
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 447

The Justice of the Peace Courts (Special Measures) (Scotland) Order 2015

Application of section 288E of the 1995 Act to JP Courts

4.—(1) Section 288E (prohibition of personal conduct of defence in certain cases involving child witnesses under the age of 12) of the 1995 Act applies to proceedings in JP Courts subject to the modifications in paragraphs (2) and (3).

(2) In subsection (2), omit “(other than proceedings in the JP court)”.

(3) For subsection (4), substitute—

“(4) Section 288D of this Act applies in the case of proceedings to which this section applies as it applies in the case of proceedings in respect of a sexual offence to which section 288C applies subject to the following modifications—

(a) in section 288D(1), omit “(other than proceedings in a JP court)”, and

(b) in section 288D(2)(a)(i), construe the reference to a relevant hearing as a reference to a hearing referred to in section 288E(2A).”.