



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART V

CHILDREN AND YOUNG PERSONS

47 Restriction on report of proceedings involving children

- (1) Subject to subsection (3) below, no newspaper report of any proceedings in a court shall reveal the name, address or school, or include any particulars calculated to lead to the identification, of any person under the age of 16 years concerned in the proceedings, either—
 - (a) as being a person against or in respect of whom the proceedings are taken; or
 - (b) as being a witness in the proceedings.
- (2) Subject to subsection (3) below, no picture which is, or includes, a picture of a person under the age of 16 years concerned in proceedings as mentioned in subsection (1) above shall be published in any newspaper in a context relevant to the proceedings.
- (3) The requirements of subsections (1) and (2) above shall be applied in any case mentioned in any of the following paragraphs to the extent specified in that paragraph—
 - (a) where a person under the age of 16 years is concerned in the proceedings as a witness only and no one against whom the proceedings are taken is under the age of 16 years, the requirements shall not apply unless the court so directs;
 - (b) where, at any stage of the proceedings, the court, if it is satisfied that it is in the public interest so to do, directs that the requirements (including the requirements as applied by a direction under paragraph (a) above) shall be dispensed with to such extent as the court may specify; and
 - (c) where the Secretary of State, after completion of the proceedings, if satisfied as mentioned in paragraph (b) above, by order dispenses with the requirements to such extent as may be specified in the order.

Status: This is the original version (as it was originally enacted).

- (4) This section shall, with the necessary modifications, apply in relation to sound and television programmes included in a programme service (within the meaning of the Broadcasting Act 1990) as it applies in relation to newspapers.
- (5) A person who publishes matter in contravention of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 of the standard scale.
- (6) In this section, references to a court shall not include a court in England, Wales or Northern Ireland.