

Draft Order laid before the Scottish Parliament under section 88(2) of the Criminal Justice (Scotland) Act 2003 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2009 No.

CRIMINAL LAW

**The Victim Statements (Prescribed
Courts) (Scotland) Order 2009**

Made - - - - 2009
Coming into force - - 1st April 2009

The Scottish Ministers make the following Order in exercise of the powers conferred by section 14(1) of the Criminal Justice (Scotland) Act 2003⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 88(2) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and Commencement

1. This Order may be cited as the Victim Statements (Prescribed Courts) (Scotland) Order 2009 and will come into force on 1st April 2009.

Prescribed Courts

2.—(1) The courts or classes of courts prescribed for the purposes of section 14(1) of the Criminal Justice (Scotland) Act 2003 are—

- (a) the High Court; and
- (b) all sheriff courts sitting as courts of solemn criminal jurisdiction.

(2) In paragraph (1)(a), “the High Court” has the same meaning as in section 307(1) of the Criminal Procedure (Scotland) Act 1995⁽²⁾.

(1) 2003 asp 7. See section 87(1) for a definition of prescribed.
(2) 1995 c. 46.

St Andrew's House,
Edinburgh
2009

A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the High Court of Justiciary and sheriff courts sitting as courts of solemn jurisdiction for the purposes of section 14(1) of the Criminal Justice (Scotland) Act 2003.

The effect of the Order is that a victim statement may be made where proceedings in respect of an offence are taken or are likely to be taken in one of the prescribed courts.