



Crime and Punishment (Scotland) Act 1997

1997 CHAPTER 48

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous

57 Precognitions.

(1) After section 67 of the 1995 Act, there shall be inserted the following section—

“67A Failure of witness to attend for, or give evidence on, precognition.

(1) This section applies where a prosecutor has obtained a warrant to cite a witness for precognition and has served a citation for precognition on the witness.

(2) Where this section applies, a witness who—

- (a) fails without reasonable excuse, after receiving at least 48 hours notice, to attend for precognition by a prosecutor at the time and place mentioned in the citation served on him; or
- (b) refuses when so cited to give information within his knowledge regarding any matter relative to the commission of the offence in relation to which such precognition is taken,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to a term of imprisonment not exceeding 21 days.”.

(2) In section 140 of the 1995 Act (citation)—

- (a) in subsection (1), after the words “for” there shall be inserted the words “—

Changes to legislation: There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 57. (See end of Document for details)

- (a) the citation of witnesses for precognition by the prosecutor, whether or not any person has been charged with the offence in relation to which the precognition is taken; and
- (b)”;
and
- (b) subsection (3) shall cease to have effect.

Changes to legislation:

There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 57.