



# Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37 1 Edw 8 and 1 Geo 6

## PART IV

### PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL PROCEEDINGS

#### *General Provisions as to Proceedings in Court*

44, 45. ....<sup>F1</sup>

#### Textual Amendments

**F1** Ss. 24, 25, 39–45, 47–55, 57(1)(2), 58, 59(2)–(4), 63, 67, 103, Sch. 1 repealed by Criminal Procedure (Scotland) Act 1975 (c. 21), s. 460, Sch. 10 Pt. I

#### **<sup>F2</sup>46 Power to prohibit publication of certain matter in newspapers.**

- (1) In relation to any proceedings in any court . . . <sup>F3</sup>, the court may direct that—
- (a) no newspaper report of the proceedings shall reveal the name, address, or school, or include any particulars calculated to lead to the identification, of [<sup>F4</sup>a person under the age of seventeen years] concerned in the proceedings, either as being the person [<sup>F5</sup>by or against] or in respect of whom the proceedings are taken, or as being a witness therein;
  - (b) no picture shall be published in any newspaper as being or including a picture of [<sup>F4</sup>a person under the age of seventeen years] so concerned in the proceedings as aforesaid;

except in so far (if at all) as may be permitted by the direction of the court.

**Changes to legislation:** *There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Cross Heading: General Provisions as to Proceedings in Court. (See end of Document for details)*

- (2) Any person who publishes any matter in contravention of any such direction shall on summary conviction be liable in respect of each offence to a fine not exceeding [<sup>F6</sup>level 4 on the standard scale].

#### Textual Amendments

- F2** S. 46 repealed (E.W.)(S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), s. 460, **Sch. 10 Pt. I** so far as relating to criminal proceedings; extended by [Children and Young Persons Act 1963 \(c. 37\)](#), s. **57(3)(4)**
- F3** Words repealed by [Children and Young Persons Act 1963 \(c. 37\)](#), s. 64, **Sch. 5**
- F4** Words substituted by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), **Sch. 2 para. 7**
- F5** Words substituted by [Children and Young Persons Act 1963 \(c. 37\)](#), s. **57(1)**
- F6** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), s. **289G** and by [1995 c. 40, ss. 3, 7\(2\)](#), [Sch. 1 para. 3\(1\)](#), **Sch. 2 Pt. II** it is provided (1.4.1996) that s. 46(2) shall have effect as if the maximum fine that may be imposed on a summary conviction for the offence mentioned therein were a fine not exceeding level 4 on the standard scale instead of a fine not exceeding £50

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

- C1** S. 46 extended with modifications by [Cable and Broadcasting Act 1984 \(c. 46, SIF 96\)](#), s. 57(1), **Sch. 5 para. 5(3)**
- C2** S. 46 applied with modifications by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 203(1), **Sch. 20 para. 4(2)**
- C3** S. 46 applied (4.4.2005) by [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), ss. **111(5)**, 145(2); [S.S.I. 2004/420, art. 3, sch. 5](#)

47— ..... F7  
 54.

#### Textual Amendments

- F7** Ss. 24, 25, 39–45, 47–55, 57(1)(2), 58, 59(2)–(4), 63, 67, 103, Sch. 1 repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), s. 460, **Sch. 10 Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Cross Heading: General Provisions as to Proceedings in Court.