



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART V

CHILDREN AND YOUNG PERSONS

48 Power to refer certain children to reporter.

- (1) A court by or before which a person is convicted of having committed an offence to which this section applies may refer—
- (a) a child in respect of whom an offence mentioned in paragraph (a) or (b) of subsection (2) below has been committed; or
 - (b) any child who is, or who is likely to become, a member of the same household as the person who has committed an offence mentioned in paragraph (b) or (c) of that subsection or the person in respect of whom the offence so mentioned was committed,

to the Principal Reporter, and certify that the offence shall be a ground established for the purposes of [^{F1}the Children's Hearings (Scotland) Act 2011 (asp 1).]

- (2) This section applies to an offence—
- (a) under section 21 of the ^{M1}Children and Young Persons (Scotland) Act 1937;
 - (b) mentioned in Schedule 1 to this Act; or
 - (c) in respect of a person aged 17 years or over which constitutes the crime of incest.

Textual Amendments

- F1** Words in s. 48(1) substituted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [sch. 1 para. 10\(4\)](#)

Marginal Citations

- M1** 1937 c.37.

Status:

Point in time view as at 01/09/2015.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 48 is up to date with all changes known to be in force on or before 12 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.