



Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

PART 4

POLICE INVESTIGATORY AND OTHER POWERS

CHAPTER 3

QUESTIONING OF CERTAIN CHILDREN

Planning and conduct of investigative interviews

47 Planning of investigative interview

- (1) This section applies where an investigative interview of a child is authorised—
 - (a) by virtue of section 40(2), or
 - (b) by a child interview order made in respect of the child.
- (2) A constable must, in collaboration with the relevant local authority, draw up plans for the conduct of the investigative interview.
- (3) The plans drawn up under subsection (2) must—
 - (a) where the interview is authorised by a child interview order, accord with any directions contained in the order,
 - (b) specify—
 - (i) the period over which the interview will be conducted,
 - (ii) the number of meetings which will take place as part of the interview,
 - (iii) the date of each meeting,
 - (iv) how long each meeting will last,
 - (v) the location at which each meeting will take place,
 - (vi) the persons by whom the child may be questioned at each meeting,
 - (vii) the support and assistance required by the child during the interview,and

Status: This is the original version (as it was originally enacted).

- (c) include any other relevant information (for example, details of any arrangements for transport of the child to and from the interview where such transport is authorised by a child interview order or agreed in connection with an interview authorised by virtue of section 40(2)).
- (4) A constable must, as soon as reasonably practicable after plans are drawn up under subsection (2)—
- (a) provide the child with a copy of the plans and, in so far as practicable, explain the information contained in the plans to the child (in a way that is appropriate to the child's age and maturity), and
 - (b) provide a copy of the plans—
 - (i) where the interview is authorised by virtue of section 40, to the parent who has given agreement under subsection (1)(c)(ii) of that section,
 - (ii) where the interview is authorised by a child interview order, in so far as is practicable to a parent of the child.
- (5) A constable must, as soon as reasonably practicable after the identities of the persons mentioned in subsection (6) are known, provide each of those persons with a copy of the plans.
- (6) Those persons are—
- (a) where the interview is authorised by a child interview order, the person who will act as supporter during the interview,
 - (b) the person who will act as child interview rights practitioner during the interview.