



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

24 Notice to local authority that under 18 to be brought before court

- (1) The appropriate local authority must be informed of the matters mentioned in subsection (4) when—
- (a) a person to whom either subsection (2) or (3) applies is to be brought before a court in accordance with section 21(2), or
 - (b) a person to whom subsection (2) applies is released from police custody on an undertaking given under section 25(2)(a).
- (2) This subsection applies to—
- (a) a person who is under 16 years of age,
 - (b) a person who is—
 - (i) 16 or 17 years of age, and
 - (ii) subject to a compulsory supervision order, or an interim compulsory supervision order, made under the Children's Hearings (Scotland) Act 2011.
- (3) This subsection applies to a person if—
- (a) a constable believes the person is 16 or 17 years of age,
 - (b) since being arrested, the person has not exercised the right to have intimation sent under section 38, and

Status: This is the original version (as it was originally enacted).

- (c) on being informed or reminded of the right to have intimation sent under that section after being officially accused, the person has declined to exercise the right.
- (4) The matters referred to in subsection (1) are—
- (a) the court before which the person mentioned in paragraph (a) or (as the case may be) (b) of that subsection is to be brought,
 - (b) the date on which the person is to be brought before the court, and
 - (c) the general nature of the offence which the person has been officially accused of committing.
- (5) For the purpose of subsection (1), the appropriate local authority is the local authority in whose area the court referred to in subsection (4)(a) sits.