



# Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

## PART 2

### DISCLOSURE OF CONVICTIONS AND OTHER INFORMATION RELATING TO TIME WHEN PERSON UNDER 12

#### CHAPTER 2

#### INDEPENDENT REVIEW OF DISCLOSURE OF INFORMATION

##### *Review of information prior to disclosure*

#### **20 Appeal against determination under section 18**

- (1) The following persons may appeal the independent reviewer's determination under section 18(4) to the sheriff on a point of law only—
  - (a) the applicant or, as the case may be, the scheme member,
  - [<sup>F1</sup>(b) the person who referred the information falling within section 16(A2) or, as the case may be, (A3) to the independent reviewer.]
- (2) An appeal under this section must be taken before the end of the period of 28 days beginning with the day on which the independent reviewer's determination was notified under section 19.
- (3) On an appeal under this section, the sheriff must—
  - (a) confirm the determination of the independent reviewer, or
  - (b) quash that determination and substitute for it the sheriff's own determination.
- (4) The decision of the sheriff on an appeal under this section is final.
- (5) For the avoidance of doubt, a decision of the sheriff under subsection (4) does not preclude the persons mentioned in subsection (1) from appealing a subsequent

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*Changes to legislation: Age of Criminal Responsibility (Scotland) Act 2019, Section 20 is up to date with all changes known to be in force on or before 03 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*

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determination of the independent reviewer under section 18(4) where it concerns the information in the original appeal.

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**Textual Amendments**

- F1** [S. 20\(1\)\(b\)](#) substituted (17.12.2021) by [The Independent Reviewer \(Modification of Functions\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/476\)](#), regs. 1, **2(6)**

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**Commencement Information**

- I1** [S. 20](#) in force at 30.11.2020 by [S.S.I. 2020/369](#), reg. 2, [sch.](#)

**Changes to legislation:**

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[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\(9\)](#)