
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 206

**The Regulation of Investigatory Powers
(Juveniles) (Scotland) Order 2002**

Sources under 18: risk assessments etc.

5. An authorisation for the conduct or use of a source may not be granted or renewed in any case where the source is under the age of 18 at the time of the grant or renewal, unless—

- (a) a person holding an office, rank or position with the relevant investigating authority has made and, in the case of a renewal, updated a risk assessment sufficient to demonstrate that—
 - (i) the nature and magnitude of any risk of physical injury to the source arising in the course of, or as a result of, carrying out the conduct described in the authorisation have been identified and evaluated; and
 - (ii) the nature and magnitude of any risk of psychological distress to the source arising in the course of, or as a result of, carrying out the conduct described in the authorisation have been identified and evaluated;
- (b) the person granting or renewing the authorisation has considered the risk assessment and is satisfied that any risks identified in it are justified and, if they are, that they have been properly explained to and understood by the source; and
- (c) the person granting or renewing the authorisation knows whether the relationship to which the conduct or use would relate is between the source and a relative, guardian or person who has for the time being assumed responsibility for the source's welfare, and, if it is, has given particular consideration to whether the authorisation is justified in the light of that fact.