

Changes to legislation: *There are currently no known outstanding effects for the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002, Paragraph 8. (See end of Document for details)*

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: citation and complaint

8 In section 140 (citation of accused in summary prosecution), after subsection (2) there is inserted—

“(2A) Where the charge in the complaint in respect of which an accused is cited is of committing a sexual offence to which section 288C of this Act applies, the citation shall include or be accompanied by notice to the accused—

- (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.

(2B) A failure to comply with subsection (2A) above does not affect the validity or lawfulness of any such citation or any other element of the proceedings against the accused.”.

Changes to legislation:

There are currently no known outstanding effects for the Sexual Offences (Procedure and Evidence) (Scotland) Act 2002, Paragraph 8.