

*These notes relate to the Sexual Offences (Procedure and Evidence)  
(Scotland) Act 2002 (asp 9) which received Royal Assent on 11 April 2002*

# **SEXUAL OFFENCES (PROCEDURE AND EVIDENCE) (SCOTLAND) ACT 2002**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 7: Restrictions on evidence relating to sexual offences***

24. Section 7 substitutes a new section 274 for the one presently contained in the 1995 Act.
25. Subsection (1) of the new section creates a general rule that evidence or questioning falling within categories (a) to (d) is not admissible in sexual offence cases in respect of which the new section 288C of the 1995 Act applies. The prohibition will apply to the prosecution as well as the defence.
26. The prohibition applies to all offences covered by section 288C. Section 274 (2) contains relevant definitions.