



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 6

### DISCLOSURE

#### *Provision of information to prosecutor*

#### **117 Provision of information to prosecutor: solemn cases**

- (1) This section applies where in a prosecution—
  - (a) an accused appears for the first time on petition, or
  - (b) an accused appears for the first time on indictment (not having appeared on petition in relation to the same matter).
- (2) As soon as practicable after the appearance, the investigating agency must provide the prosecutor with details of all the information that may be relevant to the case for or against the accused that the agency is aware of that was obtained (whether by the agency or otherwise) in the course of investigating the matter to which the appearance relates.
- (3) As soon as practicable after being required to do so by the prosecutor, the investigating agency must provide the prosecutor with any of that information that the prosecutor specifies in the requirement.
- (4) In this section, “investigating agency” means—
  - (a) a police force, or
  - (b) such other person who—
    - (i) engages (to any extent) in the investigation of crime or sudden deaths, and
    - (ii) submits reports relating to those investigations to the procurator fiscal,as the Scottish Ministers may prescribe by regulations.