



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 17

PROCEEDINGS UNDER PART 10: EVIDENCE

174 Cases involving sexual behaviour: taking of evidence by commissioner

- (1) Subsection (2) applies where—
 - (a) a commissioner is appointed under section 19 of the Vulnerable Witnesses (Scotland) Act 2004 (asp 3) to take evidence for the purposes of a hearing before the sheriff—
 - (i) to determine whether a section 67 ground is established, or
 - (ii) to review a grounds determination, and
 - (b) the ground involves sexual behaviour engaged in by any person.
- (2) The commissioner must not, unless the sheriff makes an order under section 175, take evidence which shows or tends to show one or more of the circumstances mentioned in section 173(3) in relation to a person mentioned in section 173(4).