



# Criminal Justice (Scotland) Act 2016

## 2016 asp 1

### PART 1

#### ARREST AND CUSTODY

#### CHAPTER 3

#### CUSTODY: PERSON OFFICIALLY ACCUSED

##### *Person to be brought before court*

#### **23 Notice to parent that under 18 to be brought before court**

- (1) Subsection (2) applies when a person who is 16 years of age or over and subject to a supervision order or under 16 years of age—
  - (a) is to be brought before a court in accordance with section 21(2), or
  - (b) is released from police custody on an undertaking given under section 25(2)(a).
- (2) A parent of the person mentioned in subsection (1) (if one can be found) must be informed of the following matters—
  - (a) the court before which the person is to be brought,
  - (b) the date on which the person is to be brought before the court,
  - (c) the general nature of the offence which the person has been officially accused of committing, and
  - (d) that the parent's attendance at the court may be required under section 42 of the 1995 Act.
- (3) Subsection (2) does not require any information to be given to a parent if a constable has grounds to believe that giving the parent the information mentioned in that subsection may be detrimental to the wellbeing of the person mentioned in subsection (1).
- (4) In this section—

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**Status:** *This is the original version (as it was originally enacted).*

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“parent” includes guardian and any person who has the care of the person mentioned in subsection (1),

“supervision order” means compulsory supervision order, or interim compulsory supervision order, made under the Children’s Hearings (Scotland) Act 2011.