



Children (Care and Justice) (Scotland) Act 2024

2024 asp 5

PART 2

CRIMINAL JUSTICE AND PROCEDURE

PROSPECTIVE

Involvement of children in criminal proceedings: general

12 Meaning of “child”

- (1) The Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”) is amended as follows.
- (2) In section 307 (interpretation), in subsection (1), for the definition of “child” substitute—
““child” has the meaning given by section 199 of the Children’s Hearings (Scotland) Act 2011,”.

Commencement Information

- II** S. 12 not in force at Royal Assent, see [s. 38\(3\)](#)

13 Offences against children to which special provisions apply

- (1) The 1995 Act is amended as follows.
- (2) In schedule 1 (offences against children under the age of 17 years to which special provisions apply)—
 - (a) in each of paragraphs 1D, 2A, 2B, 2C, 3, 4 and 4A, “under the age of 17 years” is repealed,
 - (b) in the heading, “under the age of 17 years” is repealed.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Cross Heading: Involvement of children in criminal proceedings: general is up to date with all changes known to be in force on or before 31 July 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](#)

- (3) In section 46 (presumption and determination of age of child)—
- (a) in subsection (5), paragraph (b) and “or” immediately preceding it are repealed,
 - (b) in subsection (6), for “17” substitute “18”,
 - (c) subsection (7) is repealed.

Commencement Information

I2 S. 13 not in force at Royal Assent, see [s. 38\(3\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

Children (Care and Justice) (Scotland) Act 2024, Cross Heading: Involvement of children in criminal proceedings: general is up to date with all changes known to be in force on or before 31 July 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.

[View outstanding changes](#)

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

- Act power to modify conferred by 1995 c. 36, s. 33A (as inserted) by [2024 asp 5 s. 30\(2\)](#)
- Act power to modify conferred by 2010 asp 8, s. 190(2A) (as substituted) by [2024 asp 5 s. 29\(2\)\(b\)](#)