



Victims and Witnesses (Scotland) Act 2014

2014 asp 1

Rules: review of decision not to prosecute

4 Rules: review of decision not to prosecute

- (1) The Lord Advocate must make and publish rules about the process for reviewing, on the request of a person who is or appears to be a victim in relation to an offence [^{F1}or alleged offence], a decision of the prosecutor not to prosecute a person for the offence [^{F2}or alleged offence].
- (2) Rules under subsection (1) may in particular make provision for or in connection with—
 - (a) the circumstances in which reviews may be carried out,
 - (b) the manner in which a request for review must be made,
 - (c) the information that must be included in a request for review,
 - (d) the matters to be taken into account by the Lord Advocate when carrying out reviews,
 - (e) the process to be followed by the Lord Advocate when carrying out reviews.
- (3) In this section, “prosecutor” means Lord Advocate, Crown Counsel or procurator fiscal.

Textual Amendments

- F1** Words in s. 4(1) inserted (23.12.2015) by [The Victims' Rights \(Scotland\) Regulations 2015 \(S.S.I. 2015/444\)](#), regs. 1(2), **10(a)**
- F2** Words in s. 4(1) inserted (23.12.2015) by [The Victims' Rights \(Scotland\) Regulations 2015 \(S.S.I. 2015/444\)](#), regs. 1(2), **10(b)**

Commencement Information

- I1** S. 4 in force at 1.7.2015 by [S.S.I. 2015/200](#), **art. 2(1)**

Changes to legislation:

There are currently no known outstanding effects for the Victims and Witnesses (Scotland) Act 2014, Cross Heading: Rules: review of decision not to prosecute.