



Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

PART 4

POLICE INVESTIGATORY AND OTHER POWERS

CHAPTER 3

QUESTIONING OF CERTAIN CHILDREN

Child interview order

42 Application for child interview order

- (1) A constable may apply to the sheriff for a child interview order.
- (2) An application for a child interview order must—
 - (a) identify the applicant,
 - (b) identify the child in respect of whom the order is sought,
 - (c) in so far as practicable, identify a parent of the child,
 - (d) state the grounds on which the application is made,
 - (e) set out provisional plans for the investigative interview of the child, and
 - (f) be accompanied by supporting evidence, whether documentary or otherwise, sufficient to enable the sheriff to determine the application.
- (3) Before making an application for a child interview order, the constable must—
 - (a) determine which local authority is the relevant local authority in relation to the planning and conduct of the proposed investigative interview of the child, and
 - (b) consult that authority about the making of the application and the provisional plans mentioned in subsection (2)(e) (unless such consultation is not practicable).

Status: This is the original version (as it was originally enacted).

- (4) In this Chapter, “relevant local authority” has the meaning given by section 201 of the 2011 Act.