



Criminal Justice Act 1972

1972 CHAPTER 71

PART III

MISCELLANEOUS PROVISIONS

51 Execution of process between England and Wales and Scotland

- (1) Where in any proceedings brought, or proposed to be brought, in respect of any person in pursuance of section 1 of the Children and Young Persons Act 1969 (care proceedings in juvenile court) it is, or is to be, alleged that the condition set out in subsection (2)(f) of that section is satisfied (guilty of an offence), any warrant issued under section 2(4) of that Act for the purpose of securing the attendance of that person before the court in which the proceedings are brought or proposed to be brought may, if it is endorsed with a statement that such an allegation as aforesaid is, or is to be, made in the proceedings, be executed in Scotland by any constable appointed for a police area in like manner as a warrant issued in Scotland for the arrest of a person charged with an offence.
- (2) Where a warrant is issued for the apprehension of a child in pursuance of Part III of the Social Work (Scotland) Act 1968, that warrant may be executed in England and Wales in like manner as a warrant issued in Scotland for the apprehension of a person charged with an offence, and section 39(1) of the Criminal Justice (Scotland) Act 1963 shall apply accordingly.
- (3) Section 4 of the Summary Jurisdiction (Process) Act 1881 (execution of process of English courts in Scotland) shall apply to process issued under section 13, 17, 18(7) or 22 of this Act as it applies to process issued under the Magistrates' Courts Act 1952 by a magistrates' court.
- (4) Section 4 of the said Act of 1881 shall have effect in relation to the service and execution in Scotland of process issued in England and Wales by a justices' clerk by virtue of section 5(1) of the Justices of the Peace Act 1968, as it has effect in relation to process issued in England and Wales by a court of summary jurisdiction as defined in the said Act of 1881.