

## 2003 No. 424

### CHILDREN AND YOUNG PERSONS

#### The Children's Hearings (Provision of Information by Principal Reporter) (Prescribed Persons) (Scotland) Order 2003

*Made* 9th September 2003

*Laid before the Scottish Parliament* 10th September 2003

*Coming into force* 1st October 2003

The Scottish Ministers, in exercise of the powers conferred by section 53(3)(b) of the Criminal Justice (Scotland) Act 2003(a), and of all other powers enabling them in that behalf, hereby make the following Order:

#### **Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Children's Hearings (Provision of Information by Principal Reporter) (Prescribed Persons) (Scotland) Order 2003 and shall come into force on 1st October 2003.

(2) In this Order—

“the 2003 Act” means the Criminal Justice (Scotland) Act 2003;

“authorised person” means a person who is authorised for the purposes of Part IV of the Financial Services and Markets Act 2000(b); and

“insurer” means an authorised person who is permitted to carry on a regulated activity of the kind specified in articles 10(1) or (2) of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(c).

#### **Prescribed Persons**

2. The following persons and classes of person are prescribed under section 53(3)(b) of the 2003 Act:—

- (a) Victim Support Scotland;
- (b) Criminal Injuries Compensation Authority;
- (c) Criminal Injuries Compensation Appeals Panel; and
- (d) Insurers.

#### **Prescribed Conditions**

3.—(1) Any information provided to Victim Support Scotland pursuant to section 53(1) of the 2003 Act shall be used solely for the purpose of providing counselling and support services to a person specified in section 53(3)(a) of the 2003 Act and Victim Support Scotland shall not disclose the information other than to such a person.

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(a) 2003 asp 7. See section 87 for the definition of “prescribed”.

(b) 2000 c.50.

(c) S.I. 2001/544.

(2) Any information provided to the Criminal Injuries Compensation Authority or to the Criminal Injuries Compensation Appeals Panel pursuant to section 53(1) of the 2003 Act shall be used solely for the purpose of verifying that the offence in question has been referred to, and is being investigated by, the Principal Reporter to enable any claim for compensation submitted by a person specified in section 53(3)(a) of the 2003 Act to be processed and neither that Authority nor that Panel shall disclose the information to any other person, except that the Authority may disclose such information to the Panel in relation to any referral to the Panel from the Authority concerning an appeal.

(3) Any information provided to an insurer pursuant to section 53(1) of the 2003 Act shall be used solely for the purpose of verifying that the offence in question has been referred to, and is being investigated by, the Principal Reporter to enable any claim on a policy of insurance made by or on behalf of a person specified in section 53(3)(a) of the 2003 Act to be processed and the insurer shall not disclose the information to any other person.

St Andrew's House,  
Edinburgh  
9th September 2003

*CATHY JAMIESON*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order specifies persons and classes of person in relation to whom the Principal Reporter is entitled to provide information in relation to a case where it appears that an offence has been committed by a child.

Article 3 of the Order sets out certain conditions restricting the manner in which the information may be used.

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