



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XII

#### EVIDENCE

##### *[<sup>F1</sup> Witness anonymity orders*

##### **[<sup>F1</sup>271V Appeals**

- (1) The prosecutor or the accused may appeal to the High Court against—
  - (a) the making of a witness anonymity order under section 271N,
  - (b) the kinds of measures that are required to be taken in relation to a witness under a witness anonymity order made under that section,
  - (c) the refusal to make a witness anonymity order under that section,
  - (d) the discharge of a witness anonymity order under section 271U,
  - (e) the variation of a witness anonymity order under that section, or
  - (f) the refusal to discharge or vary a witness anonymity order under that section.
- (2) The appeal may be brought only with the leave of the court of first instance, granted—
  - (a) on the motion of the party making the appeal, or
  - (b) on its own initiative.
- (3) The procedure in relation to the appeal is to be prescribed by Act of Adjournal.
- (4) If an appeal is brought under this section—
  - (a) the period between the lodging of the appeal and its determination does not count towards any time limit applying in respect of the case,
  - (b) the court of first instance or the High Court may do either or both of the following—
    - (i) postpone or adjourn (or further adjourn) the trial diet,
    - (ii) extend any time limit applying in respect of the case.

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*Status: Point in time view as at 01/09/2015. This version of this provision has been superseded.*

*Changes to legislation: Criminal Procedure (Scotland) Act 1995, Section 271V is up to date with all changes known to be in force on or before 10 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)*

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- (5) An appeal under this section does not affect any right of appeal in relation to any other decision of any court in the criminal proceedings.]

**Textual Amendments**

- F1** Ss. 271N-271Z inserted (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 90\(1\)](#), 206(1); S.S.I. 2011/178, art. 2, sch.

**Modifications etc. (not altering text)**

- C1** Ss. 271N-271Z applied (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 90\(3\)\(4\)](#), 206(1); S.S.I. 2011/178, art. 2, sch.

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