



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 2

VICTIMS' RIGHTS

[^{F1}16A Victim's right to receive information concerning offender subject to compulsion order

- (1) Subsection (2) applies where—
 - (a) an offence has been perpetrated against a natural person,
 - (b) another person (“O”) has been made subject to a compulsion order and a restriction order in proceedings in respect of that offence,
 - (c) a person has asked to be given information about O under this section and that person is, or was at the time of asking, a person entitled to ask to be given the information (see section 16B), and
 - (d) O has attained the age of 16 years.
- (2) The Scottish Ministers must give the information about O described in section 16C to the person mentioned in subsection (1)(c).
- (3) But the Scottish Ministers—
 - (a) need not give a person information under this section if they consider there to be exceptional circumstances which make it inappropriate to do so,
 - (b) are not to give a person information about the terms of a condition in accordance with section 16C(2)(h) unless the condition is relevant to that person as described in section 18A(3).
- (4) If the compulsion order or the restriction order mentioned in subsection (1)(b) is revoked, subsection (2) ceases to apply when the Scottish Ministers give the person mentioned in subsection (1)(c) the information that—
 - (a) the order has been revoked, and
 - (b) the decision to revoke it is final.]

Changes to legislation: *Criminal Justice (Scotland) Act 2003, Section 16A is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** Ss. 16A-16C inserted (15.9.2017 for specified purposes, 30.9.2017 in so far as not already in force) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), **ss. 55(2)**, 61(2); S.S.I. 2017/234, art. 2(1)(b)(2)(a)(3) (with arts. 5-8)

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Changes and effects yet to be applied to :

- specified provision(s) and purposes Appointed Day(s) by [S.S.I. 2003/439 art. 23Sch.](#) (Effect not applied to [legislation.gov.uk](#). This S.S.I. is revoked (1.10.2003) by S.S.I. 2003/475, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16D inserted by [2023 asp 4 s. 14\(3\)](#)
- s. 16ZA inserted by [2023 asp 4 s. 14\(2\)](#)
- s. 17E(6) inserted by [2023 asp 4 s. 14\(7\)\(d\)](#)
- s. 17DA inserted by [2023 asp 4 s. 14\(6\)](#)
- s. 17ZA inserted by [2023 asp 4 s. 14\(4\)](#)
- s. 18A(5) inserted by [2023 asp 4 s. 14\(8\)\(b\)](#)