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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE

### NOTICE TO ACCUSED ABOUT EFFECT OF SECTIONS 288C AND 288D OF 1995 ACT AND SPECIAL PRE-TRIAL PROCEDURES: AMENDMENT OF 1995 ACT

#### *Notice of restriction on conduct of defence: judicial examination*

3 In section 35 (judicial examination of accused), after subsection (4) there is inserted—

“(4A) An accused charged with a sexual offence to which section 288C of this Act applies shall, as soon as he is brought before the sheriff for examination on the charge, be told—

- (a) that, if he is tried for the offence, his defence may be conducted only by a lawyer;
- (b) that it is, therefore, in his interests, if he has not already done so, to get the professional assistance of a solicitor; and
- (c) that, if he does not engage a solicitor for the purposes of his defence at the trial, the court will do so.

(4B) A failure to comply with subsection (4A) above does not affect the validity or lawfulness of the examination or of any other element of the proceedings against the accused.”.