



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

48 Conduct of investigative interview

- (1) Subsection (2) applies where an investigative interview of a child is authorised by virtue of section 40(2).
- (2) The interview—
 - (a) may not start prior to the child being given a copy of the plans for the interview drawn up under section 47,
 - (b) must be conducted in accordance with those plans.
- (3) Subsections (4) to (6) apply where an investigative interview of a child is authorised by a child interview order made in respect of the child.
- (4) No action authorised or required by the order may take place prior to the child being given a copy of the plans for the investigative interview drawn up under section 47.
- (5) The interview must be conducted in accordance with—
 - (a) any directions about the conduct of the interview contained in the order, and
 - (b) the plans drawn up under section 47.
- (6) Any other action required or authorised by a child interview order must be carried out in accordance with—
 - (a) any directions about the carrying out of those actions contained in the order,

Changes to legislation: *Age of Criminal Responsibility (Scotland) Act 2019, Section 48 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) the plans for the interview drawn up under section 47.

Modifications etc. (not altering text)

- C1** Pt. 4 applied (with modifications) (17.12.2021) by 2004 c. 20, s. 56B (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **19**)
- C2** Pt. 4 applied (with modifications) (17.12.2021) by 1987 c. 4, s. 2E (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **17**)
- C3** Pt. 4 applied (with modifications) (17.12.2021) by 2003 c. 20, s. 31B (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **18**)

Commencement Information

- I1** S. 48 in force at 17.12.2021 by [S.S.I. 2021/449](#), **reg. 2**

Changes to legislation:

Age of Criminal Responsibility (Scotland) Act 2019, Section 48 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(1A) inserted by [2020 asp 13 sch. 5 para. 7\(8\)\(b\)](#)
- s. 20A inserted by [2020 asp 13 sch. 5 para. 7\(9\)](#)