
- Harassment



## By Phone

You can report a non-emergency incident to the police:

**Emergency:** Call **999** if the incident is ongoing or poses immediate danger

**Non-Emergency:** Call **101** to report incidents that are not emergencies

## Online

**Police Scotland Online Form:** Submit a report using the [Hate Crime Reporting Form](#)

## In Person

Visiting any local police station.

## Third-Party Reporting Centres

For those who may feel uncomfortable reporting directly to the police, Third Party Reporting Centres offer an alternative.

A comprehensive list of centres by area is available on the [Police Scotland website](#).



## Drugs

Taking drugs can seriously affect your health and may result in death. There are two types of drugs controlled by law: ones which are always illegal (e.g. cannabis, heroin, ecstasy, cocaine, etc.) and ones which are illegal unless you have a valid prescription from a doctor or dentist (e.g. morphine, methadone, medicinal cannabis, etc.). It is illegal to possess controlled drugs or to supply controlled drugs to someone else. You may be sent to prison if you supply drugs. It is illegal to grow cannabis plants yourself or to look after someone else's cannabis plants. It is illegal to be involved in making controlled drugs.

## Money Laundering

Using or obtaining money via criminal activity is illegal, and you will be prosecuted. Please register with a local bank to look after any money you have and ensure that the money comes from an honest source, such as your employment.

## Fraud

Fraud happens when a person tricks another person or organisation to unfairly gain money, property, or something valuable.

### Types of Fraud

- **Identity fraud:** using someone else's personal details to get credit or commit crimes
- **Online scams:** fake emails, texts, or websites used to trick people into handing over money or information
- **Benefit fraud:** lying to get government benefits you're not entitled to
- **Insurance fraud:** making false claims to receive payouts
- **Bank fraud:** using stolen card details or false information to access someone else's account
- **Business fraud:** such as fake invoices, accounting scams, or misuse of company funds

## Penalties

**Fines:** ranging from hundreds to thousands of pounds

**Community payback orders:** including unpaid work and supervision

**Repayment of stolen money or goods**

**Prison sentences:** more serious or repeated frauds can lead to time in prison (up to 10 years or more in some cases)

## Cybercrime

Criminals can take advantage of the Internet and Information technology. It's more important than ever to prevent cyber criminals from getting hold of our accounts, data and devices. This includes online banking and shopping, to email and social media. Scams and frauds are crimes in which deception is used for personal gain. It is usually done to gain money or personal information.

By understanding the motives and signs of various scams, you can protect your personal information from scammers who often work across international borders.

The criminals behind these frauds do not discriminate; they will target anyone and have a complete disregard for the impact or consequences.

Remember, if something doesn't seem right, then it probably isn't.

**Any scam or fraud should be reported to the Police by phoning 101.**

## Phishing E-mails

Phishing emails are designed to make you click on an untrustworthy link, part with money or share personal information.

They can sound urgent and contain threats. Always double-check their contact information and look out for unknown phone numbers and emails. Don't click on links from people you don't know.

Signs to look out for include:

- The email does not use your name, as they don't really know who you are
- Spelling and grammar mistakes
- Imagery or design that looks familiar but doesn't feel quite right
- An unusual email address that looks similar but doesn't exactly match the official company's
- Encourage them to click on an unknown link. If you're not sure, don't click the link and visit the organisation's website directly.

You can forward any suspicious emails to [report@phishing.gov.uk](mailto:report@phishing.gov.uk). The National Cyber Security Centre – [NCSC.GOV.UK](https://www.ncsc.gov.uk) will then investigate it.

## Laws Relating to Animals

### Dogs (Protection of Livestock) (Amendment) (Scotland) Act 2021

This act strengthens livestock protection on agricultural land:

- This law, which took effect on November 5, 2021, makes it illegal for dogs to harm or scare farm animals
- The law defines "livestock" in a wide way, including animals such as sheep, cows, goats, horses, pigs, alpacas, deer, ostriches, and various game birds
- Under this law, if a dog chases or distresses these animals, leading to problems like stress-induced miscarriages, it is considered an offence
- The penalties for such actions are serious, with fines reaching up to £40,000 or up to a year in jail. Additionally, offenders can face restrictions on owning dogs or accessing agricultural land
- Police now have the authority to seize dogs from anywhere on a farm, not just where the incident took place, to gather evidence
- They can also arrange for veterinary examinations and testing of the dogs involved

It is illegal in Scotland to have certain breeds of dog, including an XL Bully dog, in public without a muzzle and a leash. It's also against the law to sell, give away, breed, abandon, or advertise this type of dog.

Since July 31, 2024, owning an XL Bully dog became illegal unless you had a special permit, which could only be obtained if you applied before the deadline. After that date, the only way to get permission to own one is through a court order.

### **Requirements when owning an XL Bully dog**

- If you have (or had) a valid exemption certificate, you must:
- Keep the dog at the registered address (temporary moves up to 30 days/year)
- Muzzle & lead in any public place, including inside cars
- Microchip, neuter, and secure containment at home
- Maintain third-party public liability insurance
- Upon request, provide your certificate, insurance, and allow microchip reading within 5 days
- Penalties for non-compliance: up to £5,000 fine, up to 6 months' imprisonment, or both

**Enquiries:** [xlbullydogenquiries@gov.scot](mailto:xlbullydogenquiries@gov.scot)



# Law Officials

## Police Officer

### Main Role

To keep people safe, prevent and investigate crime.

### Who they work for

Local or national police (e.g. Police Scotland)

### Deal with immigration?

NO – not their job. Police can check your immigration status, but will not do this routinely.

### Uniform

Black uniform with yellow jackets (Police Scotland), police badge.

