

Delegated Powers and Law Reform Committee
Tuesday, 25th June 2024
22nd Meeting, 2024 (Session 6)

Instrument Responses

Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024) 2024 (SSI 2024/174)

On Thursday 20th June, the Committee asked the Lord President's Private Office:

Paragraph 2(2)(a) of the instrument inserts a definition of "UNCRC requirements" for the purposes of Chapter 6 of the Criminal Procedure Rules 1996 but that term does not appear otherwise in Chapter 6. Could an explanation be provided for the inclusion of this definition?

Please confirm whether any corrective action is proposed, and if so, what action and when.

On Thursday 20th June, the Lord President's Private Office responded:

The definition inserted by paragraph 2(2)(a) of the instrument is unnecessary. While it may be that at some point in the future a definition of the UNCRC requirements may be necessary should a review of Chapter 6 be undertaken in light of the court's experience of UNCRC, at this point in time there is no need for the definition.

It will be removed at the next available opportunity.