

*These notes relate to the Protection of Vulnerable Groups (Scotland)
Act 2007 (asp 14) which received Royal Assent on 18 April 2007*

PROTECTION OF VULNERABLE GROUPS (SCOTLAND) ACT 2007

EXPLANATORY NOTES

OVERVIEW

Part 1 – the Lists

Sections 21 – 24. Appeals against listing

52. **Sections 21 and 22** provide for a three-month time limit for appealing to the sheriff after being placed on either list. This time limit may be extended by the sheriff on cause shown. Section 23 provides for appealing the sheriff's decision to the higher courts. Appeal to the Court of Session is restricted to points of law at section 23(2) of the Act. Section 24(2) provides that any court proceedings in respect of these appeals may be heard in private.
53. **Section 24(1)** makes clear that no finding of fact on which a conviction is based may be challenged on appeal under the preceding sections. This means that the behaviour or conduct of the individual, as found by the convicting court, cannot be re-opened during an appeal against listing.