



Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018

2018 asp 14

PART 3

DISREGARDING CERTAIN CONVICTIONS FOR HISTORICAL SEXUAL OFFENCES

9 Effect of disregard

- (1) This section applies where a disregard for a conviction for a historical sexual offence has taken effect (see sections 7(5) and 8(7)).
- (2) The person who was convicted of the offence is to be treated for all purposes as not having—
 - (a) committed the offence,
 - (b) been charged with, or prosecuted for, the offence,
 - (c) been convicted of the offence, or
 - (d) been sentenced for the offence.
- (3) In particular—
 - (a) no evidence is admissible in any proceedings before a judicial authority exercising its jurisdiction or functions in Scotland to prove that the person has done, or undergone, anything within subsection (2), and
 - (b) the person is not, in any such proceedings, to be asked (and, if asked, is not to be required to answer) any question relating to the person's past which cannot be answered without acknowledging or referring to the conviction or any circumstances ancillary to it.
- (4) Where a question is put to a person, other than in such proceedings, seeking information with respect to the previous convictions, offences, conduct or circumstances of any person—
 - (a) the question is to be treated as not relating to any disregarded conviction, or any circumstances ancillary to it (and the answer to the question may be framed accordingly), and

- Commencement Information**
- 11** [S. 9](#) in force at 15.10.2019 by [S.S.I. 2019/205](#), **reg. 2**

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There are currently no known outstanding effects for the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018, Section 9.