



Criminal Justice (Scotland) Act 1987

1987 CHAPTER 41

PART II

MISCELLANEOUS

Evidence

60 Transcript of police interview sufficient evidence.

- (1) Subject to subsection (2) below, for the purposes of any criminal proceedings, a document certified by the person who made it as an accurate transcript made for the prosecutor of the contents of a tape (identified by means of a label) purporting to be a recording of an interview between a police officer and an accused person shall be received in evidence and be sufficient evidence of the making of the transcript and of its accuracy.
- (2) Subsection (1) above shall not apply to a transcript—
 - (a) unless a copy of it has been served on the accused not less than 14 days before his trial; or
 - (b) if the accused, not less than six days before his trial, or by such later time before his trial as the court may in special circumstances allow, has served notice on the prosecutor that the accused challenges the making of the transcript or its accuracy.
- (3) A copy of the transcript or a notice under subsection (2) above may be served personally or sent to the person on whom it is required to be served by registered post or by the recorded delivery service; and a written execution purporting to be signed by the person who served the transcript or notice, together with, where appropriate, a post office receipt for the relative registered or recorded delivery letter shall be sufficient evidence of such service.
- (4) Where subsection (1) above does not apply to a transcript, if the person who made the transcript is called as a witness his evidence shall be sufficient evidence of the making of the transcript and of its accuracy.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1987, Cross Heading: Evidence. (See end of Document for details)

61 Evidence on commission.

- (1) Section 32 of the ^{M1}Criminal Justice (Scotland) Act 1980 (which permits, in certain circumstances, the taking and admission of evidence on commission or by letter of request) shall have effect subject to the amendments specified in subsections (2) and (3) below.
- (2) In paragraph (b) of subsection (1)—
 - (a) after the word “who” there shall be inserted “(i)”; and
 - (b) at the end of the paragraph there shall be inserted the words “or
 - (ii) is not ordinarily resident in, and is, at the time of the trial diet, unlikely to be present in, the United Kingdom, Channel Islands or the Isle of Man.”.
- (3) In subsection (4) at the end there shall be added the words “; and without prejudice to the generality of the power to make it, such an Act of Adjournal may provide for the appointment of a person before whom evidence may be taken for the purposes of this section.”.

Marginal Citations

M1 1980 c. 62.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1987,
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