



Disclosure (Scotland) Act 2020

2020 asp 13

PART 1

DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

Level 2 disclosures: review applications

22 Review of childhood information by the independent reviewer

- (1) This section applies where—
 - (a) a Level 2 review application is made in relation to a Level 2 disclosure provided to an applicant, and
 - (b) the Level 2 review application specifies information included in the disclosure under section 13 about a spent childhood conviction or children’s hearing outcome of the applicant as information that the applicant wishes to be subject to the review.
- (2) The Scottish Ministers must arrange for the independent reviewer to carry out a review of the information.
- (3) In the review the independent reviewer must decide—
 - (a) whether the childhood conviction or children’s hearing outcome is relevant for the purpose of the disclosure, and
 - (b) whether information about the conviction or outcome ought to be included in the disclosure.
- (4) No finding of fact on which a childhood conviction or children’s hearing outcome is based may be challenged in a review under this section.