

*These notes relate to the Double Jeopardy (Scotland) Act  
2011 (asp 16) which received Royal Assent on 27 April 2011*

# **DOUBLE JEOPARDY (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **THE ACT**

4. Scottish criminal law prohibits a person being placed in jeopardy of criminal prosecution twice for the same offence. This is commonly referred to as the rule against “double jeopardy” and provides an important protection for individuals. This Act builds upon the work of the Scottish Law Commission (SLC) in its December 2009 Report on Double Jeopardy<sup>1</sup>. It contains a number of measures to reform and restate the rule against double jeopardy and also sets out certain exceptions to the rule.

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**1** Scot Law Com No. 218