

CRIMINAL JUSTICE (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT THE ACT IS IN 12 PARTS.

Part 7 – Children

Section 52 – Prohibition of publication of proceedings at children’s hearings etc.

281. **Section 52** (a) extends section 44 of the Children (Scotland) Act 1995 (“the 1995 Act”) to cover cases from the time that they are referred to the Principal Reporter. Previously, the protection only applied to a case when a children’s hearing had actually been convened.
282. The prohibition on publication applies to all children who are connected with the hearing and not just the child referred to the hearing, including, for example, child witnesses and child victims. Such protection is offered in criminal justice proceedings, but has not been offered in cases referred to the Principal Reporter under existing legislative provisions.
283. The changes introduced by section 52 to the interpretation provisions in section 93 of the Children (Scotland) Act 1995 mean that the prohibitions extend to children and young people up to the age of eighteen years.