



Victims and Witnesses (Scotland) Act 2014

2014 asp 1

Medical examinations

9 Certain medical examinations: gender of medical examiner

- (1) This section applies where a person makes a complaint to a constable alleging that the person is the victim of an offence listed in any of paragraphs 36 to 59ZL of Schedule 3 to the Sexual Offences Act 2003.
- (2) Before a medical examination of the person in relation to the complaint is carried out by a registered medical practitioner in pursuance of section 31 of the Police and Fire Reform (Scotland) Act 2012, the constable must give the person an opportunity to request that any such medical examination be carried out by a registered medical practitioner of a gender specified by the person.
- (3) If the person makes such a request, the constable must ensure that the registered medical practitioner who is to (or, but for the request, would) carry out the examination is informed of the nature of the request.
- (4) In this section, references to a registered medical practitioner include references to a person of such other description as the Scottish Ministers may by order prescribe.
- (5) An order under subsection (4) is subject to the negative procedure.