



# Victims and Witnesses (Scotland) Act 2014

2014 asp 1

## *Medical examinations*

### 9 Certain medical examinations: gender of medical examiner

- [<sup>F1</sup>(1) This section applies where a forensic medical examination is to be carried out by virtue of section 2 of the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021.]
- (2) Before a medical examination of the person <sup>F2</sup>... is carried out by a registered medical practitioner [<sup>F3</sup>, the person must be given] an opportunity to request that any such medical examination be carried out by a registered medical practitioner of a [<sup>F4</sup>sex] specified by the person.
- (3) If the person makes such a request, <sup>F5</sup>... the registered medical practitioner who is to (or, but for the request, would) carry out the examination is [<sup>F6</sup>to be] informed of the nature of the request.
- (4) In this section, references to a registered medical practitioner include references to a person of such other description as the Scottish Ministers may by order prescribe.
- (5) An order under subsection (4) is subject to the negative procedure.

#### Textual Amendments

- F1** S. 9(1) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(a)** (with s. 3); S.S.I. 2022/24, reg. 2
- F2** Words in s. 9(2) repealed (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(i)** (with s. 3); S.S.I. 2022/24, reg. 2
- F3** Words in s. 9(2) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(ii)** (with s. 3); S.S.I. 2022/24, reg. 2
- F4** Word in s. 9(2) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(iii)** (with s. 3); S.S.I. 2022/24, reg. 2
- F5** Words in s. 9(3) repealed (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(c)(i)** (with s. 3); S.S.I. 2022/24, reg. 2

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**Changes to legislation:** *There are currently no known outstanding effects for the Victims and Witnesses (Scotland) Act 2014, Section 9. (See end of Document for details)*

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**F6** Words in s. 9(3) inserted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(c)(ii)** (with s. 3); S.S.I. 2022/24, reg. 2

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**Commencement Information**

**I1** S. 9 in force at 1.4.2022 by S.S.I. 2022/22, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Victims and Witnesses (Scotland) Act 2014, Section 9.