



# Disclosure (Scotland) Act 2020

## 2020 asp 13

### PART 1

#### DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

##### *Level 2 disclosures: review applications*

#### **24 Review of relevant Scottish police 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,
  - (b) the Level 2 review application specifies information relating to the applicant provided by the chief constable in accordance with section 14 as information that the applicant wishes to be subject to the review, and
  - (c) following a review under section 23 in relation to the information, the Scottish Ministers have notified the applicant that the chief constable—
    - (i) still reasonably believes the information to be relevant for the purpose of the disclosure, and
    - (ii) is still of the opinion that the information ought to be included in the disclosure.
- (2) The applicant may, within the prescribed period, request that the Scottish Ministers arrange for the independent reviewer to carry out a review of the information.
- (3) On receipt of a request under subsection (2), the Scottish Ministers must arrange for the independent reviewer to carry out a review of the information.
- (4) In the review the independent reviewer must decide—
  - (a) whether the information is relevant for the purpose of the disclosure, and
  - (b) whether the information ought to be included in the disclosure.