### Can you talk to them safely?

YES. You can talk to the police without fear about crime, safety, or emergencies.

### When do you meet them?

Reporting crimes, emergencies (e.g. 999), safety concerns, domestic abuse, hate crime, etc

### Are they allowed to deport people?

NO. Police do not deport or decide immigration status

### Can they enter your home?

Only with permission, concerns for safety or a court warrant.



# Immigration Officer

## Main Role

To enforce immigration laws (e.g. visas, asylum claims, deportation)

## Who they work for

UK Government – Home Office (Immigration Enforcement)

## Deal with immigration?

YES – it's their job. They may check immigration papers or carry out deportations.

## Uniform

Civilian clothes or black jackets saying "Immigration Enforcement".

## Can you talk to them safely?

You can speak to them with legal support if asked, but you're not required to talk without advice.

## When do you meet them?

At visa checks, asylum interviews, Home Office visits, or border checks.

## Are they allowed to deport people?

YES. Only immigration officers can start or carry out deportation.

## Can they enter your home?

Only with a warrant or if specific legal powers apply.



## Need help now?

If you or someone you know is in danger or needs urgent help, call 999.

For non-emergencies, call Police Scotland on 101 or contact a support organisation listed below:

**Victim Support Scotland**  
[0800 160 1985](tel:08001601985)  
[www.victimsupport.scot](http://www.victimsupport.scot)

**Samaritans**  
[116 123](tel:116123)  
[www.samaritans.org](http://www.samaritans.org)

**Scottish Women's Aid**  
[0800 027 1234](tel:08000271234)  
[www.womensaid.scot](http://www.womensaid.scot)

**Childline**  
[0800 1111](tel:08001111)  
[www.childline.org.uk](http://www.childline.org.uk)

**Trafficking Awareness Raising Alliance (TARA)**  
[0141 276 7724](tel:01412767724) ([24/7](#))  
[www.communitysafetyglasgow.org.uk](http://www.communitysafetyglasgow.org.uk)

### Migrant Help

Website: [www.migranthelpuk.org](http://www.migranthelpuk.org)  
Support Line: **0808 8010 503** ([24/7](#))  
Supports victims of modern slavery and human trafficking, offering advice, safe housing, and help with immigration and recovery.

### National Ugly Mugs (NUM)

Website: [www.uglymugs.org](http://www.uglymugs.org)  
Supports sex workers by sharing warnings about dangerous individuals and providing access to safety tools, reporting systems, and emotional support.

### Rape Crisis Scotland

Website: [www.rapecrisisscotland.org.uk](http://www.rapecrisisscotland.org.uk)  
Helpline: **08088 01 03 02** (Daily, 6 pm–12 am)  
Offers support to anyone affected by sexual violence, including those who have experienced sexual exploitation.

## **Scottish Women's Aid**

Website: [www.womensaid.scot](http://www.womensaid.scot)

Supports women, children, and young people experiencing domestic abuse, including those involved in prostitution or trafficking.

## **Guardianship Scotland**

Website: [www.aberlour.org.uk/get-help/guardianship-scotland](http://www.aberlour.org.uk/get-help/guardianship-scotland)

## **Debt Advice**

Website: [www.stepchange.org](http://www.stepchange.org)

Helpline: **0800 138 111**

Monday to Friday 8am–8pm and Saturday 9am–2pm

## **LGBTB+ Helpline Scotland**

Website: [www.lgbthealth.org.uk](http://www.lgbthealth.org.uk)

Email: [helpline@lgbthealth.org.uk](mailto:helpline@lgbthealth.org.uk)

Helpline: **08000 464 7000**

Tuesdays, Wednesdays, Thursdays (12–9pm), Sundays (1–6pm)

## **Money Advice Scotland**

Website: [www.moneyadvicescotland.org.uk](http://www.moneyadvicescotland.org.uk)

Email: [info@moneyadvicescotland.org.uk](mailto:info@moneyadvicescotland.org.uk)

## **Sextortion** (Third-party reporting)

Website: [crimestoppers-uk.org](http://crimestoppers-uk.org)

[crimestoppers-uk.org/fearless](http://crimestoppers-uk.org/fearless)

Helpline: **0800 555 111**

## **Third-party reporting sites**

Victims or witnesses who do not feel comfortable contacting the police directly can use a third-party reporting site, which allows individuals to report hate crimes or incidents through an independent organisation. More information and a list of approved third-party reporting centres can be found on the

**Police Scotland Website:** [www.scotland.police.uk](http://www.scotland.police.uk)



## Reporting Crime 100% Anonymously

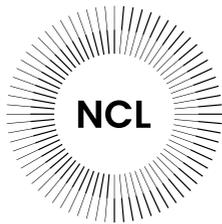
Crimestoppers is an independent charity that lets you share information about crime without anyone ever being able to identify you. They can't track your IP address, phone number or any other contact details.

**You can report online at [crimestoppers-uk.org](https://www.crimestoppers-uk.org) or by calling 0800 555 111. The charity also offers a multi-language service, meaning you can report by phone or online in over 140 languages, with translation provided.**

Young people can also get advice and report anonymously through the charity's youth service: [www.fearless.org](https://www.fearless.org) or by calling **0800 555 111**.

**#MakeADifference**

**For more information on Scottish Law visit:**  
**[www.nclanarkshire.ac.uk/scotslaw](https://www.nclanarkshire.ac.uk/scotslaw)**



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## Legal Disclaimer

The information enclosed in this booklet is to be used as a general guide only and it is not detailed statement of law. Scotland has its own independent legal system and laws in Scotland may often be different from other parts of the UK. If you require legal advice you must always contact a solicitor or the Citizens Advice Bureau in Scotland.

Please note: The information contained within this publication was correct at the time of printing.

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